

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE  
PLANNING AND COMPENSATION ACT 1991  
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)  
ACT 1990  
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

**ENFORCEMENT COMMITTEE AUTHORISATIONS**  
**CASE REVIEW REPORT**  
**December 2003**

These cases have previously been reported to Committee, but remain unresolved. The purpose of the Report is to provide a brief quarterly update for Members. Any issues of detail are best raised with Officers before or after Committee.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/292/97/S P7/521		26/11/97	Unauthorised alteration to levels of land	Notice served, no appeal submitted. Compliance date: 09/04/99. Most works required by notice completed. Still building works being carried out to the approved dwelling therefore development not completed.	PS monitoring the site.
ENF/575/96/S P7/538		30/09/98	Non compliance with agricultural workers condition.	Enf. Notice served, no appeal submitted. Owners received planning permission at Committee on 26/11/03 to have occupancy condition removed as sufficient case submitted to show no justification to retain condition.	As planning permission granted to have the agricultural occupancy condition removed there is no longer a breach of planning control.  <b>NFA</b>
ENF/037/95/N P13/11		28/10/98	31 unauthorised windows in listed building.	Notice served, appeal dismissed. Compliance date: 19/10/00, therefore now in breach. 4 windows replaced & considered acceptable. 27 windows retained but now painted white. Still in breach with the notice. Application submitted to retain the windows as painted.	PS to determine application to retain windows as painted. If approved, then the requirements of the Notice will have been superseded. If refused, further action will be needed to ensure replacement of the windows.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/006/97/S P13/8		27/10/99	Neglect of listed building	No unauthorised development simply a case of neglect of this Grade II* listed building. Owner has died. Site is for sale.	Conservation Section now within DS. Wait for advice from Conservation Officers regarding what action they propose to take and whether planning enforcement can assist in bringing the matter to a resolution.
ENF/001/96/N P13/6		27/10/99	Neglect of listed building	Barn collapsed while new owner carrying out minor repairs required by Building Control to make structure safe. Cadw advised. Application for retrospective LBC to regularise matters by having building de-listed now submitted. Awaiting formal response from Cadw. Planning application received to erect building for 2 residential units.	PS to process applications dependent on response from Cadw.  No planning enforcement implications if relevant consents granted.
ENF/302/98/S P13/10	I	27/10/99	Neglect of listed building – Ancient Monument	No unauthorised development, simply a case of neglect of an Ancient Monument & Listed Building. Cadw agreed 100% funding for full survey of remaining walls to assess their condition. But still to be implemented. As an Ancient Monument DCC have no planning powers in this matter.	This is a case for the Conservation Section (DS) and County Archaeologist (CS) as there are no planning enforcement powers available to the Council.  <b>NFA</b>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/001/99/N P13/5		09/05/00	Neglect of listed building	No unauthorised development simply a case of neglect of a listed building. Owner carrying out inter works to improve the stability of the structure, in discussions with BC. He is hopeful that scaffolding will come down by late Spring. Recent meeting between Officers, Local Ward Member and representatives of Town Council to agree a strategy regarding the building & the murals.	Officers to contact owner regarding an agreed time table for various work, to improve external appearance and internal structural work. Officers to also have murals surveyed to establish their condition and costs for their removal/renovation.
ENF/127/00/S P13/13		28/06/00	uPVC windows and door in a Listed Building.	Notice served, no appeal submitted. Compliance date: 27/04/02, therefore now in breach. New owner agreed to submit application for alternative windows. No application submitted.	PS to instruct LS to prosecute owner regarding failure to comply with the Notice.
ENF/434/99/N LB1 – P7/552 LB2 – P7/553 LB3 – P7/555 LB4 – P7/554		28/03/01	Stationing and trading of mobile catering units on Crown Land	4 Notices served, appeals dismissed. Compliance date: 02/05/03 WAG have erected signs in each of the 4 lay bys advising "no trading" fences also erected in 2 of the lay bys. All permanent units now removed. 1 lay-by still being regularly used during the day by drive on/drive off mobile unit.	It is considered that the Notices have been complied with.  <b>NFA</b>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/133/00/S P7/560		25/07/01	Residential twin unit caravan	Notice served, no appeal submitted. Compliance date: 31/10/02, therefore now in breach Appellant has moved into a Council house and therefore no longer resides in the caravan. Caravan however not removed as required by the Enf notice.	PS to monitor site regarding use of caravan & ensure the caravan is either removed or regularised through the submission of a retrospective application for it's retention as an office/store in association with the authorised fishery use.
ENF/2001/004 P7/564		25/07/01	Installation of roller shutters in Conservation Area	Notice served, appeal deemed invalid. Compliance date: 21/02/02 Now in breach of Notice. Has been to Court. Not guilty plea entered, quoting Human Rights. Trial date 13/02/04	PS & LS to co-ordinate court appearance, along with unauthorised sign & roller shutter at No. 204
ENF/2003/0016 P7/601		23/04/03	Unauthorised stall riser to shop front in Conservation Area	Notice served. No appeal submitted, now in breach.	PS to instruct LS to prosecute
ENF/2003/0015 P2/43		23/04/03	Illuminated fascia sign in Conservation Area	Authorisation granted to prosecute regarding unauthorised sign. Sign still in situ. To be heard on 13/02/04 along with roller shutters.	PS & LS to co-ordinate court appearance, along with unauthorised roller shutter & roller shutter at No. 204
ENF/2001/005 P7/565		25/07/01	Installation of roller shutter in Conservation Area	As above	PS & LS to co-ordinate court appearance, along with unauthorised roller shutter & sign at No. 208
ENF/2002/007 P7/568		30/01/02	Storage of vehicles and residential use	Notice served, appeal dismissed. Compliance date: 01/04/04	PS monitor compliance date and liaise with EA who are also taking action.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2002/002 P7/569		30/01/02	Erection of two storey building	Notice served, appeal dismissed. Compliance date: 13/12/03. Certificate of Lawfulness for garden area granted. Works to alter the building to ensure complies with permitted development tolerances now completed so that the building is considered to be permitted development.	Extended garden area lawful, building permitted development.  <b>NFA</b>
ENF/2002/005 P7/573		27/02/02	Extension to dwelling	Notice served, appeal withdrawn. Compliance date: 02/12/03 Subsequent planning permission granted representing compromise solution.	PS to monitor development & compliance date
ENF/184/99/S P13/17 P34/115		26/06/02 04/09/02	Neglect of Listed Building. Removal of clock & lead from the roof	Under new ownership. Police have recently prosecuted someone for stealing stain glass windows from the property. No other police prosecutions bought forward in relation to the theft of the clock, lead from the roof or other matters.	The matters of damage and theft are being investigated by the police. These are not planning matters. Conservation Section of DS in contact with new owners & Phoenix Trust to try and progress Feasibility Study and some remedial work to building, particularly given public safety implications. This is no longer an enforcement case for PS, although Officers will continue to liaise with police and colleagues in DS.  <b>NFA</b>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2002/003 P7/581		26/06/02	uPVC windows and door in Conservation Area	Notice served, appeal withdrawn on day of Public Inquiry. Compliance date: 22/05/04 Site located within Conservation Area & Article 4(2) Direction area. Windows and door now replaced with traditional.	Major improvement. Notice complied with.  <b>NFA</b>
ENF/2002/025 P7/580		26/06/02	Mixed use, residential & car sales	Retro. application refused and notice served. Subsequent appeal dismissed. Compliance date extended until 29/12/03.	PS monitor having regard to compliance date.
ENF/2002/021 P7/351		04/09/02	Siting of mobile home and creation of curtilage	Retro application refused and notice served. Subsequent appeal allowed for temporary period while occupied by sick parents. Also a requirement for additional planting to help screen the caravan.	PS to monitor and ensure planting implemented and removal of caravan once vacated by sick parents.
ENF/2002/033 P7/588		04/09/02	Installation of fascia sign in Conservation Area	Sign in Conservation Area displayed with deemed consent but considered unacceptable, not least as it has enclosed highway furniture. THI Project Officer and Planning Officers in discussion with owners to encourage improvements to sign and property.	PS continue negotiations and hold any action in abeyance.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2002/017 P24/194		04/09/02	uPVC shop front in Conservation area	Notice served. Compliance date: 21/01/04.	PS monitor compliance date
ENF/307/01/S P2/41		04/09/02	Illuminated fascia sign in Conservation area	Unauthorised sign removed and appropriate painted sign within original fascia introduced, all through negotiation.	Sign now acceptable. No breach.  <b>NFA</b>
15/877/98/MA P47/3		30/10/02	Undetermined ROMP application – extraction continuing	PS have written to the quarry owners legal representative on basis of advice received from Counsel & Committee resolution.	Awaiting response on behalf of quarry owner.
ENF/2002/043 P7/592		18/12/02	Storage of railway carriages and associated paraphernalia	Notice served and appeal heard by way of Public Inquiry. Appeal dismissed. Storage use to cease and all items removed by compliance date: 03/04/04.	PS monitor having regard to compliance date.
ENF/2003/031 P7/592		23/07/03	Boundary fence & gates over 2m high	Notice served requiring removal of fence in 3 months. Still within time to appeal.	PS to monitor site having regard to compliance date.
ENF/2003/003 P2/42		26/02/03	Unauthorised internally illuminated neon sign in Conservation Area	Authorisation to prosecute Sign in Conservation Area. Illuminated fascia sign removed and replaced by non illuminated board. Illuminated projecting box sign remains. Owner in discussion regarding replacing with acceptable signs	PS to liaise with owner regarding suitable replacement signs.



REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2003/009		23/07/03	Residential use of caravan and stationing of vehicles	Enf action authorised to secure cessation of use & removal of vehicles. Draft Notice with PS	PS to forward draft Notice to LS and Notice to be served.
ENF/2003/028		03/09/03	Siting of Static Caravan for Residential Purposes	Enf. action authorised to secure cessation of residential use & removal of caravan. Notice served, 18 months for compliance given. Still within time to appeal.	PS to monitor site having regard to compliance date.
ENF/2003/023		01/10/03	Installation of uPVC windows in premises in a Conservation Area	Enf. action authorised to secure removal of 2 uPVC windows & their replacement with traditional timber sliding sash windows. Notice served, 12 months for compliance given. Still within time to appeal.	PS to monitor site having regard to compliance date.
ENF/2003/038		01/10/03	Dev. not in accordance with that granted under pp Code No. 43/2001/1194/PF	Enf. action authorised to secure alterations to dormer so matches approved plans. Notice served 6 months for compliance given. Still within time to appeal.	PS to monitor site having regard to compliance date.
ENF/2003/024		29/10/03	Replacement of windows with modern uPVC windows within Conservation Area	Retrospective planning permission granted at Committee on 26/11/03. No enforcement action required.	Planning permission granted for the windows. No breach.  <b>NFA</b>
ENF/2003/047		29/10/03	Erection of fence in excess of 1 metre adjacent to highway	Enf. Action authorised to secure removal of fence (or reduce height to 1m). Draft Notice prepared.	PS to forward draft Notice to LS and Notice to be served.
ENF/2003/029		26/11/03	Storage of cars/untidy land	Enf. Action authorised to have vehicles removed. Notice to be drafted.	PS to advise owners what would be required to ensure breach ceased. LS to draft Notice.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2003/039		26/11/03	Storage of cars	Enf. Action authorised to have vehicles removed. Notice to be drafted.	PS to instruct LS to draft Notice.
ENF/2003/040		26/11/03	Storage of cars	Enf. Action authorised to have vehicles removed. Notice to be drafted.	PS to instruct LS to draft Notice.
ENF/2003/041		26/11/03	Use of land to site caravan & storage of cars	Enf. Action authorised to have vehicles removed. Notice to be drafted.	PS to instruct LS to draft Notice.

PS – Planning Services

LS – Legal Services

DS – Development Services

SV – Site Visit

NFA – No Further Action

**A REPORT BY THE ACTING HEAD OF PLANNING SERVICES**

**DATE OF SITE VISITS**

**1. PURPOSE OF REPORT**

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

**2. DATE OF THE SITE VISITS**

- 2.1 In consultation with County Clerk's Department , it has been decided that the **Monday 5th January 2004** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Monday 5th January 2004**

**3. MEMBERSHIP OF THE SITE VISIT PANEL**

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

**4. RECOMMENDATION**

- 4.1 **That Members agree to the Site Visits being held on Monday 5th January 2004**

**Decisions Made by the Acting Head of Planning Services under  
Delegated Powers  
1st - 30th November 2003**

**Item For Information**

This is a list of applications where the decision has already been made under delegated powers. If you wish to discuss the application/decision please contact the Case Officer.

**DECISION TYPES**

<b>GRANT</b>	- grant planning permission
<b>REFUSE</b>	- refuse all types of application
<b>APPROVE</b>	- approve reserved matters or condition
<b>CONSENT</b>	- grant listed building, conservation area, or advert consent
<b>DEEMED</b>	- does not require advert consent
<b>NO OBJ</b>	- no objection to works to tree(s) in conservation area
<b>NOT REQ</b>	- proposal does not require permission/consent
<b>DETERMIN</b>	- determine that prior approval is not required or is granted on determination application (certain telecom or agricultural works)
<b>P DEV</b>	- proposal found to be permitted development after receipt
<b>WDN</b>	- application withdrawn by applicant
<b>INVALID</b>	- application found to be invalid
<b>CERTIFY</b>	- Certificate of lawful use issued
<b>RCERTIFY</b>	- refuse to issue certificate of lawful use