

North York Moors National Park Authority Planning Committee

13 December 2012

Enforcement Action Progress Report

The following table provides an overview of the current enforcement caseload.

Year	2008	2009	2010	2011	To end November 2012
Number of complaints	327	260	226	229	221
Currently unresolved enforcement cases	40	44	56	59	109
Number of cases now resolved	287	216	170	170	112

Location/Description	File No.	Committee Date	Compliance Date	History & Action to Date
1. Ayton House, Hawsker – unauthorised development	4/33/32e ENF 95/435	Delegated	17 September 2008	Prosecution in the Magistrates Court under previous enforcement notice was unsuccessful. Storage/untidy site continues. S215 Notice issued requiring clearance of the site. Progress in clearing the site has stopped. The Enforcement Notice has been reviewed by Legal services. For legal reasons, consideration now for a further Section 215 Notice instead of the planned amended Enforcement Notice.
2. Sea View Scrap Yard, High Normanby	4/29/98e ENF 34/2003 248/2005	Delegated	5 July 2009 5 August 2009	Application approved in February 2004. Revised Section 106 Agreement signed. Two enforcement notices served in relation to height of vehicle stacking and unauthorised storage on land to rear. Both notices complied with. Monitoring of the site in relation to compliance with conditions continues.

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3. Long Lease Farm, Hawsker – unauthorised works to a listed building	96/421	11/12/96	25 March 1996	Enforcement Notice appeal partly allowed September 98 but required the Enf. Notice to be varied & required compliance with a number of restorative measures. LBC application for works to staircase refused May 2009. Appeal dismissed and legal action pending. Matter Now with Legal Services.
4. Whin Covert, East Ayton – Unauthorised development.	179/2003 282/2007 267/2008	Delegated	(A) 29 March 2009 (B) 28 February 2009	Enforcement action authorised for the removal of all caravans, containers and remedial works to the track. Enforcement Notice issued following refusal of planning application. Public Inquiry November 2005. Planning consent and enforcement notice partly upheld. Appeal to High Court failed 3 November 2006. Residential caravans and containers moved from the site. Further enforcement notice issued February 2007, appeal dismissed. TSN and enf notice issued Nov 2007 in relation to new residential building on site. Appeal dismissed October 2008 (A). Prosecution for non compliance authorised April 2009. Matter is currently under review and options with a view to resolving the issues at the site are being investigated.

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5. Sutton Arms, Faceby - unauthorised dormer windows.	233/2004	9 June 2005	30 April 2008	Breach of condition notice served. Appeal lodged against planning refusal dismissed. Revised scheme approved. Work to be completed by 30 April 2008. No work commenced. Application approved December 2009 for extension to Sutton Arms to provide staff accommodation in place of unauthorised dormer window. Extension to be completed and occupied within 18 months of approval. Reports of works commencing at the site on the approved extension are to be investigated.
6. Levisham Mill, Levisham - Unauthorised extension and associated works	30/2007	Delegated	N/A	Enforcement notice to be issued to secure the removal of the unauthorised extension, cessation of use for residential purposes and associated works. Revised planning application to return building to its approved condition approved March 2010. Retrospective application approved for small kitchen extension and store. Works to commence amended scheme have ceased. Enforcement action to be considered.
7. Aindale, New Road, Robin Hoods Bay. - Consolidation works required to Listed Building	128/2003	Delegated	1 December 2010	Urgent works notice issued to secure the boarding up of a window to prevent ingress of water. Works undertaken. Urgent works notice and S215 Notice served to secure further necessary repairs to the building. Direct action completed on 25 February 2011 in respect of the lintol above the door. The Direct Action in respect of the Section 215 Notice was completed on 10 February 2012. Costs being now to be pursued through legal services

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8. Hooks House Farm, Robin Hoods Bay	172/2008	Delegated	11 February 2010	Unauthorised material change of use of land for increased caravans and tents and use outside the approved season. Enforcement notices issued. Appeals submitted. Public Inquiry 13 July 2010. Appeal dismissed and notice amended. High Court challenge refused leave to appeal Inspectors decision in respect of seasonal use but granted leave to appeal winter use. New planning permission granted. Awaiting appellants' High challenge withdrawal.
9. Manor Farm, Normanby	190/2009	Delegated	29 December 2010	Enforcement Notice served to cease use of land as a camp site. Appeal dismissed and enforcement notice upheld. Monitoring of the 28 days permitted use currently on-going. Activity reported and under investigation.
10. Chapel Cottage Lythe	164/2003	Delegated	25 April 2012	Listed Building Enforcement notice served to secure removal of conduit, lighting and windows to front elevation and windows to rear elevation. Windows to be replaced with replicas to match those previously removed. Window details have been submitted and land owner to install new windows this summer.
11. Cliff Cottages Port Mulgrave	67/2010	Delegated	1 May 2012	Unauthorised caravan and ancillary development on land at Cliff Cottages. Enforcement Notice served requiring removal of unauthorised development. No Appeal received compliance due in May 2012. Enforcement Notice complied with. File Closed

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12. Paddock Workshop, Hawsker	123/2008		30 April 2012	Unauthorised residential caravan. Planning permission refused and decision upheld at appeal. Two enforcement notices served to remove unauthorised development from the site. Appealed and notice up held with a revised compliance of April 2012. Compliance has not been achieved. Planning application granted for conversion of Forge to dwelling. Three year commencement condition.
13. Meeks Farm, Carlton	307/2007		1 April 2012	Retrospective planning permission refused for large agricultural building not built in accordance with a previous approval. Decision upheld at appeal and enforcement notice served requiring the removal of the development. Appeal currently in progress. Appeal decision received 28 May 2012. Notice upheld compliance by 28 November 2012. Site visit to be undertaken.
14. Ruby House, Staithes	0077/2010	Delegated		Enforcement Notice for a satellite dish has been issued. Notice upheld at appeal compliance December 2012.
15. Coastguards Cottage, Staithes	0078/2010	Delegated		Listed Building Enforcement Notice for a satellite dish has been issued. This Notice is currently subject to an appeal. Appeal decision received 23 May 2012 Notice upheld and varied compliance by 23 October 2012. Enforcement Notice complied with. File Closed.
16. Church Farm, Kilburn	0045/2008	Delegated	2 February 2012	Listed Building Enforcement Notice for UPVC windows issued. Appeal dismissed and the compliance date 02 February 2012. Non compliance, file to be progressed with Legal.