



Doncaster
Council

Doncaster Metropolitan Borough Council Planning Enforcement Quarterly Report June 2021

Introduction

This report provides Doncaster Metropolitan Borough Council's Planning Enforcement performance in the first quarter of 2021/22.

During this period the country was being subjected to another lockdown due to the COVID 19 pandemic. However, the Planning Enforcement Team continued to operate by working from home and undertaking site visits by adopting a safe system of working. Unfortunately, internal site inspections were not allowed based on potential exposure to Covid symptoms and the Governments "Lockdown" rules.

Case Updates – First Quarter (1st April – 30th June 2021)

Total Cases Still Under Investigation as at end of June 2021.	257
Total Cases Recorded in the First Quarter (1 st April – 30 th June 2021).	185
Total Cases Closed Down in the First Quarter (1 st April – 30 th June 2021)	188

Prosecution Cases

Unfortunately, due to Covid 19 our Legal Department has limited court allocated time, hence at present all outstanding planning enforcement cases are on hold or awaiting an available hearing.

Notices Served

80 Thorne Road Wheatley Doncaster DN2 5BL



On 3rd September 2020, a complaint was received regarding an unauthorised installation of metal fencing and metal gates with wooden inserts along the highway boundary without planning permission

The Council attempted to remediate the identified breaches of planning control by attempting to work pro-actively with the landowner to either remove the fencing and gates or to submit a planning application, to seek permission to retain the metal fencing and gates that stood above the permitted 1 metre in height adjacent to the highway.

However, these requests proved unsuccessful therefore an Enforcement Notice was served on 18th May 2021 that came into effect on 29th June 2021. The notice requires the owners to remove the metal fencing and gates with wooden inserts from the front boundary of the property by the 29th July 2021.

A subsequent planning application has been submitted on 24th May 2021 to retain the front boundary wall and the metal fencing and gates but with the wooden inserts removed (21/01765/FUL).

92 Thorne Road Wheatley Doncaster DN2 5BL



On 3rd September 2020, a complaint was received regarding an unauthorised installation of wooden fencing and wooden gates along the highway boundary without planning permission.

The Council attempted to remediate the identified breaches of planning control by attempting to work pro-actively with the landowner to either remove the fencing and gates or to submit a planning application, to seek permission to retain the wooden fencing and gates that stood above the permitted 1 metre in height adjacent to the highway

However, these requests proved unsuccessful therefore an Enforcement Notice was served on 17th June 2021 that came into effect on 29th July 2021 unless an appeal is made. Our records suggest that an appeal has not been made and therefore the notice has become effective. The notice requires the owners to remove the wooden fencing and gates from the front and side boundary of the property that fronts the highway by the 29th August 2021.

International Community Centre 30 Nether Hall Road Doncaster DN1 2PW



On 16th October 2020, a complaint was received regarding an unauthorised erection of a metal staircase and installation of a first floor external door to the front elevation of the premises.

The Council attempted to remediate the identified breaches of planning control by attempting to work pro-actively with the landowner to remove the metal staircase and first floor external door and reinstate the previous windows at first floor level.

However, these requests proved unsuccessful therefore an Enforcement Notice was served on 8th June 2021 that came into effect on 20th July 2021. The notice requires the owners to carry out the following steps by 20th August 2021:

- (i) Remove in its entirety the metal staircase located on the front elevation of the building;
- (ii) Remove the first floor door installed to the front elevation of the building and reinstate the 2 x White UPVC top hung casement windows to the first floor front elevation;
- (iii) Following compliance with step (i) to (ii) above, permanently remove the resultant materials from the land.

A planning application has been submitted on 5th May 2021 to create a front side enclosed extension for access to first and second floor flats and installation of

pedestrian access lift (application reference number 21/01527/FUL). This application is currently invalid and requires further information before the application can be considered by the Development Management Team.

Former Cooplads Factory Site, Victoria Mill Business Park, Wharf Road, Doncaster, DN1 2SX

Before



After



On 7th August 2020, a complaint was received regarding an unauthorised change of use of land at the former Cooplads factory into a scrap metal yard.

The Council attempted to remediate the identified breaches of planning control by attempting to work pro-actively with the landowner to cease the use or to submit a planning application, to seek permission to change the use of the site from B2/B8 use to Sui Generis use as a Scrap yard.

However, these requests proved unsuccessful therefore an Enforcement Notice was served on 16th March 2021 and came into effect on 27th April 2021. The notice requires the owners to cease the use of the unauthorised scrap yard by 25th May 2021 and to clear the land of any scrap metal and any other miscellaneous items by the 20th July 2021.

A site visit was undertaken on 14th July 2021 and it was found that the business has ceased its use as a scrap yard and all subsequent materials have been removed from the site. Full compliance with Notice observed following Enforcement action and the case has now been closed.

115 The Park Woodlands

Before



After



On the 23rd October 2017 a complaint was received regarding the alleged unauthorised erection of a wall around the property. A site visit confirmed the erection of a 1.8m wall with piers and wooden inserts, contact was made with the owners and a planning application was submitted.

The planning application was refused. An Enforcement Notice was served on the property on the 8th September 2020 to reduce the wall to 1 metre in height. The Enforcement Notice had until the 8th January 2021 to comply. During that time we were put into a further lockdown due to the Covid 19 pandemic and it was agreed with the owners to allow them extension to complete the works. On the 29th June 2021 a site visit confirmed the works had been complete and full compliance with Notice was observed following enforcement action and the case has now been closed.

Pony Paddock Mobile Home Site – Hall Villa Lane – Toll Bar.

As requested by members at a previous Planning Committee meeting, the following is an account for the entire site and the relevant enforcement action taken to address



current breaches.

The Field at Pony Paddock – Hall Villa Lane – Tollbar.



On the 7 February 2019 a complaint was received regarding the alleged unauthorised erection of a building. During a site visit it was identified that there were two issues

1. The erection of a large bungalow style building.
2. The development of green belt land to hard standing, with the change of use to residential and the siting of caravans.

The owners were given 28 days to remove the caravans and revert the land back to its original use, but despite all efforts, the request was ignored. On the 25 February 2021, a notice was served on the owner to revert the land back to its original use and to remove all the caravans from the site. The notice took effect on the 6 May 2021 and they had until the 6 July 2021 to comply. Following on from the notice being served it was found that the land had been separated and sold to 5 of the plot holders on the adjacent authorised site (Plots 10,9,8,7,6) and the land had been sub divided between them all. It was decided that the best course of action was to withdraw the Enforcement Notice and to deal with each plot individually. A site visit was carried out

with all the owners and DMBC Planning Enforcement team. Each Case is identified below:

Plot 6 Pony Paddocks



The land to the rear of plot 6 remained unchanged, but officers found a large bungalow had been built to the front of the plot. Discussions were opened with the plot owners regarding the size of the day room and they were advised to reduce the size of the development. To this date nothing has been done and the case is ongoing, relevant enforcement action will follow.

Plot 7 Pony Paddocks



To the rear of plot 7 the new owners had incorporated the field into their boundary and had developed part of the field into hard standing. The owners were advised to

remove the hard standing and the domestic furniture and return it to a paddock which the owners were happy to comply with.

Plot 8 Pony Paddocks



To the rear of plot 8 the land was still mainly a paddock with the addition of a hard standing down the side of the paddock towards the stables. There had also been an extra stable built. The owners were advised to submit a retrospective planning application to retain the hard standing and the stables which the owners have now complied with and we are awaiting the outcome of the application.

Plot 9 Pony Paddocks



To the rear of plot 9 the owners had laid a hardstanding, shortened the original paddock and had started construction on a large barn. The owners were advised to remove the barn, skips and lorry from the land. They have subsequently removed the lorry and skips, and have submitted the relevant planning applications.

Plot 10 Pony Paddocks



It was identified that the land to the rear of plot 10 had the caravans removed before the Enforcement Notice was served and there is evidence that the land has been hardstanding for 10 years or more, hence is exempt from any further action.

The rest of Pony paddocks site was then inspected and we found that plots 2,3 & 4 remained unchanged.

Plot 1 Pony Paddocks



It was found that the owners of plot 1 had built a new day room which was larger than the planning guidance advises. The owners have been given 28 days to either reduce the day room or submit a retrospective planning application. The owners requested that they were given additional time, this was agreed and they are in the process of submitting an application.

Plot 5 Pony Paddocks



On the 29 April 2020, a complaint was received regarding the alleged unauthorised development of a sandstone-constructed bungalow. During a site visit it was identified that a large bungalow style building was being built. On speaking to the owners, it was discussed that the building was too large to be classed as a “day room” and they were given 28 days to remove the building. The owners have failed to comply with the councils request and an Enforcement Notice was served on the 25 February 2021, requiring the removal of the building. The notice came into effect on the 6 May 2021 and they had until the 6 July 2021 to comply with the notice. A further site visit on the 28 July 2021 confirmed that the bungalow is still in place and further enforcement action is to be taken.

Outstanding Appeals.

Land North Of Hangman Stone Lane, High Melton.



An Enforcement Notice was served on 11th January 2019 following the installation of a mesh silo adjacent to a bridleway, for the storage of product supplied by Re-Food, to be sprayed on the surrounding fields. An appeal was submitted by the appellant, and a Public Inquiry was scheduled for the 16th June 2020 for 3 days. Shortly before the intended date for the inquiry to commence the Planning Inspectorate postponed the inquiry until the 13th October 2020. Documentation was received from the Planning Inspectorate on 15th September which confirmed that the revised date had also been postponed. This was due to the high number of virtual events taking place during that particular week, and the Inspectorate would not be in a position to support a 3 day event at that time.

The revised Inquiry date reported in a previous Quarterly Reports, took place on the 27th and 28th July 2021 with an accompanied site visit taking place on the 04th August 2021.

Update to follow in the next quarterly report where hopefully a decision will have been issued by the Planning Inspectorate.

Planning Inspectorate Reference:

APP/F4410/C/19/3222400

Corner Pocket – Mexborough.



As previously mentioned a complaint was received regarding the erection of a building to the side of the Corner Pocket, Bank Street, Mexborough. A site visit was conducted which identified that a black shipping container and a steel structure with wooden decking had been erected to the side of the property. The owner was contacted and advised the development would not be granted planning permission. Two Enforcement Notices were served giving until the 23 December 2020 to comply. Since being served, we have received two appeals from the Planning Inspectorate. The Planning Inspectorate have now made their decision and have ruled in favour of Doncaster Council. The Corner Pocket had 50 days to remove the decking and box mounted roller shutters, which takes the compliance date to the 7th April and until the 17 May 2021 to remove the rest of the development and reinstate the original wall.

Two further site visits were carried out after each compliance date had passed and found that both Enforcement Notices had been ignored and the development was still in place. A prosecution is now pending.



During these visits, it was established that further development had taken place with the creation of a beer garden to the lower level of the premises, and a large outdoor screen had been installed in the beer garden, all without planning permission. The owners were asked to submit a planning application for the beer garden and to remove the screen, but no further correspondences have been received. Investigations are ongoing.

38 Hawthorne Crescent – Mexborough (Sweet Shop).

On the 16 May 2019, a complaint was received regarding the alleged unauthorised running of a sweet shop business from a residential garage. A site visit carried out on the 2 October 2019 identified a domestic outbuilding had been changed into a sweet shop. The owner was advised to submit a planning application, which he subsequently did on the 25 October 2019. This application was refused by the Planning Department on the 19 February 2020. The applicant appealed this decision with the Planning Inspectorate and on the 4 September 2020, the inspectorate upheld the Council's decision.

On the 27 April 2021 an Enforcement Notice was served on the owners of the property to cease the use of the land as a commercial sweet shop business; and remove all stock and associated equipment pertaining to the commercial sweet shop business in their entirety from the land. The notice took effect on the 8th June and they have until the 8th July 2021 to comply. The owner has since submitted an appeal with the

Planning Inspectorate, against the Enforcement Notice. We are currently awaiting their decision.

Injunctions.

No new Injunctions have been required or sought in this fourth quarter.

General Cases

The following are a few examples of cases currently under investigation by the Planning Enforcement Team:

Carpenters Arms Westgate Tickhill Doncaster



On the 8th June 2020 a complaint was received regarding the alleged unauthorised installation of play equipment. A site visit concluded that, as the play centre had a balcony area over 30cm high and the overall height was over 2.5 metres, within 2 metres of the boundary, then planning permission was required. The landlord was then advised to submit a planning application.

An application was received (20/03543/FUL) for the retrospective erection of a children's play castle, which has subsequently been granted full planning permission. Hence, following planning enforcement involvement the case has now been closed.

4 Rushy Moor Lane – Askern.

Before



After



On the 26th April 2021 a complaint was received regarding the unauthorised erection of a 2m high fence without planning permission. A site visit identified that a new wooden fence had been installed to the front of the property. The house is situated on a corner plot and the fence measures 1.52m in height from the highway. The owners were contacted and given 28 days to reduce the height of the fence. A site visit carried out on the 22nd July 2021, found that the fence had been reduced to 1 metre and hence no further enforcement action was required.

Quarterly Enforcement Cases

Quarter 1 (April – June 2021)	
Received Enforcement Cases	185
Total Cases Pending	257
Closed Enforcement Cases	188

Case Breakdown	
Unlawful Advertisements	5
Breach of Conditions	24
Unauthorised Change of Use	32
Unauthorised Works to Listed Building	4
Unauthorised Operational Development	119
Unauthorised Works to Protected Trees	1

Areas Where Breaches Take Place	
Adwick and Carcroft	3
Armthorpe	11
Balby South	5
Bentley	12
Bessacarr	6
Conisbrough	12
Edenthorpe and Kirk Sandall	7
Edlington and Warmsworth	8
Finningley	13
Hatfield	16
Hexthorpe and Balby North	7
Mexborough	7
Norton and Askern	18

Roman Ridge	2
Rossington and Bawtry	15
Sprotbrough	8
Stainforth and Barnby Dun	4
Thorne and Moorends	5
Tickhill and Wadworth	7
Town	14
Wheatley Hills and Intake	5

Formal Enforcement Action	
Notices Issued	10
Prosecutions	0
Injunctions	0

Report Prepared By:
 Planning Enforcement (Part of the Enforcement Team, Regulation & Enforcement,
 Economy and Environment).