



Planning Committee

17th June 2019

REPORT OF HEAD OF PLANNING, ENGINEERING & TRANSPORTATION

Development Management Performance Update Report

1. PURPOSE OF REPORT

To advise Members of the Planning Committee of the latest performance and outcomes during the 4th quarter of 2018/19 (1st January to 31st March) regarding development management matters and in particular to: -

- i) The performance figures for applications determined in Q4.
- ii) The decisions made by the Planning Inspectorate on appeals made to the Secretary of State in Q4.
- iii) An update of Planning Applications 'called-in' by Councillors in Q4. Please note, this information was presented to committee in the previous performance paper but has been represented to ensure consistency with the performance and appeals data.
- iv) A progress report of enforcement proceedings.

Details of previous performance in Q1, Q2 and Q3 2018/19 can be found in the report to Planning Committee of 21st March 2019.

2. RECOMMENDATIONS

That the Committee notes the report

3. FINANCIAL IMPLICATIONS

None arising from this report

4. POLICY IMPLICATIONS

Within Council policy. All planning applications and enforcement proceedings relate to local and national planning policy and guidance.

5. LEGAL IMPLICATIONS

The briefing of members as to the outcome of individual appeals made by the Planning Inspectorate will enable members to keep abreast of planning issues as may be raised within individual cases. Appeal decisions are material considerations and should be considered in the determination of subsequent applications where relevant.

6. EQUAL OPPORTUNITY IMPLICATIONS

None arising from the report. The Development Management service is accredited by an Equality Impact Assessment.

7. ENVIRONMENTAL IMPACT

The impact of decisions made by the Planning Inspectorate on the environment is included in decision letters and all planning applications are required to consider environmental issues where material to the proposed development.

8. WARD(S) AFFECTED

All.

9. CONSULTEES

Officers in Legal Services have been consulted in the preparation of this report.

10. CONTACT OFFICER

Shawn Fleet: Extension 0453

11. BACKGROUND PAPERS

All published.

Steve Pretty
Head of Planning, Engineering and Transportation

PLANNING COMMITTEE**Development Management Performance Update Report****i) Speed of planning applications determined in Q4 (between 1st January to 31st March 2019)***(2017/18 equivalent figures in brackets)*

Application type	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Performance for 2018- 19 to date
a) Major applications Within 13 weeks or agreed EoT (Gov't target = 60%)	100%	88%	100%	95%	95%
Walsall Performance 2017/18	(85%)	(80%)	(92%)	(100%)	(89%)
National Performance 2017/18	90%	92%	91%	92%	91%
b) Minor applications Within 8 weeks or agreed EoT (Gov't target = 70%)	91%	93%	93%	93%	93%
Walsall Performance 2017/18	(77%)	(58%)	(88%)	(93%)	(79%)
National Performance 2017/18	88%	86%	88%	88%	87%
c) Other applications Within 8 weeks or agreed EoT (Gov't target = 70%)	96%	98%	94%	95%	96%
Walsall Performance 2017/18	(71%)	(47%)	(87%)	(88%)	(73%)
National Performance 2017/18	89%	89%	88%	90%	89%

12.1 The latest performance figures mark the completion of a strong set of results for the period 2018/19 and exceed both last year's local and national figures for the quarter and the year.

12.2 The challenge for 2019/20 will be to maintain these performance levels. In response to a number of staffing changes, the service is currently in the middle of a recruitment programme and whilst there may be some transition impact as new officers take on cases this is hopefully kept to a minimum.

12.3 In addition to staffing changes, the service is now closely working with PricewaterhouseCoopers as part of the review and the Governments Planning Advice Service. The focus of this work is twofold, satisfaction with the service and performance. It is expected that changes will be rolled out toward Q3 and Q4 of 2019/20.

ii) Decisions made by the Planning Inspectorate in Q4 (between 1st January and 31st March 2019)

App No.	Address	Proposal	Appeal Decision	Officer Rec.	Comments
18/0336	17, Flaxhall Street, Walsall, WS2 9TW	Prior Approval: Single storey rear extension measuring 6m deep, 4m high and 2.7m to eaves	Appeal Allowed	Prior Approval Refused	This prior notification application for a larger home extension was assessed in accordance with class A of the GDPO. As a neighbour objected, a decision had to be made by the Council. In this instance, the Inspector felt that the harm to the neighbours was not sufficient to refuse permission.
18/0468	177 Walsall Road, Aldridge, Walsall, WS9 0BE	Single storey front, two storey side and part single/part two storey rear extensions.	Appeal Allowed	Refuse Permission	The main issue was the effect on the living conditions of the neighbours, with particular regard to outlook and light. On his site visit, the Inspector found access to one of the neighbouring properties declined. Nevertheless, the Inspector felt they could see enough to assess the application and felt the proposed works would not have a detrimental impact on the neighbours living amenity

18/0594	76, Thornhill Park, Streetly, Sutton Coldfield, B74 2LN	Fell 1 Cedar tree and replace with 1 Silver Birch tree.	Appeal Allowed	Tree: Part Approve Part Refuse	Despite concluding that the cedar made an important and positive contribution to the character and appearance of the area and there was no evidence to suggest the tree is diseased or represents an immediate hazard, the Inspector felt that the extent of any pruning works would leave the tree in a poor imbalanced form. Together with concerns about the extent of works required to prevent future root damage and to the drive and the impact of ongoing pruning, the Inspector took the view that the felling of the cedar was acceptable subject to its replacement with an upright (Fastigate) Beech tree
18/1266	168, Walstead Road, Walsall, WS5 4DN	Prior Approval form a flat roofed single storey rear extension 6 metres deep, 3 metres high, 3 metres high to the eaves and 5.5 metres wide.	Appeal Allowed	Prior Approval Refused	The main issues were deemed to be outlook, loss of light and privacy. Whilst it was recognised the development would breach the Council's 45 degree code, the Inspector gave weight to the fact that the proposed works would also result in the removal of a garden shed and a flat roofed extension would offset much of the harm created by the extension.

17/1638	14, Skip Lane, Walsall, WS5 3LL	Proposed replacement dwelling	Appeal Dismissed	Refuse Permission	<p>The Inspector considered the main points to be the impact of the development on the character of the surrounding area and the adjoining neighbours.</p> <p>The Inspector felt the proposed house would appear as an unduly prominent feature in the wider street scene due to the site's elevated position on this part of the Skip Lane road frontage but they did conclude that the proposed development would not cause harm to the character or appearance of the adjacent conservation area, or the setting of the Registered Park and Garden.</p> <p>Regarding the neighbour impact, the Inspector concluded the development would have a significant adverse effect on the living conditions of the occupants of 12 Skip Lane and 16 Skip Lane with regard to outlook and light</p>
18/0804	14, Furze Way, Walsall, WS5 3DG	Two storey side and rear extensions plus single storey front and rear extension.	Appeal Dismissed	Refuse Permission	<p>The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the street-scene in Furze Way.</p> <p>The Inspector felt the proposal would be of a substantially greater scale than the existing garage and therefore</p>

					materially harm the character and appearance of the host dwelling and the street-scene in Furze Way.
18/0449	22, OLD OAK CLOSE, ALDRIDGE, WALSALL, WS9 8SE	Demolition of side garage and erection of a dwelling adjacent 22 Old Oak Close and creation of 2no parking spaces in front of 22 Old Oak Close	Appeal Dismissed	Refuse Permission	<p>The main issues were the effect of the proposed new dwelling on the character and appearance of the street-scene in Old Oak Close, and the living conditions of neighbouring residents, especially in regard to No 20 Old Oak Close, with particular regard to outlook.</p> <p>The Inspector took the view that the proposal would have a significantly harmful effect on the character and appearance of the area. Regarding neighbours amenity, they felt that the proposed dwelling would unduly dominate the outlook from the windows in the front elevation of No 20 and have an overbearing effect on its occupants. In terms of the impact on No's 12 and 14 this was deemed to be acceptable.</p>
Target = 30%			4 qualifying appeals, not decided in accordance with Councils decision = 57%		Total number of qualifying appeals = 7 (Appeals against non determination, conservation / listed building consent, adverts and those withdrawn are not included).

- 12.6 This quarters set of decisions include a series of unusual decisions centred on householder development proposals. With both of the Prior Notifications appeals, the Inspector noted there would be a breach of the Councils design guide standards, mitigating factors justified allowing the appeals.
- 12.7 The Thornhill Park proposal was particularly disappointing as the Inspector noted the health of the tree but decided to allow the appeal on the grounds that its retentions would necessitate on going maintenance issues for the owner. Such an issue is not uncommon to many trees and earlier appeals have recognised this point.
- 12.8 To enable the Council to ensure it retains the ability to refuse the most harmful applications which may affect the people and businesses in the Borough, officers will be engaging with PAS as noted above to ensure decisions can be presented in the most robust manner possible to the Planning Inspectorate to optimise the Councils ability to defend refusal decisions most effectively at appeal.

iii) Called in Applications

- 12.9 Planning Committee requested information regarding the number of applications that have been called in and agreed that this should appear in this performance report as a regular item. The table below shows that 7 different applications have been called in during the three meetings in Q4 for January to March
- 12.10 The Call-in Procedure is set out in paragraph (12) of Part 3: Responsibility For Functions of the Constitution.

(12) Call-in procedure

- (a) Notwithstanding the terms of reference of Planning Committee any planning application can be called in by a Councillor for determination by the Committee;
- (b) Prior to a Councillor calling in an application he/she must inspect the submitted plans and discuss the application with the Development Control Team Leader or his/her deputy or Head Of Service/Service Manager.
- (c) The call-in will be activated by the completion of an appropriate form which must give a planning reason why it should be determined by the Committee;
- (d) The form must be received by the Planning Department within 10 working days from the receipt of the weekly list by Councillors (one day will be allowed for delivery following date of dispatch)
- (e) The Committee report will identify the Councillor who called in the application along with the reason given.

12.11 For details of applications previously called in please refer to the previous performance reports.

Called in by Councillor	The Electoral Ward for the Application	Planning Application Number	Application Address	Call In Method
31 st January				
Councillor Andrew	Pheasey Park Farm	18/0550	Three Crowns Inn, Sutton Road, Walsall, WS5 3AX	Pro-Forma
Councillor Martin	Paddock	15/0740/FL	12 Orwell Road, Walsall, WS1 2PJ	Pro-Forma
21 st February				
Councillor Gultasib	Pleck	18/1068	Shops 3 And 4, 498-500 Pleck Road, Walsall, WS2 9HE	Pro-Forma
21 st March				
Councillor Wilson	Aldridge Central And South	17/1308	11, Portland Road, Aldridge, Walsall, WS9 8NS	Pro-Forma
Councillor Andrew	Pheasey Park Farm	18/0550	Three Crowns Inn, Sutton Road, Walsall, WS5 3AX	Pro-Forma
Councillor Russell	St Matthews	18/1348	19 , Cameron Road, Walsall, WS4 2ES	Pro-Forma

iv) Progress on Enforcement Proceedings

12.12 This section of the report to follow.

PLANNING COMMITTEE – 17 June 2019: PROGRESS OF FORMAL ENFORCEMENT ACTIONS

Sites with Notices served

Case Number	Officer	Address	Date	Type of Action and date of issue	Current position
E11/0615	EG	74, 75, 76, Stafford Street, Willenhall (Dainty's)	21/10/2010 25 th Sept 18 19 th Dec 2018 4 th June 2019	Section 215 Notices Issued on 4 th July 2012	<p>Section 215 notice required the repair of numbers 74 and 75. The notice took effect on 6th August. The first compliance period expired on 6th September; the second compliance period expired on 6th December 2012. Requirements of the first two parts of the notice were not met. Prosecution was progressed with each Defendant being fined. Current planning application under consideration.</p> <p>Site visited in December 2017 and owners notified of need to undertake works otherwise a new Section 215 notice will be issued.</p> <p>Action held in abeyance whilst planning application is resolved.</p> <p>Planning consent granted at last planning committee, matter in abeyance to allow negotiations with land owner to continue and seek implementation of consent.</p> <p>Site revisited, building appearance deteriorating, sent warning letter of need to tidy building otherwise a new S215 Notice will be served. Site to be monitored after a month.</p>

E11/0274	EG	12-14 Lower Lichfield Street, Willenhall	<p>2/5/2013</p> <p>25th Sept 18</p> <p>19th Dec 2018</p>	<p>S215 Notice issued 28th June 2012.</p>	<p>Unightly properties. Section 215 notice served, but not actioned. Prosecution was considered in 2016 but not actioned.</p> <p>Warning letter with regards action sent January 2018 and site to be monitored.</p> <p>Site not improved consideration for service of new S215 notice, as site has further deteriorated, new notice is delegated to ward members.</p>
E17/0135	EG	Three Crowns Public House	<p>2nd April 2015</p> <p>3rd August 2017</p> <p>5th June 2018</p> <p>25th Sept 18</p> <p>19th Dec 2018</p>		<p>Enforcement Notice regarding unauthorised car wash use and associated paraphernalia, siting of a residential caravan, the untidy nature of the site, the engineering works and depositing of spoil on the adjacent SINC. Compliance period ends on 29th January 2018. Appeal has been lodged with PINS.</p> <p>Appeal dismissed for planning decision to refuse a further temporary planning consent for the hand car wash facility and associated residential caravan.</p> <p>Awaiting Enforcement appeal start date, there is a backlog of cases at the Inspectorate.</p> <p>Appeal confirmed as valid by PINS. Start date of 11th May 2018.</p> <p>Appeal ongoing appellant failed to attend appeal site visit, awaiting a new date to be set by PINS.</p> <p>Appeal site visit booked for 7th January 2019.</p>

			11 th March 2019 3 rd June 2019		Appeal dismissed notice upheld slight amendment to remove elements relating to tidying the site on 26 th February 2019. Works to be completed within 90 days. Compliance site visit undertaken and partial compliance has occurred car wash ceased and items removed apart from storage container and caravan use ceased and removed. Owners written to a requested further works to secure full compliance with requirements of the notice.
E15/0366	EG	100 Whitehorse Road, Brownhills	01/09/16 5 th June 2018 25 th Sept 18 19 th Dec 2018 11 th March 19 3 rd June 19	Enforcement Notice served 29 th August 2017	Bike shed adjacent highway –Enforcement notice served on 29/06/17. Comes into effect 03/08/17. Notice has been appealed and documents with PINS for consideration. Appeal Site Visit in July 2018. Appeal dismissed and notice now stands. Owners written to and informed structure needs to be removed by 28 th September 2018. Owners contacted and requested extension of time period to comply due to family bereavement, agreed for completion by 31 st December 2018, site to be monitored in January 2019. Monitoring visit undertaken and notice not complied with papers being prepared for legal action to seek compliance. Prosecution papers under preparation

E12/0470	EG	24 Larkspur Way	<p>16/01/14</p> <p>5th June 2018</p> <p>25th Sept 18</p> <p>19th Dec 2018</p> <p>11th March 2019</p>	<p>Enforcement Notice served 8th July 2014.</p>	<p>Enforcement Notice required cease of use as residential garden and removal of residential paraphernalia and fencing. Officer inspection confirms requirements of Enforcement Notice not complied with – With Legal Services for prosecution proceedings to be prepared.</p> <p>EG as new case officer to revisit site and seek to secure compliance with notice.</p> <p>Notice has not been complied with owners are seeking to submit a planning application or certificate of lawful use application. It must be noted that the serving of the enforcement notice stopped the clock for accruing passage of time which the occupier of 24 may wish to demonstrate via the certificate of lawfulness.</p> <p>In October 2018 the application for the Certificate of Lawful use was refused, as they were unable to prove the use had occurred for 10 years prior to the service of the notice, we are now seeking to secure compliance with notice.</p> <p>Action agreed with owner to seek to resolve breach in accordance with details set out in notice, legal action in abeyance to allow for works to continue.</p>
E17/0441	RS	Land to the south of 171 Erdington Road	<p>5 June 2018</p> <p>25th Sept 18</p> <p>19th Dec 2018</p>	<p>Enforcement action authorised by 26/4/18 planning committee</p>	<p>Enforcement Notice served. Notice effective on 11th June 2018.</p> <p>We have received indication by PINS that appeal has been lodged and awaiting validation.</p> <p>No update from PINS</p>

			3rd June 2019		Written representations appeal, statements have been exchanged and Inspectors site visit on 11th June 19. Decision is awaited.
E17/0463	RS	Land south of Cartbridge Lane	25 th Sept 18 19 th Dec 2018 3rd June 2019	Enforcement action authorised by planning committee 12/7/18	Enforcement Notice served 26 th July 2018 and notice became effective on 24 th August 2018 and due to be complied with by 24 th October 2018. Agents have sought advice on amending structure to overcome the Enforcement Notice, this is not supported and officers are seeking compliance with notice. Owners have submitted a certificate of lawfulness application (relating to the keeping of horses on the land).
E17/0192	EG	10 Alexandra Road	12 th April 2018 25 th Sept 18 19 th Dec 2018 3rd June 2019	Enforcement action authorised by planning committee 30/11/2017	Enforcement Notice served 12 th April 2018 was effective on 13 th May 2018 and due for compliance on 13 th August 2018. Compliance has not occurred matter to be referred to legal. No further update Monitoring visit undertaken and notice not complied with papers being prepared for legal action to seek compliance.
E18/0076	SD	14 Durham Road	25 th Sept 18	Enforcement action authorised by planning committee 12/7/18	Enforcement Notice served 7 th August 2018 and notice to be effective on 7 th September 2018 and due to be complied with by 7 th December 2018.

			<p>19th Dec 2018</p> <p>11th March 2019</p> <p>3rd June 2019</p>		<p>We have received indication by PINS that appeal has been lodged and awaiting validation.</p> <p>No further update</p> <p>Appeal start date set as 26th February 2019, paperwork is now being sent to PINS in accordance with timetable.</p> <p>Appeal site visit due on 2nd July 2019. Decision expected after that date.</p>
E17/0428	SD	7 Eastbourne Street	<p>19th Dec 2018</p> <p>3rd June 2019</p>	<p>Enforcement action authorised by planning committee 29/11/18</p>	<p>Enforcement Notice served 19th December 2018 and notice to be effective 22nd January 2019 and due to be complied with by 22nd April 2019.</p> <p>Compliance site visit undertaken on 30th April 2019, and only 1 of the 10 points of work on notice undertaken. A prosecution warning letter sent giving the owners until 28th May 2019 to fully comply with the requirements of the notice. Owners have failed to undertake works in response to warning letter. Will proceed to prosecution to remedy breach</p>
E18/0113	RS	78-80 Noose Lane	<p>19th Dec 2018</p> <p>3rd June 2019</p>	<p>Enforcement action authorised by planning committee 29/11/18</p>	<p>Enforcement Notice served 7th December 2018 and notice to be effective 11th January 2019 and due to be complied with by 11th April 2019.</p> <p>Compliance site visit was undertaken on 2nd May 2019, and all steps of the notice are outstanding a prosecution warning letter sent and site to be monitored to check for compliance with notice.</p>

E18/0095	SD	Harveys Autos 126 Stafford Street	19 th Dec 2018 3rd June 2019	Enforcement action authorised by planning committee 29/11/18	Notice not served. Site being monitored as cars for sale have been removed, porta cabin and signage in situ will seek to removal through informal action otherwise modify notice to reflect change in breach.
E18/0169	SD	18 Walstead Road	11 th March 2019 3rd June 2019	Enforcement action authorised by planning committee 29/11/18	A new application was submitted before notice was served and matter on abeyance awaiting outcome of planning application. Owner continuing to alter the building and notice has been amended as per delegated powers to accurately reflect latest planning breaches. Notice served 22nd March 2019 and became effective on 24th April 2019. Compliance with the notice to be undertaken by 24th July 2019.
E18/0248	EG	Stables Rear of 211-212 Norton Road, Pelsall	4th June 2019	Enforcement action authorised by planning committee 18/4/19	Enforcement Notice served on 3rd May 2019 and notice is to be effective on 5th June 2019. Compliance date is 5th December 2019. Appeal lodged 3rd June 2019, awaiting validation by PINS. Requested to be a Public Inquiry.
E14/0515	SD	Cloudwood Arabian Stud, Aldridge Road	3rd June 2019	Enforcement action authorised by planning committee on 18/4/19	Enforcement Notice served for operational development on 28th May 2019, notice will be effective on 27th June 2019. Compliance to be undertaken by 27th July 2019.
E14/0515	SD	Cloudwood Arabian Stud, Aldridge Road	3rd June 2019	Enforcement action authorised by planning committee on 18/4/19	Enforcement Notice served for material change of use and operational development on 28th May 2019, notice will be effective on 27th June 2019. Compliance to be undertaken by 27th Sept 2019.
E15/0207	RS	11 Excelsior Grove	4th June 2019	Enforcement action authorised by planning committee 18/4/19	Material change of use and operational development

Historical Cases under review following Committee Resolutions

Case Number	Case Officer(s)	Address	Date of committee authorisation for Enforcement Action	Type of action and date of issue	Current position
E14/0338	EG	17 Newport Street, Walsall	26/10/2004	Listed Building Enforcement Notice and Prosecution	<p>Continued non-compliance with Listed Building Enforcement Notices for installation of second floor windows and painting exterior of building. Also other external alterations including first floor windows continue to be an offence. Case has been reviewed. Consolidated report being prepared with intention to report to committee in the near future. An invalid planning application has been submitted in an attempt to regularise the listed building breaches. Currently awaiting an update from the Building Conservation Officer. A site visit was undertaken on 10th May 2016 and further discussions have taken place. Planning application 16/0120 was valid 24/6/16 with officers requesting amendments. To date this still remains outstanding.</p> <p>Planning application 16/0120 is under consideration and enforcement action in abeyance at this time.</p>
E08/0246	EG	Land at Canalside Close, Walsall	9/1/2007	Enforcement Notice – 5/11/2007	Erection of boundary wall, building and gates. Appeal partially upheld on 15/8/08. Planning permission granted subject to conditions for a change of use to motor vehicle salvage and breakers yard including alterations to the boundary wall by September 2012 subject to time limit actions. Actions not complied

			5 th June 2018		<p>with. Discussions with new tenant and advice sought from officers regarding a new planning application to address the issues. Site visit undertaken on 13th April 2016. Site was locked up and secured with nobody on site. Sign on wall outside states that the facility will be opening soon. Contact is to be made with the current owners to ascertain their intentions. A further monitoring visit is proposed to assess the situation.</p> <p>EG- As new case officer to assess site and recommend actions.</p> <p>Site visited and at this time considered not expedient to seek reduction in wall height. Case to remain open and be reviewed if use of site changes.</p>
E13/0042	EG	Land rear of Tempus Drive, Walsall	2/5/2013	Enforcement Notice	<p>Change of use to deposition of waste material. Enforcement Notice issued. Appeal lodged but subsequently withdrawn. Enforcement notice compliance period expired April 2014. New EIA Screening Opinion issued 11/12/14 confirming Environmental Statement not required. Planning permission 15/0333/FL was granted on 8th January 2016 for earthworks comprising the redistribution of spoil from the south of the site (the Opal site) to the north (the Onyx site), including on-site remediation of material as necessary, to provide a level platform for future development. The permission requires commencement of the works within 12 months of the grant of permission to remedy the issue of unauthorised waste on site. Works have progressed on site and are likely to have triggered commencement under permission 15/0333/FL. Commencement of permission confirmed as 14th October 2016 and works are required to be completed by 14th October 2017.</p>

			February 2018		<p>A further planning application under 16/1883 was approved on 2nd May 2017 to vary conditions under 15/0333/FL regarding importation of materials, drainage, flooding and mining risk. The conditions are currently in the process of being discharged.</p> <p>Site being monitored for compliance with Planning application 16/1883.</p>
E12/0519 & E12/0468	EG / SC	3 Walsall Road	September 2013	Enforcement notice served on 23 rd June 2015	<p>Unauthorised change of use, signage, fencing and building works. Authorisation to prosecute was approved by September planning committee. Planning applications for the retention of the works have now been refused. Enforcement notice served on 23rd June 2015 for compliance on the 24th September 2015. Requirements of the notice have not been met. Prosecution with legal services. Legal services have asked for further land ownership details which is currently being investigated, plus officers are having to visit the site and measure all of the new signage at the site.</p> <p>Interviews have taken place with the owner and the file is now with legal for a prosecution. New site visits have taken place and new advertisements have been erected stating that the shop is under new ownership. Despite this, work continues on this case</p> <p>Liaising with new tenants who are in the process of purchasing the site and they have stated intention to comply with requirements of the notice. Site to be monitored at end of February 2018.</p> <p>New owners have not sought to undertake works to comply with the notice matter to be referred to legal.</p>
			February 2018		
			25 th Sept 2018		

			19 th Dec 2018		New planning permission 18/1630 submitted to alter the unauthorised extensions seek to regularise breaches. Enforcement Action in abeyance pending outcome of application.
			4 th June 2019		Amended plans requested on the planning approval to address concerns with scheme. Action in abeyance pending outcome of this application.
E13/0103	EG	Ravenscourt Shopping Precinct	March 2014	Section 215 Notice	<p>Awaiting return of Section.16, this is required to establish all parties responsible for the land before serving Section 215 Notice. Notice being prepared.</p> <p>Update 9-3-15 – Owners of the site have been in contact with the LPA to discuss future the enforcement action and the future of the site. Officers have been negotiating with developers who intend to submit a planning application early 2017. The owner has confirmed they have appointed a highways consultants and are in the process of finalising a planning consultant. In addition they wish to work closely with the Town Centre Manager to ensure the security of the site and minimise ASB issues.</p> <p>Update 18-10-17 – Planning Application 17/1131 for part demolition of existing retail units and erection of 2 x A1 retail units with storage and gym at first floor and car parking and service area to the rear. Consultation period expires 15-11-17</p> <p>As there is a current application in for consideration at this stage it is not expedient to pursue formal action.</p> <p>Site visited, action to remain in abeyance pending outcome of application.</p>
			November 2017		
			May 2018		

			19 th Dec 2018 4 th June 2019		At last planning committee members resolved to support the planning application to redevelop the site subject to updated ecology report. Matter in is abeyance pending resolution of application. Ecology report submitted and consultation ongoing. Enforcement action held in abeyance pending resolution of application.
E14/0280	EG	Middlemore Lane West – Former GKN	September 2014	Enforcement Notice	Owners have removed the unauthorised embankment and are in discussions with officers for the submission of a planning application to landscape the front of the site. Meeting to be proposed with planning case officer to ascertain the current situation. EG as new case officer to monitor site and advice on action to be undertaken.
E15/0260	EG	Hawthorns, Former Baytree House, Erdington Road, Aldridge	3/9/15	Enforcement Notice	The operators of the site have begun proceedings with officers of the Council to look at improving the provision of care available to residents including registration with the Care Quality Commission (CQC) to operate as a care home and ensure compliance with planning application 12/1400/FL. The measures put forward are being considered by officers. Officers are negotiation with the applicants on the terms of the revised s106 and will be preparing a report to update Members on the situation. EG- to monitor case and make recommendations as necessary.

E14/0323	JT	39 Shire Ridge, Walsall Wood	01/09/16	Enforcement action authorised by 01/09/16 planning committee	<p>The fence and wall to the side have been reduced in height in accordance with the approved planning application. The owners have been advised that an application will be required for the change in levels of the rear garden.</p> <p>Officers in negotiation regarding this matter.</p>
E14/0057	EG	The Eagle PH, Cresswell Crescent	<p>01/12/16</p> <p>February 2018</p> <p>5 June 2018</p> <p>25th Sept 18</p> <p>19th Dec 2018</p>	<p>Prosecution following non-compliance with S215 Notice</p>	<p>Failure to comply with S215 notice to tidy up the derelict site. Prosecution being considered. Planning application 17/0026 received on 06/01/17 for redevelopment for a new apartment scheme and committee resolution to grant permission subject to a S106 Agreement.</p> <p>EG as new officer to evaluate site and consider if further formal action required.</p> <p>Site visit 15/4/18. Owners given 28 days to rectify the appearance of the building and remove the further flytipped rubbish and finalise compliance with the Section 215 Notice. Officer to monitor the situation after 28 days.</p> <p>No works undertaken following correspondence, matter to be referred to legal.</p> <p>No further update</p>

E13/0063	EG	Land adjacent to 26 Bradley Lane	19 th Dec 2018		<p>The carrying out of engineering works to alter land levels and create access onto the highway, laying down of hard-surfacing, the erection of boundary gates and fencing, the erection of two stabling blocks and the partial construction of a storage barn. Applicant contests that the access has lawful use rights and there is a current certificate of lawfulness to be determined. Appeal decision concluded requiring the serving of a revised notice. Application for Certificate of Lawful Use (16/1096) valid 22/11/16. Granted 7th June 2018 for the keeping of 7 horses.</p> <p>Following committee on 1st November case officer has meet owners and a new application for the retention and relocation of the stables is due to be submitted in the new year to address the outstanding breaches. Action in abeyance pending outcome of any application.</p> <p>Held in abeyance pending outcome of planning application 19/0476 to relocate and complete construction of barn.</p>
			3 rd June 2019		