



# Planning Committee

Various Wards

2nd February 2010

## INFORMATION ITEM

(Report of the Acting Head of Planning and Building Control)

### 1. Purpose of Report

To receive information in relation to statistics relating to enforcement activity in the previous six months.

### 2. Recommendation

**The Committee is asked to RESOLVE that**

**the information be noted**

### 3. Financial, Legal, Policy, Risk and Climate Change Implications

#### Financial

3.1 There are no direct financial implications in this report.

#### Legal

3.2 Legal implications are as detailed in the reports and as set out in the following Acts:-

Town and Country Planning Act 1990.

Planning and Compensation Act 1991.

Planning and Compulsory Purchase Act 2004.

Town and Country Planning (Control of Advertisements) Regulations 2007

Anti-Social Behaviour Act 2003.

Human Rights Act 1998.

Crime and Disorder Act 1998.

#### Policy

3.3 Policy implications are as detailed in the individual report(s), the Planning Enforcement Policy and as set out in the Borough of Redditch Local Plan No. 3.

## 3.4 Background, Key Issues

In line with previous requests from Members of the Committee, the Information Report can include items of information (if any) on:

- a) reasons for the granting of planning permission
- b) decisions taken under delegated authority
- c) outcomes of appeals against planning decisions
- d) outcomes of appeals against enforcement action
- e) notification of appeals received
- f) notification of prosecutions relating to enforcement of planning control
- g) details of statistics relating to planning applications received and the enforcement of planning control

## 3.5 Risk

As detailed within each specific report as appropriate.

Town and Country Planning Act 1990.

Planning and Compensation Act 1991.

Planning and Compulsory Purchase Act 2004.

3.6 Under Article 8 of the European Convention on Human Rights, everyone has the right to respect for his/her private and family life, home and correspondence.

3.7 Interference with this right is only allowed in limited circumstances where it is in accordance with the law and is necessary in a democratic society for, among other things, the protection of the rights and freedom of others. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 of adjacent occupiers.

## Climate Change

3.9 As detailed in each individual Enforcement report.

## 4. Other Implications

Any Asset Management, Community Safety, Human Resources and Sustainability / Environmental implications will be detailed in the attached separate report(s).

Social Exclusion: - Enforcement action is taken equally and fairly, regardless of the status of the person or organisation, or the subject of enforcement action.

5. **Consultation**

There has been no consultation other than with relevant Borough Council Officers.

6. **Author of Report**

The author of this report is Iain Mackay (Planning Enforcement Officer) who can be contacted on extension 3205 (e-mail:-iain.mackay@redditchbc.gov.uk) for more information

7. **Attachments**

Appendix 1 - 6 monthly review of enforcement authorisations

Appendix 2 - 6 monthly statistics of enforcement activity

6 Monthly Review of Enforcement Authorisations							
Date	Location	Alleged Breach	Authorised	Committee or Delegated	Action taken	Date closed/ Review date	Current status
14 July 2009	Blakemere Close, Winyates	Conversion into two dwellings	Enforcement Notice	Committee	Notice issued	03 September 2009	Closed - Notice complied with
15 July 2009	Ipsley Street, Town Centre	Non-compliance with planning condition	Breach of Condition Notice	Delegated	Notice issued	02 February 2010	Pending Committee authority to prosecute
18 August 2009	Church Road, Astwood Bank	Non-compliance with planning condition	Breach of Condition Notice	Delegated	Notice issued	20 November 2009	Closed - Notice complied with
24 September 2009	Union Street, Smallwood	Non-compliance with planning condition	Breach of Condition Notice	Delegated	Notice issued	11 January 2010	Closed - Notice complied with
27 November 2009	Atcham Close, Winyates	Condition of lannd	Section 215 Notice	Delegated	Notice issued	20 January 2010	Appeal received
3 December 2009	Evesham Road, Headless Cross	Fascia sign	Prosecution	Delegated	Warning letter sent	29 December 2009	Prosecution commenced
14 December 2009	Evesham Road, Astwood Bank	Storage of container	Enforcement Notice	Delegated	Notice issued	03 May 2010	Compliance period expires
18 December 2009	Evesham Road, Astwood Bank	Non-compliance with planning condition	Breach of Condition Notice	Delegated	Notice issued	25 January 2010	Compliance period expires

### Enforcement Statistics - July to December 2009

Enforcement Complaints registered	→→	183
Closed - ceased	→→	50
Closed - Planning Permission obtained	→→	9
Closed - no evidence	→→	16
Closed - permitted development	→→	45
Closed - no planning issues		43
Closed - not expedient/other reasons	→→	16
<b>Total number of complaints closed</b>	→→	<b>179</b>
Enforcement notices issued	→→	1
Stop notices issued	→→	0
Temporary stop notices issued	→→	0
Section 215 Notices	→→	2
Breach of condition notices issued	→→	4
Planning contravention notices	→→	14
High Hedge remedial notices		0
Tree Replacement notices	→→	0
<b>Number of Notices issued</b>	→→	<b>21</b>
<b>Number of Notices complied with</b>	→→	<b>14</b>

# Planning Committee

# Appendix 2

2nd February 2010

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Prosecutions initiated

→→

1

Convictions obtained

→→

1

Enforcement appeals received

→→

0

Enforcement appeals dismissed

→→

0

Enforcement appeals allowed

→→

0

Iain Mackay  
Enforcement Officer

Date:

04/01/2010