

PLANNING COMMITTEE – 22 June 2023: PROGRESS OF FORMAL ENFORCEMENT ACTIONS

Table 1 - Sites with Notices served or authorisation to Serve Notices

Case Number	Officer	Address	Date	Type of Action and date of issue	Current position
E17/0463	RS	Land south of Cartbridge Lane	25 th Sept 18 19 th Dec 2018 3 rd June 2019 10 December 2020 10 March 2022 17 Nov 2022	Enforcement action authorised by planning committee 12/7/18	<p>Enforcement Notice served 26th July 2018 and notice became effective on 24th August 2018 and due to be complied with by 24th October 2018.</p> <p>Agents have sought advice on amending structure to overcome the Enforcement Notice, this is not supported and officers are seeking compliance with notice.</p> <p>Owners have submitted a certificate of lawfulness application (relating to the keeping of horses on the land). Additional information requested.</p> <p>19/0091 – CLEUD not yet determined. Site being monitored.</p> <p>As above. 19/0091 – CLEUD not yet determined. Site being monitored.</p> <p>CLEUD application allocated to new case officer to progress. A review of the application indicates that it would not address the Enforcement Notice requirements. Consideration being given on potential prosecution.</p>

			June 2023		19/0091 – CLEUD refused 30/11/2022. Case under review.
E14/0515	RH	Cloudwood Arabian Stud, Aldridge Road	<p>3rd June 2019</p> <p>14th November 2019</p> <p>17 July 2020</p> <p>20 July 2020</p> <p>10 December 2020</p> <p>10 March 2022</p> <p>17 Nov 2022</p>	<p>Enforcement action authorised by planning committee on 18/4/19</p>	<p>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.</p> <p>Original Notice withdrawn and new amended notice served removing reference to flood lighting. Served 28th June 2019, effective on 30th July 2019 and compliance due 20th October 2019. Appeal has been lodged.</p> <p>Appellant signed a legal undertaking to withdraw the appeal against the enforcement notice and three months from covid restrictions being lifted for caravans</p> <p>Planning Inspector confirmed the appeal had been withdrawn</p> <p>Checking compliance on site</p> <p>Owner has been reminded of obligations to clear the site in accordance with legal undertaking. Further monitoring taking place.</p> <p>Caravans have been removed from the site. The owner to be reminded to clear the site of the remaining fence panels.</p>

			June 2023		Case under review
E21/0066	RS	Arrow Industrial Estate	10 March 2022 17 Nov 2022 June 2023	Enforcement action authorised by Planning Committee 6/1/21	A Planning Contravention Notice has been served and responses informed the Enforcement Notice which was served on 25 February. Advice provided to new site owner. Clearance works are ongoing and a review to be carried out in the New Year. Case under review
E21/0315	RS	Wood Farm Cottage, Wood Lane, Willenhall	10 March 2022 17 Nov 2022 June 2023	Enforcement action authorised by Planning Committee 6/1/21	Following expiry of Temporary Stop Notice, no works on site have resumed, therefore enforcement notice not currently required. The situation is being monitored and a planning application is expected. New planning application lodged and valid on 28 th June 2022 under reference 22/0619. Any enforcement action will therefore be held in abeyance until application is determined. 22/0619 refused March 2023. Case under review.
E21/0137	RH	44 Mill Lane, Willenhall	10 March 2022 17 Nov 2022	Breach of Condition Notice (BCN) authorised and served under delegated powers 7/2/22	Failure to adhere to approved plans as required by Condition 2 of permission 19/1497. BCN requires roof shape and other design details to revert to approved scheme by 7 May 2022. Site monitoring required to determine whether compliance has been achieved.

			June 2023		Full compliance not received. To be followed up with owner(s).
E20/0160	RH	53 Charlemont Rd, Walsall	10 March 2022 17 Nov 2022 June 2023	Enforcement notice served on 29 October 2021 requiring demolition of wall, removal of hard surface	Enforcement Notice appealed. Currently waiting for Planning Inspectorate to confirm hearing date. Appeal decision made 7 September 2022. Enforcement notice quashed and permission granted for brick walls, pillars, land level changes and hard-surfaced driveway (Ground A). Grounds B, C and D are dismissed. Planting plans to be submitted in December in relation to replacement planting for the lost TPO tree. Site to be monitored. Additional plans submitted under review.
E21/0104	RSa	117 Sandringham Avenue, Willenhall	17 Nov 2022 June 2023	Enforcement notice served on 28 October 2022 requiring removal of unauthorised structures and associated works	Valid appeal has been lodged and a hearing is to take place. Hearing date to be confirmed. Hearing scheduled for 15th June 2023
E22/0138	RS	8 Brookhouse Road, Walsall	17 Nov 2022 June 2023	BCN issued 10 August 2022 requiring works to dwelling to be revised to reflect the planning permission.	BCN revoked on 1 Nov 2022 due to inaccuracies within the applicant's submitted plans. Retrospective planning application likely to be submitted to try and regularise the position. Case will be monitored. Case under review.

			17 Nov 2022		Site visit has been carried out and case currently under review against the extensive planning history of the site in light of new evidence relating to some previously approved works.
			June 2023		Under review.
E13/0103	RS	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>
			November 2017		

			<p>May 2018</p> <p>19th Dec 2018</p> <p>4th June 2019</p> <p>10th December 2020</p> <p>10 March 2022</p> <p>17 Nov 2022</p> <p>June 2023</p>	<p>Site visited, action to remain in abeyance pending outcome of application.</p> <p>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.</p> <p>Ecology report submitted and consultation ongoing. Enforcement action held in abeyance pending resolution of application.</p> <p>Planning permission granted on 28th June 2019 and can be implemented up to June 2022.</p> <p>New owner looking to re-develop.</p> <p>New planning application submitted for re-development of the site for a foodstore which is being presented to Planning Committee 1st December 2022 - 22/0171.</p> <p>Planning permission for re-development 22/0171 granted December 2022.</p>
--	--	--	--	---