

## EXETER CITY COUNCIL

### PLANNING COMMITTEE 31 OCTOBER 2011

#### ENFORCEMENT PROGRESS REPORT

#### 1.0 PURPOSE OF REPORT

- 1.1 To update Members on enforcement matters.

#### 2.0 CASES OPENED AND CLOSED BETWEEN 12 SEPTEMBER 2011 AND 10 OCTOBER 2011

Cases opened: 9

Cases closed: 8

Outstanding number of cases: 109

#### 3.0 NOTICES ISSUED

- 3.1 None

#### 4.0 NOTICES COMPLIED WITH

- 4.1 ENF/09/87 – Ganges, 156 Fore Street, Exeter – Enforcement Notice issued on 16 November 2009 for installation of an extraction unit at the rear of the premises. The Notice came into effect on 28 December 2009 and gave a period of 3 months for compliance.
- 4.2 An appeal against the Enforcement Notice was dismissed on 1 April 2010, however, the Council subsequently entered into discussions with the operators of the business regarding the possibility of retaining the extraction unit on the proviso that a suitable form of screening be approved.
- 4.3 Planning permission was granted on 10 May 2011 for a screen to be erected around the extraction unit. A site visit on 14 September 2011 established that the screen had been erected in accordance with the approved plans, therefore, the Enforcement Notice is now irrelevant.
- 4.4 ENF/06/39 – 2 Elm Grove Road, Exeter – Listed Building Enforcement Notice issued on 15 June 2009 for various unauthorised works to a listed building. The Notice came into effect on 23 July 2009 and gave a period of 6 months for compliance.
- 4.5 An appeal against the Listed Building Enforcement Notice was dismissed on 5 November 2009, subject to Inspector's decision to allow a period of 12 months for compliance with the terms of the Notice. The Council has been monitoring the works over the last 18 months, and a site visit on 4 October 2011 established that the Listed Building Enforcement Notice has been complied with.
- 4.6 ENF/10/68 – 4 Old Park Road, Exeter – Enforcement Notice issued on 6 April 2011 for the installation of uPVC windows at ground and first floor level. The Notice took effect on 9 May 2011 and gave a period of 3 months for

compliance. A site visit on 6 October 2011 established that the Enforcement Notice has been complied with.

## **5.0 CURRENT APPEALS**

- 5.1 ENF/10/23 - 6 Florida Drive, Exeter – Enforcement Notice issued on 6 June 2011 for a change of use of land providing a visual amenity for the public benefit, to land forming part of the private garden of the dwelling. An appeal was submitted on 26 July 2011 and is being dealt with by written representations. The Council's statement was submitted on 11 August 2011. The Inspector's decision is now awaited.

## **6.0 ENFORCEMENT APPEAL DECISIONS**

- 6.1 None

## **7.0 OTHER ISSUES**

- 7.1 ENF/11/58 – 19 New North Road, Exeter – Unauthorised works to two copper beech trees within a Conservation Area. Following further correspondence from the owner of the property, Legal Services are considering whether to pursue prosecution proceedings. Members will be updated in due course.

## **8.0 RECOMMENDATION**

- 8.1 That this report be noted.

**RICHARD SHORT**  
**HEAD OF PLANNING AND BUILDING CONTROL**  
**ECONOMY AND DEVELOPMENT DIRECTORATE**

Local Government (Access to Information) 1985 (as amended).  
Background papers used in compiling the report: none.