

EXETER CITY COUNCIL

**PLANNING COMMITTEE
3 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 15 AUGUST 2011 AND 12
SEPTEMBER 2011**

Cases opened: 4

Cases closed: 10

Outstanding number of cases: 108

3.0 NOTICES ISSUED

3.1 None

4.0 NOTICES COMPLIED WITH

4.1 None

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 – Members may be aware of the recent media coverage concerning the alleged unauthorised works to two copper beech trees located in the front garden of the property above. Both trees have had the majority of their branches removed, and a strip of bark removed from the circumference of each tree causing irreversible damage that is likely to result in their demise.



7.2 The property falls within the St David's Conservation Area and as such the trees are subject to legal protection under the Town and Country Planning Act 1990. The owner of the property has been invited to attend a formal interview after caution at the Civic Centre to discuss the reasons for undertaking these works, but has so far declined to speak directly with Council officers.

7.3 The matter has been referred to Legal Services to respond to the owner's written representations. The Council will await the owner's response before taking a view as to whether to pursue prosecution proceedings. Members will be updated next month.

7.4 Jubilee Road, Exeter – A complaint was received in respect of several loft box extensions at the rear of properties on Jubilee Road. A survey was undertaken to ascertain their planning history and it was established that enforcement action could only be taken against one of the three loft box extensions identified.

7.5 Given that all three loft box extensions appear to have been constructed in a similar manner and using similar materials, Officers did not consider it expedient to pursue enforcement action against only one of these structures. A report was considered by Planning Member Working Group on 20 September 2011, where Members agreed to support the Officers decision not to take any further action.

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.