

Decision Maker: **Development Control Committee**

Date: **17 November 2011**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **ENFORCEMENT MONITORING REPORT
(JULY - SEPTEMBER 2011)**

Contact Officer: Tim Bloomfield, Development Control Manager (Planning Appeals and Enforcement)
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Chief Officer: Chief Planner

Ward: All

1. Reason for report

Following the previous quarterly monitoring report to Development Control Committee on 19 April 2011 this report provides an update for the second and third quarters of 2011.

2. **RECOMMENDATION(S)**

Members note the report

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 In the second and third quarters of 2011 the Council received 369 new complaints about alleged breaches of planning control, representing an average of 61 new cases per month. This equates to a projected figure of 738 new cases in 2011. These are summarised in the attached table (Appendix 1). This compares with approximately 800 complaints received in 2010 representing an average of 65 new cases per month.

3.2 In terms of enforcement activity enforcement notices were issued in respect of 56 breaches of planning control in the period April to September 2011. The main types of breach were as follows:

Type of Notice	Number of Notices
Building operations	30
Material Change of Use	7
Untidy Site	6
Breach of Condition	7
Planning Contravention Notice	6
Total	56

3.3 During the same period enforcement action has been authorised in a further 20 cases and the Council's solicitors have been instructed to issue notices.

3.4 The majority of enforcement action is authorised under Delegated Authority and a list of cases where delegated enforcement action has been taken is regularly reported to Plans Sub Committee. In addition a monthly report of notices issued is circulated to all Members .

3.5 A wide range of complaints is received but the most frequent relate to building operations (35%), untidy sites (11%), changes of use (10%), commercial activities (9%) and boundary treatment (9%). A substantial number of complaints are received which do not involve breaches of planning control which are not recorded on the planning enforcement monitoring system. These include non-planning issues such as boundary disputes, anti-social behaviour and other civil matters which fall outside the remit of planning control.

3.6 In cases where an enforcement notice has become effective and not been complied with the Council may exercise its powers of prosecution. During the second and third quarters of 2011 the Council's solicitors have been instructed to prosecute in 12 cases, as follows:

1. **10 Woodbastwick Road** - unauthorised building works
2. **43 High Street, Green Street Green** - unauthorised metal roofing
3. **61 Chislehurst Road, Chislehurst** - unauthorised shop front and air conditioning units
4. **20 High Street, Bromley** – unauthorised internally illuminated signs above shop and fascia
5. **82 Manor Way, Beckenham** – unauthorised balcony at rear of second floor dormer and first floor window
6. **The Annexe, 1 Walnut Road, Orpington** - Untidy site
7. **Old Hurst Cottage, Pickhurst Green, Bromley** – Breach of Condition – vehicle access
8. **Rose Cottage, 13 Vincent Square, Biggin Hill** – unauthorised works to listed building

- 9. **53 Queens Mead Road, Bromley** – unauthorised conversion into flats
- 11. **Sydenham Scrap Metal, formerly Burnham Signs, Burnham Way, SE26** - Breach of Conditions
- 12. **The Lodge, King William IV Gardens, SE20** – unauthorised boundary screening

3.7 Direct action has been authorised in the following cases:

- 1. **12 Hillcrest Road, Biggin Hill** – to remove unauthorised swimming pool
- 2. **1A Holbrook Lane, Chislehurst** – to remove unauthorised rooflights
- 3. **3 Filey Close, Biggin Hill** – untidy site

Non-Applicable Sections	Policy, Legal, Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	