

PLANNING ENFORCEMENT UPDATE

Lead Officer: Tony Pomfret, Development Control Manager.

To update Members on current planning enforcement issues.

Recommendation : That the report be noted and feedback from Members welcomed.

Resource Implications : Nil of this report, but any legal proceedings arising from planning enforcement would have financial implications for the development control budget.

1.0 Supporting Information :

- 1.1 This report updates Members on current planning enforcement issues and follows a similar report at the beginning of the year presented at the 7th January 2009 Planning Panel meeting.
- 1.2 The attached schedule briefly lists those matters currently under investigation, the majority of which are relatively minor in terms of serious harm to communities and / or the environment but nevertheless are worthy of pursuit.
- 1.3 Since the January update, successful enforcement actions have resulted in the removal of unauthorised roadside signage at the junction of the A595 / Mirehouse Road; the Lowca to Harrington Road; the West Lakes Hotel, Gosforth and at Scilly Banks; removal of a smoking shelter to the front of the Richmond Pub, Hensingham; removal of satellite dishes and signage from various Whitehaven town centre conservation area buildings; removal of fencing at the Lowther Arms Pub, Hensingham; removal of the roof balcony at Arlecdon Road; removal of caravans from land at Black How Farm, Wath Brow and removal of a shed from the front garden of a property at Main Street, Frizington. In addition, retrospective planning applications have been secured for unauthorised fencing on land near Haig Enterprise Park and a garden summer house and decking at Hilltop Road, Kells, Whitehaven. Both have subsequently been refused planning permission and are currently subject to formal enforcement proceedings.
- 1.4 Feedback from Members would be welcomed.

Others Consulted : Ongoing liaison with Legal Services.

Contact Officer : Tony Pomfret, Development Control Manager.

Background Papers : Attached schedule and planning enforcement file P/11/11.

PLANNING ENFORCEMENT UPDATE
TUESDAY 12TH MAY 2009

Present : **Tony Pomfret.**
 Heather Morrison.
 Nick Hayhurst.
 Rachel Carrol.
 Simon Blacker.
 Pat Pomfret.

Purpose of meeting was to review / action outstanding enforcement matters as set out below:-

Signage

Hairdressers, Queen Street, Whitehaven

No response to previous correspondence.
Listed Building Enforcement Notice to be served (R.C.)

11 Tangier Street, Whitehaven
(Unauthorised fascia sign)

R.C. to proceed with Enforcement Notice.

Karting Track, Low Wreay

S.B. to send further letter re. unauthorised signage and existing kart track use (planning permission has lapsed – wish to re-establish?).

James Street, Whitehaven

H.M. to pursue.

A595 / Low Moresby junction
(Kirkland Carpets)

Signage has reappeared. H.M. to pursue as matter of urgency.

Loop Road North
(Whitehaven RLFC signage)

N.H. to monitor (not to exceed 28 days).

Smoking Shelters

Distington Legion

No response to previous correspondence.
T.P. to write to Chairman.

The Stump, Prospect

Retrospective planning application received 14.05.09.

Incomplete Roadworks

Rannerdale Drive/Oak Crescent	T.P. to monitor
Manor Gardens, Whitehaven	R.C. to monitor.
Larch Court, Moor Row	P.P. to monitor.
Churchill Drive, Pannatt Hill, Millom	Legal opinion sought re. future course of action (T.P.).

Other Matters

16 Arlecdon Road (Balcony)	H.M. to expedite in liaison with Building Control.
Stables, Wath Brow	Site visit by R.C. 21/04/09 confirmed removal following service of Enforcement Notice on 17/02/09.
Rowlee, Nethertown (Replacement obscure glazing)	Previous correspondence to no avail. Breach of Condition Notice to be served (S.B.).
Dye House, Hallthwaites	Retrospective planning application to be submitted (T.P. to monitor).
Land adjacent Haig Enterprise Park (Unauthorised fence)	Retrospective planning application refused 29/04/09. R.C. to inspect. Enforcement action sanctioned by Planning Panel.
19/20 Roper Street, Whitehaven (Satellite dishes on front elevation)	H.M. to expedite.
17 Lonsdale Place, Whitehaven (Replacement uPVC windows)	R.C. to pursue.
Borwick Rails, Millom (Caravan storage to rear)	Application for Lawful Development Certificate to be considered by Planning Panel on 27/05/09.
Distington Co-Op (Structural support to rear)	R.C. met agent on site 21/04/09. Further amended plan awaited.

Other Matters (Cont'd)

15 Muncaster Close, Whitehaven
(Decking to front of house)

PCN served 25/03/09 and subsequently returned. Enforcement Notice to be served (S.B.).

Caravan, grounds of Folly Fould,
Lund Cottage, Lamplugh.

R.C. to set up meeting with Env. Health to determine future course of action (if any).

8 Pheasants Rise, Rowrah
(Shed to rear)

Application for Lawful Development Certificate awaited. R.C. to monitor.

Dovecote Barn, High Walton
(Scaffolding storage business)

H.M. to pursue retrospective planning application / enforcement action.

Keekle – Moor Row Road
(Caravan and stables)

Owner now located. Retrospective planning application to be submitted. R.C. to monitor.

Low Stowbank, Kirkland
(Condition of curtilage)

S.B. to set up meeting with Env. Health and Diane Ward to determine most appropriate course of action.

Birks Road Brewery Site,
Cleator Moor – scrapyard for white goods

S.B. to refer to C.C.C as relevant local planning authority.

Residential Caravan, Beckermat
Industrial Estate

S.B. to pursue submission of retrospective planning application with agent, Ken Thompson.

2 Homewood Drive, Whitehaven
(Unauthorised taxi business)

Planning application requested in respect of a unit on Sneckyeat Industrial Estate. R.C. to pursue.

Land adjacent to Blackbeck Roundabout
(Mobile home?)

S.B. to investigate.

Fence, plot 2, Winston Close, Moresby Parks

Planning application to be submitted. R.C. to pursue.

Conservatory, Keekle Mews

R.C. to investigate.

Fares Chemist, Market Place, Whitehaven
(Satellite dish on corner of building)

Site inspected 13/05/09. Dish has been removed.

Other Matters (Cont'd)

Gazebo, St. Bridget's Nursery, Egremont	R.C. to investigate.
Whin Bank, Rottington (Portakabin to rear)	R.C. to investigate.
Fence, corner of Richmond Estate / Cleator Moor Road	R.C. to investigate.
Horsefield Close, Hensingham (Fenced off compound)	S.B. to investigate.
72 Hilltop Road, Whitehaven (Unauthorised Summerhouse and decking)	Planning permission refused and Enforcement Notice served. Appeals lodged 15/05/09 (H.M.).
Caravan, Low Farm, Moor Row	R.C. to send letter.
Caravan, Crossfield Road, Cleator Moor	R.C. to check on site.
Crossfield Road / Blind Lane, Cleator Moor (Touring caravan/stable./hardstanding)	Letter sent. N.H. to pursue.