

**PLANNING COMMITTEE – 10<sup>th</sup> March 2022: 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
E20/0033	RS	Foley Wood, Egerton Road, Streetly	10 <sup>th</sup> December 2020  17 March 2021  <b>10 March 2022</b>	Unauthorised COU. PEN Authorised – Pending further info prior to service.  4 ENs served	Cease use and remove fence/domestic paraphernalia - within 3 months from when the notice takes effect. Ownership details unknown at time of enquiry. Land owners not identified  3 ENs appealed, one complied with.  <b>1 appeal is currently being dealt with by (adjourned) public inquiry now set for 17<sup>th</sup> May 22. Other 2 written representation appeals waiting for PINS decision</b>
E17/0135	RH	Three Crowns Public House	2 <sup>nd</sup> April 2015          3 <sup>rd</sup> August 2017		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 29 <sup>th</sup> January 2018. Appeal has been lodged with PINS.  Appeal dismissed for planning decision to refuse a further temporary planning consent for the hand car wash facility and associated residential caravan.  Awaiting Enforcement appeal start date, there is a backlog of cases at the Inspectorate.

			5th June 2018		Appeal confirmed as valid by PINS. Start date of 11th May 2018.
			25 <sup>th</sup> Sept 18		Appeal ongoing appellant failed to attend appeal site visit, awaiting a new date to be set by PINS.
			19 <sup>th</sup> Dec 2018		Appeal site visit booked for 7 <sup>th</sup> January 2019.
			11 <sup>th</sup> March 2019		Appeal dismissed notice upheld slight amendment to remove elements relating to tidying the site on 26 <sup>th</sup> February 2019. Works to be completed within 90 days.
			3 <sup>rd</sup> June 2019		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.
			14 <sup>th</sup> November 2019		Further works have been undertaken to address the notice requirements, still awaiting confirmation from owner with regards to ecological issues.
			10 December 2020		Applicant has implemented their planning approval and erected hoardings around the application site. Car wash doesn't appear to be operating. Site to be monitored.
			<b>10 March 2022</b>		<b>Former public house has been demolished and no further car wash use. Case has been closed.</b>

E17/0463	RS	Land south of Cartbridge Lane	<p>25<sup>th</sup> Sept 18</p> <p>19<sup>th</sup> Dec 2018</p> <p>3<sup>rd</sup> June 2019</p> <p>10 December 2020</p> <p><b>10 March 2022</b></p>	<p>Enforcement action authorised by planning committee 12/7/18</p>	<p>Enforcement Notice served 26<sup>th</sup> July 2018 and notice became effective on 24<sup>th</sup> August 2018 and due to be complied with by 24<sup>th</sup> 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><b>As above. 19/0091 – CLEUD not yet determined. Site being monitored.</b></p>
E18/0248	RS	Stables Rear of 211-212 Norton Road, Pelsall	<p>4<sup>th</sup> June 2019</p> <p>14<sup>th</sup> November 2019</p> <p>10 December 2020</p>	<p>Enforcement action authorised by planning committee 18/4/19</p>	<p>Enforcement Notice served on 3<sup>rd</sup> May 2019 and notice is to be effective on 5<sup>th</sup> June 2019. Compliance date is 5<sup>th</sup> December 2019.</p> <p>Appeal lodged 3<sup>rd</sup> June 2019, awaiting validation by PINS. Requested to be a Public Inquiry.</p> <p>No update matter still with PINS to set Inquiry date</p>

			<b>10 March 2022</b>		<p>Inquiry set for 8th June 2021. Council's case is being prepared.</p> <p><b>Appeal decision received (part allowed and part dismissed). Site is being monitored for compliance.</b></p>
E14/0515	RH	Cloudwood Arabian Stud, Aldridge Road	<p>3<sup>rd</sup> June 2019</p> <p>14<sup>th</sup> November 2019</p> <p>17 July 2020</p> <p>20 July 2020</p> <p>10 December 2020</p> <p><b>10 March 2022</b></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 28<sup>th</sup> May 2019, notice will be effective on 27<sup>th</sup> June 2019. Compliance to be undertaken by 27<sup>th</sup> Sept 2019.</p> <p>Original Notice withdrawn and new amended notice served removing reference to flood lighting. Served 28<sup>th</sup> June 2019, effective on 30<sup>th</sup> July 2019 and compliance due 20<sup>th</sup> 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><b>Owner has been reminded of obligations to clear the site in accordance with legal undertaking. Further monitoring taking place.</b></p>

E21/0066	FW	Arrow Industrial Estate	<b>10 March 2022</b>	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.
E21/0315	FW	Wood Farm Cottage, Wood Lane, Willenhall	<b>10 March 2022</b>	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.
E21/0137	FW	44 Mill Lane, Willenhall	<b>10 March 2022</b>	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.
E20/0160	RH	53 Charlemont Rd, Walsall	<b>10 March 2022</b>	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.

**Table 2 - 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	AI	17 Newport Street, Walsall	26/10/2004          10 <sup>th</sup> December 2020  <b>10 March 2022</b>	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 10<sup>th</sup> 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>

					<b>To be reviewed as part of other cases in this area which individually, and cumulatively, have potential heritage impacts.</b>
E13/0103	RS	Ravencourt 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 <sup>th</sup> Dec 2018		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.
			4 <sup>th</sup> June 2019		Ecology report submitted and consultation ongoing. Enforcement action held in abeyance pending resolution of application.
			10 <sup>th</sup> December 2020		Planning permission granted on 28 <sup>th</sup> June 2019 and can be implemented up to June 2022.
			<b>10 March 2022</b>		<b>New owner looking to re-develop.</b>
E14/0323	RS	39 Shire Ridge, Walsall Wood	01/09/16	Enforcement action authorised by 01/09/16 planning committee	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.
			10 <sup>th</sup> December 2020		Officers in negotiation regarding this matter.
			<b>10 March 2022</b>		To be reviewed by new enforcement officer.  <b>Works likely to have become lawful over time. Not expedient to pursue and recommend closing the case.</b>