

Area Planning Sub-Committee

5 March 2020

Planning Enforcement Cases - Update

Summary

1. The purpose of this report is to provide Members with a continuing quarterly update on planning enforcement cases.

Background

2. Members have received reports on the number of outstanding enforcement cases within the Sub-Committee area, on a quarterly basis, since July 1998, this report continues this process for the period 1 October 2019 to 31 December 2019.
3. The lists of enforcement cases are no longer attached as an annexe to this report. The relevant cases for their Ward will be sent to each Councillor by email as agreed by the Chair of the Planning Committee.
4. Section 106 Agreements are monitored by the Enforcement team. A system has been set up to enable Officers to monitor payments required under the Agreement.

Current Position.

5. Across the Council area 128 new enforcement investigation cases were received and 193 cases were closed. A total of 472 investigations remain open.
6. During the quarter 3 Enforcement Notices were served. These related to:
 - The unauthorised siting of two static caravans. This Notice has now been complied with and the case closed.
 - A side extension adjacent to the highway being constructed without permission. The property owner has until the 12th of July 2020 to comply with the requirements of the Notice.

- Construction of balcony. The property owner has until the 3rd May 2020 to comply with the requirements of the Notice.
7. Across the Council area 18 Section 106 cases were closed. A total of 73, Section 106 investigations remain open.
 8. A figure of £1,673,502.00 has been received from Section 106 payments. This was paid in respect of 9 developments across the city for Open Space/Play, Housing and Transport.

The developments from which Section 106 monies have been levied included:

- 2 phases of the Hungate development. £1,576,070.00 & £47,500.00
- Land at Rear of Kendall House, Derwent Lane, Dunnington.£3668
- Hotel Noir, 3-5 Clifton Green. £16,100
- English Martyrs Church Hall, Dalton Terrace. £3848
- 2 Custance Walk. Stockton Hermitage, Malton Road, Stockton-On-The-Forest. £1500
- Sycamore Place (formerly Bert Keech Bowling Club) £23,340
- 5A Acomb Court, York. £680

Consultation.

9. This is an information report for Members and therefore no consultation has taken place regarding the contents of the report.

Options

10. This is an information report for Members and therefore no specific options are provided to Members regarding the content of the report.

The Council Plan

11. The Council priorities for Building strong Communities and Protecting the Environment are relevant to the Planning Enforcement function. In particular enhancing the public realm by

helping to maintain and improve the quality of York's streets and public spaces is an important part of the overall Development Management function, of which planning enforcement is part of.

Implications

- Financial - *None*
- Human Resources (HR) - *None*
- Equalities - *None*
- Legal - *None*
- Crime and Disorder - *None*
- Information Technology (IT) - *None*
- Property - *None*
- Other - *None*

Risk Management

12. There are no known risks.

Recommendations.

13. That members note the content of the report.

The individual case reports are updated as necessary but it is not always possible to do this straight away. Therefore if members have any additional queries or questions about cases on the emailed list of cases then please e-mail or telephone the relevant planning enforcement Officer.

Reason: To update Members on the number of outstanding planning enforcement cases and level of financial contributions received through Section 106 agreements.

Contact Details

Author:

Author's name
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Management Officer.

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Directorate: **Economy
and Place**

Chief Officer Responsible for the report:

Chief Officer's name
Michael Slater

Assistant Director (Planning and Public
Protection)

**Report
Approved**



Date 26.02.2020

Specialist Implications Officer(s) *List information for all Implications:*

Financial

Patrick Looker

Legal:

Janie Berry

Wards Affected: *All Wards*

