

This Report will be made public on 21 October 2019

**To:** Planning and Licensing Committee  
**Date:** 29 October 2019  
**Status:** Non key Decision  
**Responsible Officer:** Llywelyn Lloyd, Chief Planning Officer

**SUBJECT:** UNAUTHORISED ERECTION OF DWELLINGHOUSE  
KNOWN AS ANNEX, 87 COAST DRIVE, GREATSTONE,  
NEW ROMNEY.



## 1.0 SUMMARY

- 1.1 This report considers the appropriate action to be taken regarding the unauthorised erection of an independent dwelling and the raising of ground levels within the rear garden of 87 Coast Drive Greatstone. No planning permission has been granted for the erection of this dwelling or the raising of land levels. This report recommends that an Enforcement Notice is served requiring the demolition of the dwelling and the reinstatement of the site to the previous ground level.

## 2.0 REASONS FOR RECOMMENDATIONS

- 2.1 The Committee is asked to agree the recommendations set out below because:

The development has an adverse impact on the visual amenity of the area due to its location in the rear garden of the existing dwelling, immediately fronting Greatstone Dunes, contrary to saved policy BE1 of the Local Plan Review and policies HB1 and HB10 of the Places and Policies Local Plan Submission Draft.

The development has an adverse impact on the amenity of residents due to loss of privacy, overbearing impacts and increased activity on the overall site contrary to saved policy SD1 of the Local Plan Review and policies HB1 and HB10 of the Places and Policies Local Plan Submission Draft.

The development is adjacent to a nature conservation site of national and international importance and it has not be demonstrated that it does not result in any adverse impact on that site or that any impacts can be satisfactorily mitigated. As such it is contrary to saved policy CO11 of the Local Plan Review and policy NE2 of the Places and Policies Local Plan Submission Draft.

The development does not provide any off street parking and as such would result in parking on the public highway to the detriment of the free flow of traffic and highway safety. As such it is contrary to saved policy TR12 of the Local Plan Review and T2 of the Places and Policies Local Plan Submission Draft.

- 2.2 For these reasons it is considered to be expedient and in the public interest to issue an enforcement notice requiring the dwelling to be removed and the land reinstated to its former level.

### **3.0 RECOMMENDATIONS**

- 1. To receive and note Report DCL/19/17.**
- 2. That delegated authority be given to the Chief Planning Officer to serve an Enforcement Notice requiring the demolition of the single storey residential dwelling on the land and the lowering of the raised land back to the original land level that existed before the unauthorised development began, if the current application for a certificate of lawful development (existing) for the use of a building as annex accommodation is refused.**
- 3. That the Chief Planning Officer be given delegated authority to determine the exact wording of the Notice.**
- 4. That the period of compliance with the Notice be (twelve) 12 months.**
- 5. That the Assistant Director - Governance, Law & Regulatory Services be authorised to take such steps as are necessary, including legal proceedings, to secure compliance with the Notice.**

### **4.0 LOCATION AND DESCRIPTION OF SITE**

- 4.1 The site is at 87 Coast Drive, a detached dwelling house within the village of Greatstone. The rear garden has been subdivided into two separate areas by a concrete breeze block wall and wooden close boarded fencing. There are a set of steps leading to the terrace from the garden of 87 Coast Drive but there is a gate restricting access between the two properties onto the terrace. The eastern part of the subdivided plot now contains a bungalow. The land within

the sub-divided rear garden has also been raised. Part of the remaining garden area of No. 87 has been fenced off to provide pedestrian access from Coast Drive to the new property to the rear. There is also a separate pedestrian access from the newly created plot through a gate in the eastern boundary onto Greatstone Dunes and the beach. To the north of the site is a public footpath leading from Coast Drive to Greatstone Dunes and the adjoining beach. To the north of the footpath is another detached dwellinghouse. To the south of the site is a detached dwellinghouse.

- 4.2 The rear garden, now containing the new dwelling, borders Greatstone Dunes which have the following nature conservation designations: RAMSAR, Site of Special Scientific Interest (Dungeness, Romney Marsh and Rye Bay), Special Protection Area and Special Area of Conservation. Beyond Greatstone Dunes is the English Channel. The site is within an area of archaeological potential. The site is not within a Flood Risk zone on the Environment Agency's flood maps or the Council's Strategic Flood Risk Assessment.

## **5.0 PLANNING HISTORY**

- 5.1 Y02/0616/SH Erection of replacement holiday chalet holiday accommodation to include temporary retention of boundary fence – Withdrawn 6 August 2002
- 5.2 WE/2/64/86 Use of existing domestic building for the sale of teas and the provision of dressing facilities for bathers. Refused 5 November 1964

## **6.0 THE BREACH OF PLANNING CONTROL**

- 6.1 On 26 August 2015 a complaint was made to the Council about extensive building work taking place at 87 Coast Drive. The Planning Enforcement Officer investigated the development and was advised by the owner that a swimming pool and new boundary walls were being constructed, together with the redevelopment of an outbuilding. Photographs were taken by The Planning Enforcement Officer on 28.09.2015 of the construction work which is shown in Figs. 1, 2 and 3 below:



Fig 1



Fig 2



Fig 3

6.2 Further photographs were taken by the Planning Enforcement Officer on 24.11.2015 of the outbuilding which are shown at Figs 4 & 5 below:



Fig 4



Fig 5

- 6.3 The date of the photographs confirm that works were not substantially completed within the last 4 years so the building is not immune from enforcement action. The building known as 'The Annex' was brought into the Council Tax register on 1 April 2017. So it was substantially completed sometime between those two dates, which is within the 4 year period when enforcement action can be taken against unauthorised residential development and operational development.
- 6.4 The owner has claimed that there was an existing 'chalet' on the land and his intention was to repair it. The owner states when he began the work he discovered the floor of the 'chalet' was rotten and the whole building had to be demolished. The photograph at Fig 3 shows the area where the chalet previously existed and now clearly shows concrete foundation piles that have been placed into the ground in the same area as the former 'chalet'.
- 6.5 The photograph below (Fig. 6) dated 14 April 2015 shows an outbuilding (outlined in red) in the rear garden of 87Coast Drive. This building has a floor area of approximately 25m<sup>2</sup>.



Fig 6

- 6.6 A subsequent aerial photograph (Fig 7) below taken on 2 August 2018 shows the development as it is now (outlined in red) in the rear garden. This new building has a floor area of approximately 88m<sup>2</sup>. The unauthorised raised terrace to the west of the new building can also be seen.



Fig 7

- 6.7 Examination of the photographs at Figs. 6 and 7 clearly shows the increase in the footprint of the development that now occupies almost the full width of the plot and has a 63m<sup>2</sup> increased the footprint. It is clear from the photographic evidence of the site and the increase in footprint of the building that there has been no repair or renovation of the original building, but that a new and larger building has been constructed.
- 6.8 The authorised use of the land is one single residential planning unit within Class C3 of the Use Classes Order 1987 (as amended). Wooden fencing and concrete breeze block walls have been constructed to subdivide the original rear garden into two distinct areas. The new dwelling can be accessed independently of the original dwelling from the east through an entrance gate from Greatstone Dunes. There is another narrow pedestrian access along the southern side of 87 Coast Drive from the main road that leads into the fenced off area containing the new dwellinghouse. The Planning Enforcement Officer confirms that the new dwellinghouse has all the services and facilities that enable it to be used as an independent unit of self-contained residential accommodation. The current occupants of the original dwellinghouse at 87 Coast Drive do not have access to the new dwellinghouse or the subdivided part of the garden. No. 87 and the new dwelling are within the same ownership but 87 is rented. The owner of the land has informed the Council's Planning Enforcement Officer that the new dwellinghouse will be for his personal use. The owner has not demonstrated any functional link between the new dwellinghouse and the main dwellinghouse.
- 6.9 The original land level in the rear garden of 87 Coast Dive site rose up from the house towards the Greatstone Dunes. This was similar to the gardens at 85 and 89 Coast Drive. Examination of the photographs taken in 2015 shows construction of foundations, walls and what appears to be a swimming pool. At the time of the Enforcement Officer's inspection in April 2019 the area where the swimming pool was situated has been filled in and a terrace had been constructed as shown in Fig 8 below, with a retaining wall shown in Fig 9 below. A wooden fence separates the original garden behind the raised patio, which can be seen in Fig 7 above. The boundary with the footpath is now marked by a retaining wall on top of which is fencing. This boundary wall is retaining land made up to form the terrace and the base for the new dwellinghouse as shown in Fig 10 below.

New terrace





Fig 8

Retaining wall for terrace with steps down towards the house and narrow access beside 87 Greatstone Road.



Fig 9

North boundary retaining wall with footpath alongside



Fig 10.

### **Pre-existing uses.**

- 6.10 There was a building on the land prior to the construction of the new dwelling that the owner claimed was a chalet which had pre-existing authorised uses, one as a tea room and the other as an independent a dwelling in its own right.
- 6.11 Council records show that on 15<sup>th</sup> September 1964 an application for the land was submitted for the use of an existing domestic building for the sale of teas and provision of dressing facilities for bathers, under reference WE/2/64/86. This was refused on 5 November 1964. This refusal indicates that any sale of teas from the previous building and land would have been unauthorised. Therefore the only lawful use of the building would have been as either an incidental or ancillary building.
- 6.12 On 10 June 2002 an application was received by the Council, Y02/0616/SH, for the erection of replacement chalet for holiday accommodation to include temporary retention of boundary fence. This application was withdrawn on 5 August 2002. There is no planning permission for the use of the 'chalet' as holiday accommodation or residential accommodation. The only lawful use to which the previous building could have been put was as incidental or ancillary accommodation to No.87.
- 6.13 During the course of the investigation of the alleged breach of planning control the owner's agent submitted a copy of a letter sent to the Council in March 2003 which sets out that the intention is that the beach chalet is to be renovated as distinct from reconstruction and demolition.
- 6.14 A further letter submitted by the owner's agent, to the Council in June advises that work was taking place in connection with restoration/renovation of the beach chalet. Neither of these letters confirmed the use of the 'chalet'. The 2002 withdrawn application refers to a use of holiday accommodation for a replacement chalet. However it does seem likely there was a chalet from photographic evidence but it could have been used ancillary or incidental to

the use of the existing dwellinghouse. There is no evidence that it was used as a dwelling.

- 6.15 If the premis, as put forward by the owner, is correct that there was a building used for holiday, then provided it was used ancillary to the main dwelling this use would be a C3 use. The lawful use of the land at 87 Coast Drive is C3 and therefore there is no change of use of the land. This premis is not accepted because the Council has no record for the use of the land as a holiday chalet.
- 6.16 A application has been submitted to the Council for 'certificate of lawful development (existing) for use of a building to the rear garden as annex accommodation' under reference Y19/0843/FH. A Certificate of Lawful Development is determined on the balance of probability from evidence submitted by the applicant and evidence held by the Council. If Members resolve to serve an enforcement notice it will only be served if the application is refused. It is requested delegated authority be given to the Chief Planning Officer to serve an enforcement notice in that event.

### **Permitted development**

- 6.17 The permitted development rights given to a dwellinghouse permit the construction of buildings within its curtilage pursuant to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Article 3 PART 1 Class E. This permits outbuildings that are incidental to the enjoyment of the dwellinghouse, such as garages and sheds. The Order restricts the size of the outbuildings and their proximity to boundaries.
- 6.18 The newly constructed building is considered by officers to be a separate dwelling house as it is self-contained, comprising a bedroom, kitchen/lounge/dining area and a bathroom, which are all found within the existing dwelling house at 87 Coast Drive. Therefore, the building is not incidental to the original dwellinghouse, therefore permitted development does not apply.

## **7. Relevant Planning Policy Guidance**

- 7.1 The following saved policies of the Shepway District Local Plan Review apply: SD1, HO1, BE1, U1, CO11 and TR12.
- 7.2 The following policies of the Shepway Local Plan Core Strategy apply: DSD, SS1, SS2, SS3, CSD1, CSD4 and CSD5
- 7.3 The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan

Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

- 7.4 The following policies of the Places and Policies Local Plan Submission Draft apply: HB1, HB3, HB10, HE2, NE2 and TR2.
- 7.5 The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.
- 7.6 The following policies of the Core Strategy Review Submission Draft 2019 apply: SS1, SS2, SS3, CSD1, CSD4 and CSD5.
- 7.7 The following Supplementary Planning Documents apply: Kent Design Guide: Interim Guidance Note 3 - Parking
- 7.8 The following paragraphs of the National Planning Policy Framework 2019 apply in particular: 8 & 10 – Achieving sustainable development. 58 – Enforcement, 70 – Windfall sites –resist development of residential gardens and 170 – Conserving and enhancing the natural environment

## **8. APPRAISAL**

### **Relevant Material Planning Considerations.**

- 8.1 When deciding whether or not it is expedient to serve an enforcement notice it is necessary to consider whether planning permission would be granted for the unauthorised development were an application to be submitted. The relevant main material planning considerations in this case are the principle of development having regard to planning policy, location, design and visual appearance, amenity for future occupiers, amenities of neighbouring occupiers, conservation of archaeology, nature conservation and highway safety.

### **Principle of the development**

- 8.2 Saved policy HO1 of the Local Plan Review sets out that infill development within existing urban areas may be permitted subject to environmental and highway safety considerations. The site is located within Greatstone-on-Sea which is recognised in the settlement hierarchy as a primary village in Core Strategy Table 4.3, as a settlement 'which contributes to strategic aims and local needs and as a settlement has the potential to grow'. As such in this location, the principle of residential development is considered acceptable subject to all other material planning considerations being satisfactorily addressed.

- 8.3 Core Strategy and Core Strategy Review policies SS1 and SS3 seek to direct development to the most sustainable towns and villages, which are identified in policy SS2. Greatstone-on-Sea is identified as a primary village with potential to grow. Core Strategy Review Submission Draft 2019 policy SS2 sets out the Housing and Economic Growth Strategy and sets out in a table how the housing for the District will be delivered to 2037. This table shows 850 dwellings being provided through windfall sites at 50 units per year. However, the acceptability of the subdivision of the rear garden at 87 Coast Drive as a windfall site is also subject to the relevant policies in the Local Plan Review and the Places and Policies Local Plan Submission Draft, including policy HB10 (Development of Residential Gardens) which seeks to prevent the uncontrolled loss of residential gardens that can lead to a piecemeal pattern of development and lose their health, wellbeing and wildlife benefits. This is supported by Para 70 of the NPPF which requires that local planning authorities should set out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The issue of harm will be considered further within this report.
- 8.4 It is therefore considered that in principle the new dwelling is acceptable but this is subject to the other relevant planning policies in the NPPF and local plans and relevant material planning considerations which are considered below.

### **Design and Visual Appearance.**

- 8.5 Places and Policies Local Plan, Submission Draft, Policy HB2 (Cohesive Design) seeks to integrate development into its surroundings by; having a high standard of design, the choice of materials and sympathetic predominating locally in type, colour and texture. Development should create a sense of place by contributing positively to the landscape, wildlife habitats, existing buildings, heritage assets site orientation and microclimates. The proposed single storey dwelling has a simple design with floor to ceiling windows facing onto Greatstone Dunes and composite white boarding covering the external walls. The roof has two pitched roofs which are hipped at each end. In between the roofs is a small crown roof that joins them together. This complicated roof form gives a dominant, complicated and unbalanced appearance to the development. The basic design premise is not appropriate for the site as it fails to reflect the appearance of existing dwellings in the locality, particularly 87 Coast Drive, and it is not in keeping with the area. Although not visible from Coast Drive it is visible from Greatstone Dunes which are publically accessible. The building is very visible from there as is right on the boundary. Given its overall size and design it appears as prominent and intrusive feature in the landscape as there are no other such buildings at the ends of gardens, with the predominant pattern of development being dwellings fronting Coast Drive and separated from the dunes by gardens.
- 8.6 Adjacent gardens are raised towards the Greatstone Dunes and gently fall away back towards their respective dwelling houses. The raising of the land levels on the site to enable a level platform for the new building and a terrace is not in keeping with the local area and serves to accentuate the prominence

of the building. The development is therefore considered unacceptable on design and visual appearance grounds.

### **Amenity for future occupiers**

- 8.7 The resulting size of the plot is less than half the size of adjacent properties. In terms of space standards, emerging policy HB3 of the Places & Policies Local Plan sets out the nationally described technical housing space standards. In the case of a one bedroom dwelling arranged over one storey, the space standards set out a minimum internal space of 50m<sup>2</sup>. The new building meets these space standards. The subdivided garden provides an amenity space on the terrace of 11m x12 m plus where the plot narrows towards 87 Coast Drive of 3.5 x 12.1m providing in total 168m<sup>2</sup> of outdoor amenity space and is compliant with emerging policy HB3.
- 8.8 There has been no provision of a cycle storage space nor for discreetly designed accessible storage for different types of refuse bins. It is therefore not compliant with policy HB3 in this respect. Any cycles or refuse bins could only access the Coast Drive Road via the rough terrain of Greatstone Dunes and the adjacent path. It is considered the access at the front of the site is too narrow for a refuse bin or bicycle to get through. Using this method of accessing Coast Drive with refuse bins or bicycles would not provide a safe solution to future occupiers.
- 8.9 The access points into the development is a narrow entrance beside the flank wall of 87 the other at the rear from Greatstone Dunes an SSSI location. Both access points are considered inadequate due to the narrowness of the front access and the rough ground that at a person has to cross to gain access through the rear gate.
- 8.10 There is no vehicle access to the dwelling and no space to provide off street parking. Given the distance of the property from New Romney and Lydd town centres the occupants are likely to be reliant on a car and this would need to be parked on the public highway.
- 8.11 In the light of the aforementioned reasons the development is considered unacceptable with regard to amenity for future occupiers.

### **Amenity of neighbouring occupiers.**

- 8.12 The new dwelling has been constructed on land that has been raised and then levelled. The raised land is approximately 2m higher than the ground floor level of the adjacent Nos. 85,87 and 89 Coast Drive. The development is 0.75m from its northern boundary with the public footpath and 1.5m from its southern boundary. This increase in land level adversely impacts on the privacy of these adjacent residential gardens and bedrooms of these properties. The distance between the rear of 87 Coast Drive and the raised terrace is approximately 12 metres. The terrace is raised to such an extent that persons standing on the terrace are level with the first floor bedroom windows of 85, 87 and 89 Coast Drive. This results in overlooking and loss of privacy to the occupants of those dwellinghouses.

- 8.13 The retaining wall that has been built facing the rear garden of 87 Coast Drive is 2.9m high including a fence on top of the wall that, due to its height has an over-bearing dominant impact on the garden of 87 Coast Drive. The retaining wall constructed of breeze blocks has, by its size and unattractive block work, harmed the amenity of the occupants of 87 Coast Drive.
- 8.14 The original curtilage of No.87 originally contained one dwelling and now contains two. Although the new dwelling has only one bedroom it will still result in increase in activity on the overall site adjacent to the back gardens of neighbouring properties and given the size of the resultant garden areas this activity is going to be concentrated in a fairly restricted area and as such is likely to give rise to an unacceptable increase in noise and disturbance both to the neighbouring gardens, particularly the one to the south, as well as to each other's gardens
- 8.15 The retaining wall, fence and proximity of the building beside the foot path appears over-dominant to users of the public footpath to the detriment of the visual amenity of the footpath and the amenity of the users of the public footpath.

### **Nature conservation**

- 8.16 Saved policy CO11 of the Local Plan Review and Places and Policies Local Plan, Submission Draft, policy NE2 seek to safeguard designated wildlife sites, of which the neighbouring dunes fall within 4 categories. Development must not result in significant adverse effects and the Council expects development proposals to contribute to appropriate mitigation and management measures to maintain the ecological integrity of the designated sites. No ecological survey has been submitted to demonstrate that the development would not have an adverse impact on the ecological integrity of the sites. The proximity of the new development to Greatstone Dunes and the additional activity on them which is likely to result from the direct access from the dwelling on the to the dunes has potential to adversely affect the habitat and wildlife that the site is designated for due to increased light pollution from the dwelling and increased physical activity within them due to foot traffic along the access across them to and from the dwelling. Therefore the development is considered to be unacceptable as it has not be demonstrated that either impacts have not occurred or that they can be satisfactorily mitigated.

### **Archaeological**

- 8.17 Places and Policies Local Plan Submission Draft policy HE2 seeks to protect and where possible improve important archaeological sites, together with their settings. The site is within an area identified as having archaeological potential. The requirements of policy HE2 have not been met as an assessment of the impact of the development on the significance of the heritage assets has not been provided. However, as the construction of the development has now been completed any damage will already have been carried out and will be difficult to rectify. Therefore, it is not considered reasonable to take enforcement on archaeological grounds.

### **Highway Safety**

8.18 The off street parking requirement for a one bedroom dwelling is one space. Given there is not any vehicular access to the new dwelling and that there is no space within its garden to provide a parking space, off street parking cannot be provided. Given the distance of the property from New Romney and Lydd town centres the occupants are likely to be reliant on a car and this would need to be parked on the public highway. This could affect the free flow of traffic and the safety of highway users. Therefore it is considered that enforcement action should be taken on the grounds of lack of parking.

## **Conclusion**

8.19 It is considered that the development that has been carried out is unacceptable in terms of the visual amenity of the area, the amenity of neighbouring residents, highway safety and impacts on a designated nature conservation site. For these reasons it is recommended that an enforcement notice be served. In order to allow reasonable time for any occupants to find alternative accommodation a compliance period of 1 year is recommended.

## **9. HUMAN RIGHTS**

9.1 In reaching a decision on a planning enforcement matter the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

## **10. PUBLIC SECTOR EQUALITY DUTY**

10.1 In assessing this planning enforcement matter regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the proposed enforcement action would not conflict with objectives of the Duty.

## **11. RISK MANAGEMENT ISSUES**

Summary of the perceived risks follows:

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
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The use of the building and land becomes immune from enforcement action	High	High	Serve enforcement notice
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## 12. LEGAL, FINANCIAL AND EQUALITY AND DIVERSITY ISSUES

### Legal Officer Comments (NE)

- 12.1 There are no legal implications arising directly out of this report which are not already stated therein. For the information of the Committee, section 171B of the Town and Country Planning Act 1990 (as amended) states that;

Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed..

Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwelling house, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach.

In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.

The Council is working within those statutory time limits and therefore can take appropriate enforcement action.

Where there is a breach of planning control, failure to take enforcement action within the statutory time limits will result in the unauthorised use becoming immune from enforcement action

### Finance Officer Comments (LK)

The financial implications regarding the issuing of the Enforcement Notice are contained within the Council's budget. However if further enforcement action is required then there may be additional legal costs which may require additional resource.

### Equalities & Diversity Officer Comments (GE)

There are no equalities implications directly arising from this report

## CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councilors with any questions arising from this report should contact the following officer prior to the meeting.

Simon Taylor, Planning Enforcement Officer  
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The following background documents have been used in the preparation of this report:

None.