

<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM 5</b>
<b>22 JULY 2014</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Councillor Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer:	Nick Harding (Head of Development & Construction)	Tel. 454441
Reporting Officer:	Paul Smith (Compliance & S106 Manager)	Tel. 453468

**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE APRIL TO JUNE 2014**

RECOMMENDATIONS	
<b>FROM :</b> Director of Growth and Regeneration	<b>Deadline date :</b> July 2014
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>
---	-----------	---	------------

**3. MAIN BODY OF REPORT**

In the first quarter of 2014/15 we received a total of 155 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (171 cases) as at 30 June 2014 we had 182 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 97% of new service requests within 3 working days this quarter, well above the target of 80%. 98% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 7 enforcement notices were issued in the quarter and 3 enforcement notices issued in previous quarters have been checked and were found to have been complied with. We received 5 more cases than the quarterly average of 150. The number of cases closed was 21 above the quarterly average. There were no prosecution cases to report this quarter, however there were a large number of notable outcomes outlined in the attached Appendix. Please see the attached Appendix 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**

### **INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – Qtr 1 (Apr-June 2014)**

<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	155	<i>The number of cases received was 5 above the average for a quarter</i>
Complaints Resolved (cases closed as % of cases received)	171 (110.32%)	<i>The number of cases closed was 21 above the average for a quarter and we closed 16 more than we received</i>
Complaints on Hand/Pending	182/133	Cases on hand has fallen by 16 since Last Quarter and the number of cases pending has fallen by 8.

#### **Enforcement Notices Served**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments</b>
Breach of Condition Notice	1	Not complying with conditions
Planning Contravention Notice	3	Requisition for information
Operational Development Notice	1	Physical building works
Temporary Stop Notice	1	Halts works for 28 days
Advert Action Notice (28 days)	1	Requires removal of unauthorised advert
<b>Total Notices Served</b>	<b>7</b>	<b>Five less than last quarter</b>

#### **Enforcement Notices Complied With**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments</b>
Operational Development Notice	2	Physical building works
Change of Use Notice	1	Unauthorised use is required to end
<b>Total Notices Complied with</b>	<b>3</b>	<b>5 fewer than last quarter</b>

#### **Court Action Agreed**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments</b>
None		

#### **Prosecutions**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments, including cost awards</b>
None		

#### **Performance Measures**

	<b>Description</b>	<b>% / Time</b>	<b>Comments</b>
	% of cases closed within 8 weeks if No Breach found.	86%	11% more than last quarter - Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	15 weeks	Down by 13 weeks
LPI	% of complaints acknowledged within 3 working days.	97 %	2% less than last quarter - Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	98 %	1% more than last quarter - Target of 80%

#### **Cumulative Compliance Performance**

<b>Description</b>	<b>Target</b>	<b>This quarter</b>	<b>Yearly average</b>
Enforcement cases closed within 8 weeks if no breach	80% within 8 weeks	86 %	81.9 %

found.			
Acknowledgement of enforcement complaints.	80% within 3 working days	97 %	96.9 %
Enforcement site visits carried out within 7 days of acknowledgement.	80% within 7 days	98 %	96.5 %

**Notable planning enforcement cases closed between 1.4.14 and 30.6.14 for committee information item.**

<b>Ref No</b>	<b>Address</b>	<b>Issue</b>	<b>Outcome</b>
13/00290/ENFOTH	14 Searjeant Street	Storage contained on shop forecourt	Enforcement Notice served and container removed
13/00213/ENFACC	133 Lincoln Road	Over long rear extension	Enforcement Notice served and appeal dismissed
14/00161/ENFBCN	2 Park Road	Bin store under bedroom windows of Bull Hotel	The bin store was removed and will be re-erected further away from the hotel
13/00156/ENFGAR	561 - 563 Lincoln Road	Building in Back Garden	Enforcement Notice served and building demolished
14/00134/ENFAD	5 Abbey Place	Large banner attached to a Listed Building	Banner removed before notice served.
14/00046/ENFMOB	37 Temple Grange	Caravan being occupied on driveway	Occupants vacated and caravan taken off site
13/00247/ENFCOU	2 Cavendish Street	Unauthorised car wash/valeting business	Stop Notice & Enf Notice served, use has ceased.
13/00379/ENFCAR	87 Fengate	Unauthorised car sales	Sale of vehicles ceased prior to Notice being served.
14/00054/ENFBCN	42 Thurning Avenue	Breach of condition limiting number of persons at day care centre	The level of use was reduced to comply with the conditions on the planning permission
14/00043/ENFBUS	64 Portchester Close	Business from home steam cleaning	Breach remedied Land has been cleared of plant
14/00193/ENFENC	Dobbies Garden Centre Hampton	Fence out of keeping with area	Fence did not need permission so we persuaded the owners to paint it green to reduce impact.
12/00050/ENFACC	90 Vere Road	Rear extension- 2.5 metres longer than approved and with incorrect roof style	Following successful court action for failure to comply with enforcement notice, the extension has been revised to comply with the Notice
14/00176/ENFACC	The Bluebell PH Helpston	Extraction flue on extension to listed building	Unauthorised Extraction flue removed

14/00210/ENFBCN	229 Park Road	Render on external surfaces facing road was not as approved	Render replaced with an acceptable type
14/00303/ENFAD	Endeavour House Saville Road	Unauthorised signs on boundary fence	Signs removed
14/00304/ENFAD	A1 Steel Saville Road	Unauthorised signs on boundary fence	Signs removed
10/00496/ENFOTH	63 Sycamore Avenue	Unauthorised extraction flues	Appeal against enforcement notice dismissed
12/00499/ENFACC	55 cherry Orton Road	Installation of additional chiller unit	Appeal against enforcement notice dismissed
12/00297/ENFCOU	Paradise Lane, Northborough	Use of stables as a dwelling	Appeal dismissed, enforcement notice upheld but time to comply extended from 6 to 12 months
13/00321/ENFOTH	Anteon House, Newark Road,	Big extension to rear of warehouse	Appeal dismissed, enforcement notice is upheld
12/00516/ENFOTH	Field End, Marholm Road, Ufford	Building in open countryside	Enforcement notice served and shed has been removed

This page is intentionally left blank