

Planning Enforcement formal action (DM Committee 21st October 2009)

NORTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	ENC/04/0282	Land at Etonbury Farm, A507, Arlesey	Unauthorised dwelling. Enforcement Notice not complied with.	6-Dec-06	10-Jan-07	10-Apr-07	12-Dec-06	5-Dec-07	Appeal dismissed. High Court upheld Inspectors decision	Enforcement Notice has not been complied with. Full assessment made of alternative further action. Judicial review Council decision to decline to determine further planning application
2	ENC/05/0178	Land at Maulden Garden Centre, Water End, Maulden	Enforcement Notice - change of use from nursery to garden centre, café and outdoor storage, construction of 6 buildings, siting of mobile home.	9-Apr-09	9-May-09	9-Nov-09	Appeal received 7-May-09			Await outcome of Inquiry, 12-Nov-09.
3	ENC/06/0078	Tythe Barn, Wood End, Tingrith	Change of use of land to retail sales & 2 timber showrooms	19-May-08	19-Jun-08	20-May-09	Appeal withdrawn 3/9/08, extension agreed to compliance period		Planning permission for barn extension, currently being built. 1 cabin removed, 2nd cabin to be removed when extn complete.	Check October 09 that both cabins removed
4	ENC/06/0244	Land at The Green Man, Broom Road, Stanford	Enforcement Notice - Kitchen extractor fan duct, & 2 masts supporting security cameras and flood lighting.	9-Dec-08	9-Jan-09		Appeal received 4/2/09	26-Nov-09	Appeal dismissed & uphold enforcement notice	Further discussions on compliance, check compliance after 26-Nov-09.
5	ENC/06/0313	Land at Hope Farm, Cobblers Lane, Ridgmont	Change of use to storage of vehicles and vehicle equipment & waste. Enforcement Notice	2-Jan-08	2-Feb-08	2-May-08	Appeal received. Hearing 22-Jul-08	30-Apr-09	Appeal dismissed & uphold enforcement notice	08/02063/full granted for extension to storage building, currently under construction. Vehicles to be stored only to rear where barn extension permitted, remainder to be removed from site.
6	ENC/06/0325	Land to rear of 197 Hitchin Road, Arlesey	Enforcement Notices - Change of use of rear field for the siting of three residential caravans and the storage of waste materials, and the laying of hardsurfacing & Temporary Stop Notice	4-Sep-09	2-Oct-09	30-Oct-09			Planning application 09/05914/full received for change of use of land for residential caravan site.	Await outcome of planning application.

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7	ENC/07/0085	Woodview Nurseries, Shefford Rd, Meppershall	Mobile home & conservatory	21-Jan-08	19-Feb-08	19-Aug-08	Appeal received. Hearing 14-Oct-08	29-Apr-09	Appeal dismissed & uphold enforcement notice	Planning application 09/00545 to retain mobile home, declined to determine 3-Jul-09. Await result of Ombudsman complaint.
8	ENC/07/0125	Land at Chestnut Barn, Northfield Farm, Great Lane, Clophill	Enforcement Notice - Change of use of barn to use as self-contained residential dwelling.	3-Apr-09	3-May-09	3-Nov-09	Appeal received. Written reps.			Await outcome of appeal
9	ENC/08/0214	Land & Buildings at Lower Wood Farm, Sundon Rd, Harlington	Breach of conditions to Permissions 02/00553 & 06/00152. Enforcement Notice - outside storage & portacabins	15-Dec-08	12-Jan-09	12-Feb-09			Land now cleared of vehicles awaiting repair. Enforcement Notice complied.	Awaiting further planning application for earth bund, hard surface, unit extension, and named occupants of units, pre-app received.
10	ENC/08/0373	Land at Silver Lake Farm, Stanfield Lane, Clifton	Enforcement Notice-change of use to residential and change of use as self contained dwelling.	9-Feb-09	9-Mar-09	9-Sep-09	Appeal received 25-Feb-09	21-Jan-10	Appeals dismissed, Enforcement notice upheld	Check compliance after 21-Jan-10
11	ENC/08/0381	Land and Buildings on the West side of Foundry Lane, Biggleswade	Enforcement Notice - change of use to hand car wash	22-Dec-08	22-Jan-09	22-Feb-09	Late appeal not accepted by PINS		New planning application received 09/06135/full	Await outcome of planning application.
12	ENC/08/0404	Land at Harlington Post Office, 8 Lincoln Way, Harlington	Enforcement Notice - change of use of part of the shop premises for keeping privately owned birds and pets	4-Mar-09	4-Apr-09	4-May-09	Appeal received 1-May-09	28-Oct-09	Appeal dismissed & uphold enforcement notice	Check compliance after 28-Oct-09
13	ENC/08/0408 Case closed	Asda, Church St, Biggleswade	Breach of condition delivery hours. Breach of Cond. Notice	17-May-07	17-May-07	14-Jun-07			Prosecution dismissed in Court	If further breaches consider serving new Notice
14	ENC/09/1046	Land at 63 Hitchin Road, Stotfold	Enforcement Notice - The keeping of ponies without planning permission.	30-Sep-09	28-Oct-09	25-Nov-09	Appeal received			Await outcome of appeal

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1	ENF/04/0002	Land at Stanbridge Road, Billington, Leighton Buzzard	Change of Use of land for stationing of caravans and mobile homes	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 appeal dismissed - Further action to be discussed
2	ENF/04/0003	Land at Stanbridge Road, Billington, Leighton Buzzard	Laying of Hardcore and tarmac, erection of fencing and installation of services	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 appeal decision dismissed - Further action to be discussed
3	ENF/04/0004	Land at Stanbridge Road, Billington, Leighton Buzzard	Change of Use of land for stationing of caravans and mobile homes	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 appeal dismissed - Further action to be discussed
4	ENF/04/0005	Land at Stanbridge Road, Billington, Leighton Buzzard	Laying of Hardcore and tarmac, erection of fencing and installation of services	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 appeal decision dismissed - Further action to be discussed
5	ENF/04/0007	Land rear of Fancott Cottages, Luton Road, Toddington	Erection of Timber Clad Building for residential purposes & laying of hardcore surface	8-Sep-04	08-Oct-04	08-Jan-05	Appeal received 01 Nov 2004	No Change	Appeal withdrawn 02 Oct 2006	SB/TP/05/1217 & Section 106 Agreement approved 11 Aug 2006 allowing 2 years for compliance
6	ENF/04/0008	Land rear of Fancott Cottages, Luton Road, Toddington	Change of Use from agricultural for stationing of mobile home & storage of machinery/building materials	8-Sep-04	08-Oct-04	08-Jan-05	Appeal received 01 Nov 2004	No Change	Appeal withdrawn 02 Oct 2006	SB/TP/05/1217 & Section 106 Agreement approved 11 Aug 2006 allowing 2 years for compliance
7	ENF/05/0004	Anacapri, Harlington Road, Toddington	Construction of a roof to building on land	9-Feb-05	11-Mar-05	11-May-05	None	No change	Not applicable	SB/TP/06/1400 approved 01 Feb 2007 requiring completion of works within 2 months. Property since repossessed
8	ENF/05/0005	215 Common Road, Kensworth	Erection of a double garage and storeroom	16-Mar-05	18-Apr-05	18-Jul-05	6-May-05	6-Aug-05	Appeal dismissed & enforcement notice upheld	No compliance, to assess for further action
9	ENF/05/0007	Long Yard, Dunstable Road, Studham	Unauthorised stationing of mobile home for residential use	29-Jul-05	1-Sep-05	1-Dec-05	28-Sep-05	28-Dec-05	Appeal dismissed & enforcement notice upheld	Prosecution 2008, no compliance. To assess for further action.
10	ENF/06/0001	Land at 34 The Rye, Eaton Bray	Construction of an area of hardstanding	4-May-06	6-Jun-06	6-Sep-06	25-Jun-06	.	Appeal dismissed but period of compliance extended	Site visit to check full compliance

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11	ENF/07/0006	Dunedin, Harlington Road, Toddington	Change of use of buildings to bedsit accommodation	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed but period of compliance extended to 9/1/09	Discussed with Legal further action.
12	ENF/07/0007	Dunedin, Harlington Road, Toddington	Erection of building and alteration and extension of two other buildings	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed but period of compliance extended to 9/1/09	Discussed with Legal further action.
13	ENF/07/0008	Dunedin, Harlington Road, Toddington	Failure to comply with Condition 2 of Planning Permission SB/TP/98/0838 issued 31 December 1998	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed but period of compliance extended to 9/1/09	Discussed with Legal further action.
14	ENF/07/0009	12-14 North Street, Leighton Buzzard	Installation of Shopfront on front elevation of premises	17-Aug-07	19-Sep-07	11-Dec-07		Not complied	Planning permission refused to retain	Discussions with Officers to achieve acceptable shopfront
15	ENF/07/0012	Land rear of Packhorse Place, Watling Street, Kensworth	Change of use of land for the parking of vehicles	5-Nov-07	5-Dec-07	01 Jan 2008 & 26 Feb 2008	21-Jan-08	28 Jul 2009 & 28 Sep 2009	Appeal dismissed but compliance periods extended	Check compliance after Sept 09
16	ENF/07/0014	Rear of 129 High Street North, Dunstable	Change of Use of garage building to a use for residential purposes	10-Dec-07	15-Jan-08	11-Feb-08	Invalid	Not complied		Assess for further action for non compliance
17	SB/ENC/07/0059	Land at 2A Mardle Road, Linslade, LU7 2UT.	Enforcement Notice, unauthorised erection of fence exceeding 1M in height adjacent to the highway.	20-Aug-09	17-Sep-09	15-Oct-09	21-Sep-09			Await outcome of appeals against refusal of planning permission and Enforcement Notice.
18	ENF/08/0003	Bury Spinney, Thorn Road, Houghton Regis	Use of offices for residential purposes	3-Mar-08	4-Apr-08	2-May-09	7-May-08	22-Jul-09	Appeal dismissed but compliance period extended to 6 months	Not complied, referred to Legal for further action.
19	ENF/08/0006	Land adjacent Hillside, The Green, Whipsnade	Change of Use from amenity land to private residential & enclosure of land by fence and hedge	9-Apr-08	9-May-08	5-Jun-08	13-Nov-08	13-Feb-09	Appeal dismissed but compliance periods extended	Substantial progress in compliance. Case Officer dealing with outstanding issues
20	ENF/08/0007	Land adjacent Hillside, The Green, Whipsnade	Enclosure of land and laying of hedge & construction of gravel topped hardsurfacing	9-Apr-08	9-May-08	5-Jun-08	13-Nov-08	13-Feb-09	Appeal dismissed but compliance periods extended	Awaiting planning applications

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21	ENF/08/0008 Case closed	Lavang Indian Cuisine, High Street, Eggington	Change of use from restaurant to mixed use of restaurant and hot food take-away	14-Mar-08	16-Apr-08	13-May-08				Currently no breach, premises closed but Notice remains in force
22	ENF/08/0009	21 Emu Close, Heath & Reach	Construction of single storey front and side extensions and loft conversion	14-Apr-08	14-May-08	14-Aug-08	20-Jun-08	4-Sep-09	Appeal part dismissed - Compliance 3 months. Not complied	Discussed with Legal for further action
23	ENF/08/0012	Valley View, Hemel Hempstead Road, Dagnall	Change of Use of building from use for staorage purposes to use for residential purposes	25-Jul-08	25-Aug-08	5-Oct-08	12-Aug-08	18-May-09		To assess for compliance
24	ENF/08/0013 Case closed	24 Church Road, Studham	Erection of fence and brick piers	30-Jul-08	29-Aug-08	25-Sep-08	25-Aug-08	26-Jun-09	Complied with Notice	Case closed, no further action
25	ENF/08/0020	5 Albion Street, Dunstable	Change of use of ground floor unit from retail to use for a taxi business	1-Dec-08	7-Jan-09	3-Feb-09	28-Jan-09			Appeal dismissed - Premises closed down as at 5/6/09
26	ENQ/08/0190	112 Manor Road, Barton-le-Clay	Enforcement Notice, garden wall and gates	16-Jul-09	13-Aug-09	12-Oct-09				check compliance after 12-Oct-09
27	ENF/09/0001	7 Fisher Close, Barton-le-Clay	Change of use of amenity land to private residential garden, enclosure of land by removal of hedge, and erection of fence	11-Feb-09	13-Mar-09	7-May-09	Appeal received	20-Oct-09	Appeal dismissed	check compliance after 20-Oct-09
28	ENF/09/0002	8 Fisher Close, Barton-le-Clay	Change of use of amenity land to private residential garden, enclosure of land by removal of hedge, and erection of fence	2-Feb-09	4-Mar-09	29-Apr-09	Appeal received	20-Oct-09	Appeal dismissed	check compliance after 20-Oct-09
29	ENF/09/0555	Setco Plastic Ltd, Setco House, Unit 7 Argan park, Foster Avenue, Dunstable	Breach of Condition Notice, condition 7 SB/TP/04/00818, change of use to B2	22-Jul-09	22-Jul-09	21-Aug-09				Planning application received 09/05770/full, await decision

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Minerals & waste	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	07/09	Land at Kiln Farm, Steppingley	Enforcement Notice - material change of use of land involving deposit of waste.	29-Sep-08	10-Nov-08	10-Aug-09		10-Oct-09	Imported rubble and planings fully removed.	Short extension of time granted under section 173A(1)(b) of the Town and Country Planning Act 1990. Land needs to be ripped and grass seeded by 10th October 2009 in order to ensure full compliance with notice.
2	08/13	Land rear of 3 - 9 The Causeway, Clophill	Enforcement Notice - failure to remove soils & brick rubble & reinstate ground to its previous condition in breach of a condition	13-Mar-09	20-Apr-09	20-Oct-09			Imported soils and brick rubble fully removed and land returned to its former level.	Ripping and grass seeding completed at end of September 2009. All steps of the notice complied with.
3	07/40	Former BR Goods Yard, Chiltern Green Road, East Hyde	Enforcement Notice - timber fence at waste transfer station premises.	18-Mar-09	24-Apr-09	24-Jun-09	Appeal received	23-Nov-09	Appeal dismissed and enforcement notice upheld.	Monitoring to be carried out to check for compliance
4	08/22	Land at Totternhoe Lime Works / Totternhoe Quarry	Importation of wood waste. Two Temporary Stop Notices	29-Oct-08 & 10 Nov 08	Immediate	8-Dec-08			Not initially complied with. Activities stopped on 17 Nov 2008	Trial in Luton Magistrates Court set for 9th November 2009.
5	06/67	Former Fullers Earth Quarry, Clophill	Enforcement Notice - failure to complete the approved restoration scheme for the site and permit public access	2-May-07	6-Jun-07	6-Oct-07	Appeal received		Awaiting Inspector's decision	Planning Inspector dismissed appeal on 12th June 2008 but appellants challenged the decision by application to the High Court. The Court ordered that the appeals be re-determined afresh. A further public inquiry was held from 15th to 18th September 2009 and a decision is expected shortly.