

<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM 6</b>
<b>1.30 pm 30 JANUARY 2018</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer:	Nick Harding (Head of Planning)	Tel. 454441
Reporting Officer:	Paul Smith (Compliance & S106 Manager)	Tel. 453468

**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE - JULY TO SEPTEMBER (Quarter 2) and OCTOBER TO DECEMBER (Quarter 3)**

<b>RECOMMENDATIONS</b>	
<b>FROM</b> : Director of Growth and Regeneration	<b>Deadline date</b> : January 2018
That Committee notes past performance and outcomes.	

**1. PURPOSE AND REASON FOR REPORT**

It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

**2. TIMESCALE.**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>n/a</b>
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**3. MAIN BODY OF REPORT**

**Quarter 2 Outcomes**

- 3.1 In the second quarter of 2017/18 we received a total of 122 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (102 cases) as at 30 September 2017 we had 128 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 96% of new service requests within 3 working days this quarter, well above the target of 80%. 97% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 4 enforcement notices were issued in the quarter. No enforcement notices fell due to be complied with in the quarter. 1 other enforcement notice was complied with in the quarter. There were no enforcement notices issued in the previous quarter that have not been complied with on time.
- 3.2 No Court Action requests in relation to enforcement cases were made this quarter.
- 3.3 No prosecutions have been sought this quarter either.

### **Quarter 3 Outcomes**

- 3.4 In the third quarter of 2017/18 we received a total of 118 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (93 cases) as at 31st December 2017 we had 191 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 98% of new service requests within 3 working days this quarter, well above the target of 80%. 91% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 4 enforcement notices were issued in the quarter. 1 enforcement notice fell due within the quarter and has been complied with. 1 other notice was complied with in the quarter. There were no enforcement notices issued in the previous quarter that have not been complied with on time.
- 3.5 No Court Action requests in relation to enforcement cases were made this quarter.
- 3.6 No prosecutions have been sought this quarter either.
- 3.7 Please see the attached Appendix 1 (Quarter 2) and Appendix 2 (Quarter 3) for further details of the Planning Compliance Team Quarterly Report on Activity & Performance.

## **4. IMPLICATIONS**

- 4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

**Financial Implications** – This report itself does not have any financial implications

**Human Rights Act** – This report itself has no human rights implications but the enforcement process has due regard to human rights issues.

**Human Resources** – This report itself has no human resources implications.

**ICT** – This report itself has no ICT implications.

**Property** – This report itself has no Property implications.

**Contract Services** – This report itself has no Contract Services implications.

**Equality & Diversity** – This report itself has no Equality and Diversity Implications, although the enforcement process has due regard to such considerations.

**APPENDIX 1 (Quarter 2)**

**INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – (July to Sept 2017)**

<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	122	Down from 130. The number of new cases has fallen by 8.
Complaints Resolved (cases closed as % of cases received)	102	Down from 161. The number of cases closed has fallen by 59.
Complaints on Hand/Pending	128/92	Cases on hand fallen by 17 and cases pending have fallen by 34.
<b>Reasons Cases Closed</b>	<b>No</b>	<b>Comment</b>
Development de minimis	<b>5</b>	Up 2 from last quarter
Development older than four years	<b>3</b>	Down 3 from last quarter
Breach confirmed - action not authorised	<b>2</b>	Down 1 from last quarter
No breach found	<b>40</b>	Down 37 from last quarter
Permitted development	<b>8</b>	Down 4 from last quarter
Permission granted	<b>10</b>	Down 8 from last quarter
Breach remedied	<b>25</b>	Down 5 from last quarter
Not expedient	<b>1</b>	Up 1 from last quarter
Would Grant Planning Permission	<b>6</b>	Up 1 from last quarter
Monitoring over 8 weeks	<b>2</b>	Up 2 from last quarter
<b>Total Closed</b>	<b>102</b>	<b>Down 59 from last quarter</b>
<b>Enforcement Notices Served</b>		
Stop Notice	1	17/00259/ENFOTH Land At English Drove Thorney - hardcore and concrete to form a hardstanding brought onto the land and laid
Enforcement Notice	1	17/00259/ENFOTH Land At English Drove Thorney - hardcore brought onto agricultural land to create a temporary road surface. Cement also brought onto land and mixed with concrete to create two hardstandings
Operational Development Notice	1	17/00025/ENFOTH 64 Westgate - detached outbuilding
Change of Use Notice	1	16/00384/ENFOTH Land At Montagu Road Adjacent To 129 And 131 Walton Unauthorised development - 2 shipping containers
<b>Total Notices Served</b>	<b>4</b>	Up 1 from last quarter

<b>Enforcement Notices Due and Complied With in the Quarter</b>		
Type	Due	Comment
<b>Total Notices Complied with</b>	<b>0</b>	Down 2 from last quarter

<b>Other Enforcement Notices Complied With in the Quarter</b>		
Type	Due	Comment
Operational Development Notice	1	16/00118/ENFEXT 1116 Bourges Boulevard Millfield (Due: 18/01/2017) - Rear extension
<b>Total Notices Complied with</b>	<b>1</b>	Down 5 from last quarter

<b>Enforcement Notices Due but Not Complied Within the Quarter</b>		
Site	Date Due	Comments
<b>Total</b>	<b>0</b>	Same as last quarter

<b>Other Notable Outcomes</b>	
13/00269/ENFCOU Caravans at Land South East Of Nine Bridges Glinton	Enforcement action pending until appeal against 2 <sup>nd</sup> refusal of permission has been decided
16/00069/ENFMON. Parking provision at 142 Cobden Avenue, Millfield Peterborough, PE1 2NU	Owner has issued a notice to quit on his tenant and will remedy breaches when he has possession of the property

<b>Court Action Agreed</b>		
Failure to comply with enforcement notice. Summons Issued		
<b>Total</b>	<b>0</b>	No change from last quarter
<b>Prosecutions</b>		
<b>Total</b>	<b>0</b>	No change from last quarter

<b>Performance Measures</b>			
	Description	% / Time	Comments
	% of cases closed within 8 weeks if No Breach found.	98	Up 17% Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	10	Down 4 weeks No Target
LPI	% of complaints acknowledged within 3 working days.	96	Down 1% Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	97	Same as last quarter Target of 80%

**Notable Cases** July to September 2017

Reference	Site Address	Breach Type	Date Closed	Reason Closed	Source
17/00267/ENFFLA	687 Lincoln Road Peterborough PE1 3HD	Conversion to flats	27/07/2017	Breach confirmed - action not authorised	HiMO No harm caused no improvements possible
17/00131/ENFCO U	41A Park Road Peterborough PE1 2TH	Change of use from mixed use as shop and	27/07/2017	Breach confirmed - action not authorised	New use has no more impact on the
		flat to beauty parlour and flat			neighbours & area than approved use as beauty parlour
17/00258/ENFREP	8 Wimborne Drive Dogsthorpe Peterborough PE1 4RR	Car repairs	03/07/2017	No breach found	Complainant CLLR, PARISH or MP
17/00313/ENFREP	80 Larch Grove Dogsthorpe Peterborough PE1 4JY	Car repairs	20/07/2017	No breach found	Complainant CLLR, PARISH or MP
17/00314/ENFOTH	Woodgate Farm 3 Woodgate Lane Maxey Peterborough PE6 9ED	Unauthorised development	24/07/2017	Would Grant Planning Permission	Complainant CLLR, PARISH or MP
17/00312/ENFBCN	Land To The West Of Williams Close Newborough Peterborough	Breach of condition	27/07/2017	No breach found	Complainant CLLR, PARISH or MP
17/00321/ENFREP	84 Sycamore Avenue Dogsthorpe Peterborough PE1 4JU	Car repairs	28/07/2017	No breach found	Complainant CLLR, PARISH or MP
17/00341/ENFEXT	20 Exeter Road Millfield Peterborough PE1 3QN	Extension	11/08/2017	Development de minimis	Complainant CLLR, PARISH or MP
17/00286/ENFAD	42 Broadway Peterborough PE1 1RS	Advert	15/08/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00343/ENFACC	20 Peakirk Road Glinton Peterborough PE6 7LT	Not in accordance with a permission	16/08/2017	No breach found	Complainant CLLR, PARISH or MP

17/00347/ENFBUS	72 Reeves Way Eastfield Peterborough PE1 5LG	Business from home	16/08/2017	No breach found	Complainant CLLR, PARISH or MP
17/00261/ENFCO U	Baltia Stores 148 - 150 Huntly Grove Peterborough PE1 2QN	Change of use	18/08/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00350/ENFACC	44 Priory Road West Town Peterborough PE3 9ED	Not in accordance with a permission	21/08/2017	No breach found	Complainant CLLR, PARISH or MP
17/00372/ENFHM O	108 Brookfurlong Ravensthorpe Peterborough PE3 7LQ	House in multiple occupation	15/09/2017	No breach found	Complainant CLLR, PARISH or MP
17/00382/ENFBCN	Marketstede Hampton Hargate Peterborough	Breach of condition	27/09/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00018/ENFREP	129 Paynels Orton Goldhay Peterborough PE2 5QP	Car repairs	27/09/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00382/ENFBCN	Marketstede Hampton Hargate Peterborough	Breach of condition	27/09/2017	Breach remedied	Complainant CLLR, PARISH or MP
16/00012/ENFBCN	213 Clarence Road Millfield Peterborough PE1 2LF	Breach of condition	07/07/2017	Not expedient	Notice Issued
16/00118/ENFEXT	1116 Bourges Boulevard Millfield Peterborough PE1 2AW	Extension	11/07/2017	Would Grant Planning Permission	Notice Issued
16/00118/ENFEXT	1116 Bourges Boulevard Millfield Peterborough PE1 2AW	Extension	11/07/2017	Would Grant Planning Permission	Notice Issued

**APPENDIX 2 (Quarter 3)**

**INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – (Oct to Dec 2017)**

<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	118	The number of new cases has fallen by 4 from 122
Complaints Resolved (cases closed as % of cases received)	93	The number of cases closed has fallen by 9 from 102
Complaints on Hand/Pending	191/141	Cases on hand risen by 63 from 128 and cases pending have risen by 49 from 92
<b>Reasons Cases Closed</b>	<b>No</b>	<b>Comment</b>
Development de minimis	<b>3</b>	Down 2 from last quarter
Development older than four years	<b>2</b>	Down 1 from last quarter
Breach confirmed - action not authorised	<b>3</b>	Up 1 from last quarter
No breach found	<b>30</b>	Down 10 from last quarter
No development established	<b>1</b>	Up 1 from last quarter
Permitted development	<b>7</b>	Down 1 from last quarter
Permission granted	<b>6</b>	Down 4 from last quarter
Breach remedied	<b>25</b>	Same as last quarter
Not expedient	<b>3</b>	Up 2 from last quarter
Breach mitigated	<b>1</b>	Up 1 from last quarter
Warning issued	<b>1</b>	Up 1 from last quarter
Monitoring over 8 weeks	<b>1</b>	Down 1 from last quarter
Would Grant Planning Permission	<b>10</b>	Up 4 from last quarter
Total Closed	<b>93</b>	Down 9 from last quarter
<b>Enforcement Notices Served</b>		
Operational Development Notice	<b>1</b>	15/00325/ENFGAR 108 Sycamore Avenue Dogsthorpe - buildings in garden

Planning Contravention Notice	2	17/00281/ENFBUS The Willows Willow Drove Newborough Fen - business from home 17/00458/ENFBCN New Range Riding School Crowland Road Eye - breach of condition
Change of Use Notice	1	17/00157/ENFCOU 89 Fengate - change of use
<b>Total Notices Served</b>	<b>4</b>	Same as last quarter

<b>Enforcement Notices Due and Complied With in the Quarter</b>		
Type	Due	Comment
<b>Total Notices Complied with</b>	<b>1</b>	16/00384/ENFOTH Land At Montagu Road Adjacent To 129 And 131 Walton Peterborough (Due: 14/11/2017) - change of use two shipping containers

<b>Other Enforcement Notices Complied With in the Quarter</b>		
Type	Due	Comment
Change of Use Notice	1	15/00307/ENFOTH Compass Barn Main Street Ufford Stamford PE9 3BH (Due: 27/06/2017) - skateboard ramp
<b>Total Notices Complied with</b>	<b>1</b>	Same as last quarter

<b>Enforcement Notices Due but Not Complied Within the Quarter</b>		
Site	Date Due	Comments
<b>Total</b>	<b>0</b>	Same as last quarter

<b>Other Notable Outcomes</b>	
13/00269/ENFCOU Caravans at Land South East Of Nine Bridges Glinton	Enforcement action pending until Health and Welfare assessment completed and a new site becomes available

<b>Court Action Agreed</b>		
Failure to comply with enforcement notice. Summons Issued		
<b>Total</b>	<b>0</b>	No change from last quarter
<b>Prosecutions</b>		
<b>Total</b>	<b>0</b>	No change from last quarter

<b>Performance Measures</b>			
	Description	% / Time	Comments



	% of cases closed within 8 weeks if No Breach found.	89	Down 9% Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	9	Down 1 week No Target
LPI	% of complaints acknowledged within 3 working days.	98	Up 2% Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	91	Down 6% Target of 80%

#### Notable Cases October to December 2017

Reference	Site Address	Breach Type	Date Closed	Reason Closed	Source
17/00413/ENFEXT	41 Harris Street Millfield Peterborough PE1 2LY	Extension	19/10/2017	Breach confirmed - action not authorised	Ground floor bathroom extension would not need PP if the materials had matched but will be acceptable

					when rendered and painted
17/00359/ENFBCN	Land To The West Of Williams Close Newborough Peterborough	Breach of condition. Use of pile driver outside permitted times	30/10/2017	Breach confirmed - action not authorised	Action not authorised as the piling has been completed
17/00480/ENFFLA	128 Gladstone Street Millfield Peterborough PE1 2BL	Conversion of 2 flats to 3 flats	23/11/2017	Breach confirmed - action not authorised	Action not authorised as causes no harm
17/00360/ENFGAR	27-29 Dogsthorpe Road Peterborough PE1 3AD	Building in garden	30/10/2017	Monitoring/8 weeks	The complainant thought owner was erecting an outbuilding refused at Appeal but laying a PD patio
16/00384/ENFOTH	Land At Montagu Road Adjacent To 129 And 131 Walton Peterborough	Unauthorised development	15/12/2017	Breach remedied	Appeal against refusal
17/00423/ENFBCN	7 Walnut Mews Peterborough PE3 6GJ	Breach of condition	11/10/2017	No breach found	Complainant CLLR, PARISH or MP

17/00420/ENFENC	16-18 Grimshaw Road Peterborough PE1 4ET	Wall/fence	11/10/2017	No breach found	Complainant CLLR, PARISH or MP
15/00307/ENFOTH	Compass Barn Main Street Ufford Stamford PE9 3BH	Unauthoris ed developme nt	13/10/2017	Breach remedied and notice complied with	Complainant CLLR, PARISH or MP
17/00368/ENFBUS	30 Gretton Close Orton Longueville Peterborough PE2 7WD	Business from home	06/11/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00399/ENFAD	Bounce 1 Wedgwood Way Bretton Peterborough PE3 8AY	Advert	07/11/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00443/ENFAD	110 Alma Road Millfield Peterborough PE1 3AW	Advert	20/11/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00395/ENFCAR	33 Muswell Road West Town Peterborough PE3 9EF	Car sales	24/11/2017	No breach found	Complainant CLLR, PARISH or MP
17/00506/ENFGAR	38 Myrtle Avenue Dogsthorpe Peterborough PE1 4LR	Building in garden	06/12/2017	Would Grant Planning Permission	Complainant CLLR, PARISH or MP
17/00182/ENFOTH	Jack Hunt School Bradwell Road Netherton Peterborough PE3 9PY	Unauthoris ed developme nt	07/12/2017	Breach remedied	Complainant CLLR, PARISH or MP
17/00456/ENFCOU	20 Broadway Gardens Peterborough PE1 4DU	Change of use	07/12/2017	No breach found	Complainant CLLR, PARISH or MP
17/00469/ENFHRD	Land South Of A47 And East Of Great North Road Wansford Peterborough	Hardstandi ng	15/12/2017	No development established	Complainant CLLR, PARISH or MP

17/00418/ENFOTH	The Crab And Winkle 3 Loxley Centre Lincoln Road Peterborough PE4 5BW	Unauthoris ed developme nt	15/12/2017	Breach mitigated	Complainant CLLR, PARISH or MP
16/00384/ENFOTH	Land At Montagu Road Adjacent To 129 And 131 Walton Peterborough	Unauthoris ed developme nt shipping containers in garage court	15/12/2017	Breach remedied containers removed and notice complied wiith	Notice Issued

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