

Planning Enforcement formal action (DM Committee 10th November 2010)

| | ENFORCEMENT CASE NO. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES/FURTHER ACTION |
|----------|--------------------------------------|---|--|-------------|----------------|-----------------|---|---------------------|----------------------------------|---|
| 1 | CB/ENC/09/0555 Case closed | Satco Plastic Ltd, Satco House, Unit 7 Argan park, Foster Avenue, Dunstable | Breach of Condition Notice, condition 7 SB/TP/04/00818, change of use to B2. 2nd Notice issued | 8-Dec-09 | 8-Dec-09 | 18-Jan-10 | | | Not complied | Further sound proofing installed & assessed as B1 use |
| 2 | CB/ENC/09/1015 | Land south of Pond Farmhouse, 7 High Street, Pulloxhill | Enforcement Notice - unauthorised carrying out of engineering operations and works consisting of excavation of site. | 30-Nov-09 | 11-Jan-10 | 10-Feb-10 | Appeal Recived 08/01/2010. Site visit 28/9/10 | | | Await outcome of Appeal |
| 3 | CB/ENC/09/1079 Case closed | Arcade Nursery, A507 Stotfold Road, Arlesey | BOCN - breach of condition 3, no retail sales | 21-Oct-09 | 21-Oct-09 | 20-Nov-09 | | | | Planning application to retain extension & vary condition to allow limited retail sales granted CB/10/02923/full. |
| 4 | CB/ENC/09/1179 | Northfield Farm, Great Lane, Clophill, Bedford, MK45 4DD | Enforcement Notice - change of use to siting mobile home for residential purposes | 15-Apr-10 | 13-May-10 | 13-Nov-10 | | | | Check compliance after 13/11/10 |
| 5 | CB/ENC/09/1304 | Land To The Rear Of 153, Biggleswade Road, Upper Caldecote | Unauthorised buildings and structures on agricultural land. | 13-Apr-10 | 11-May-10 | varied | | | Part complied, Buildings removed | Planning application for paddock use & stables granted CB/10/03390/full. Further action on kennels required. |
| 6 | CB/ENC/09/1355 | 2 Blackbird Street, Pottton | Enforcement Notice, extension & alteration to roof & wall | 13-Sep-10 | 11-Oct-10 | 12-Dec-10 | | | | Check compliance after 12/12/10 |
| 7 | CB/ENC/09/1378 | Long Yard, Dunstable Road, Studham | Enforcement Notice - Residential use of barn | 4-Jan-10 | 1-Feb-10 | 2-May-10 | | | | Planning application received, CB/10/00783. Await decision. |
| 8 | CB/ENC/10/0068 | Land at The Haven, Castle Hill Road, Totterhoe, Dunstable | Enforcement Notice, use of land for the stationing of container and the storage of building materials | 22-Jun-10 | 20-Jul-10 | 17-Aug-10 | Appeal received | | | Await outcome of appeal |

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| 9 | CB/ENC/10/0099 | Toad Hall, 23A Mill Lane, Stotfold, Hitchin | 2 Enforcement Notices. Change of use of stable building to ancillary residential use and change of use of agricultural land to residential garden. Alterations and extension of stable building | 2-Aug-10 | 6-Sep-10 | 6-Nov-10 and 6-Jan-11 | | | | Check compliance 6/11/10 and 6/1/11 |
| 10 | CB/ENC/10/0189 | Land at Paradise Farm, The Causeway, Clophill | 2 Enforcement Notices, change of use of land to the stationing of caravans, trailer, portaloos and other paraphernalia for residential purposes, & construction of hardstanding. | 10-Sep-10 | 6-Oct-10 | Various 04/01/2011 & 06/04/2011 | Appeal received 14/10/10 | | | Await outcome of appeal |
| 11 | CB/ENC/10/0193 | Conn Farm, Cranfield Road, Cranfield | Enforcement Notice. Erection of a building | 21-Jul-10 | 18-Aug-10 | Varied | received 13-Aug-10. Inquiry | | | Await outcome of appeal |
| 12 | MB/ENC/05/0178 | Land at Maulden Garden Centre, Water End, Maulden | Enforcement Notice - change of use from nursery to garden centre, construction of 6 buildings, siting of mobile home. | 9-Apr-09 | 9-May-09 | 9-Nov-09 | Appeal received 7-May-09 | | Some details approved, some refused. | Appeal decision received. Enforcement Notice varied & part upheld. Planning permission granted (part) with conditions. Conditions being monitored |
| 13 | MB/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, extension agreed to compliance period | | Barn extension built. | 1 cabin removed, 2nd cabin moved awaiting being sold |
| 14 | MB/ENC/06/0244 | Land at The Green Man, Broom Road, Stanford | Enforcement Notice - 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. | Revised planning application CB/10/02613/full granted 20/9/10. Monitor compliance |
| 15 | MB/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 | 3-May-10 | Appeal dismissed & uphold enforcement notice | Further action for non compliance. |

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| 16 | MB/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 | | | Not complied | Referred to Legal 29/6/10 to assess for prosecution. 1st Court Hearing Nov 2010 |
| 17 | MB/ENC/08/0257 | Land at Crossingland Farm, Salford Road, Aspley Guise, Milton Keynes | 2 Enforcement Notices - Construction of single storey building and 2 storey building without planning permission. | 9-Jun-10 | 7-Jul-10 | 7-Jan-11 | Appeal received 07/07/2010 | | | Await outcome of appeal. |
| 18 | MB/ENC/08/0370 | Land at Hadenham Farm, Gravenhurst Road, Shillington | Enforcement Notice - Mobile Home | 11-Feb-10 | 11-Mar-10 | 9-Jun-10 | Appeal Hearing 20/10/10 | | | Revised planning application CB/10/01092 refused. Await outcome of appeals. |
| 19 | MB/ENC/08/0372 | Dingley Dell, Toddington Road, Westoning, Bedford | Enforcement Notice. Unauthorised restaurant building and farm shop building | 16-Jul-10 | 13-Aug-10 | 8-Oct-10 | | | | planning application CB/10/02946 to retain 2 buildings. Await decision |
| 20 | MB/ENC/09/0034 | Land at Whitsundales Farm | 2 Enforcement Notices - Change of use to storage, erection of hardstanding + Access | 17-Dec-09 | 17-Jan-10 | various up to 17-Apr-10 | Appeal recived 12/01/2010 | To be agreed | Hearing held jointly with planning appeals 10th to 11th August 2010 | Appeal decision 27/8/10. Appeals dismissed, Enforcement Notices upheld, compliance periods to be monitored |
| 21 | SB/ENC/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. | No further action at present |
| 22 | SB/ENF/04/0002 SB/ENF/04/0003 SB/ENF/04/0004 SB/ENF/04/0005 | Land at Stanbridge Road, Billington, Leighton Buzzard | Change of Use of land for stationing of caravans and mobile homes, & hardcore & fencing. | 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 - With Legal for further action |
| 23 | SB/ENF/04/0007 SB/ENF/04/0008 | Land rear of Fancott Cottages, Luton Road, Toddington | Erection of building for residential purposes, laying of hardcore, mobile home & storage of materials | 8-Sep-04 | 08-Oct-04 | 08-Jan-05 | Appeal received 01 Nov 2004 | No Change | Appeal withdrawn. SB/TP/05/1217 & S106 Agreement approved, 2 years for compliance. | New planning applications withdrawn. Discuss with Legal re S106 agreement. |

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| 24 | SB/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. Not complied | Further evidence sent to Legal to commence prosecution. |
| 25 | SB/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 | Planning application submitted for residential use of barn, CB/10/00783. Await decision |
| 26 | SB/ENF/07/0006 SB/ENF/07/0007 SB/ENF/07/0008 | Dunedin, Harlington Road, Toddington | Change of use to bedsit accommodation, erection of building & extensions, non compliance with Condition 2 of SB/TP/98/0838 | 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 | Not complied, further information sent to Legal for prosecution. |
| 27 | CB/ENC/10/0449 | Land at Dunedin, Harlington Road, Toddington | Enforcement Notice, change of use of land to the stationing of mobile homes, touring caravans and trailer tent | 7-Sep-10 | 5-Oct-10 | 2-Nov-10 | | | | Check compliance after 2/11/10 |
| 28 | SB/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 | Assess for further action |
| 29 | SB/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. Not complied. | Further evidence sent to Legal 22/10/10 |
| 30 | SB/PCN/08/0011 | Land at Woodside Eggs and Animal Farm, Woodside Road/Mancroft Road, Slip End, Luton | 2 Enforcement Notices - construction of hardstanding & change of use to airport parking & business use. | 30-Nov-09 | 11-Jan-10 | Varied | received 29-Dec-09 | | | Await outcome of appeal |

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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 |
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| 1 | 06/67 | Former Fullers Earth Quarry, Clophill | Enforcement Notice - failure to complete the approved restoration scheme and permit public access | 2-May-07 | 6-Jun-07 | 6-Oct-07 | YES - Public Inquiry | | Enforcement notice quashed on 30-Oct-2009. Compliance steps lacked clarity and precision | A new enforcement notice is being drafted and under consideration with the Council's solicitor. |
| 2 | 07/40 | Former BR Goods Yard, Chiltern Green Road, East Hyde | Enforcement Notice - 3m high timber boundary fence at waste transfer station premises. | 18-Mar-09 | 24-Apr-09 | 24-Jun-09 | YES Written Reps Procedure | 23-Nov-09 | Appeal dismissed Sept 2009 and enforcement notice upheld. Compliance period 2 months | Alternative mesh type boundary fence granted on 25 February 2010. A further application to increase its height to 2.5m with angled wire top was then approved in June 2010 accompanied by an amended landscaping scheme. Unauthorised timber fence yet to be re |
| 3 | 09/0034 | Whitsundoles Farm Broughton Road, Salford | Enforcement Notice - Change of use of agricultural land to a mixed use for the storage of commercial vehicles, the processing and storage of inert waste and aggregates and as a recycling facility | 17-Dec-09 | | | YES Hearing Procedure | 27-Aug-10 | Enforcement Notice Appeals on ground (g) compliance periods upheld. Temporary Planning permission (5yrs) granted for the storage of aggregate and recycling facility and aftercare of land | The Inspector considered that the restoration and aftercare details were of sufficient merit to justify the grant of planning permission subject to various conditions |
| 4 | CB/ENC/09/1528 | Erin House, Dunstable Road Caddington | Breach of Condition Notice - failure to carry out replacement tree planting as part of aftercare regime for former landraising site | 5-Feb-10 | 05-Feb-10 | 02-Apr-10 | N/A | 16-Apr-10 | Not complied with in April 2010. Further planting carried out July 2010 | The additional planting in terms of type and quality has been assessed as being acceptable. All now in order |