

**ENFORCEMENT UPDATE REPORT  
1 AUGUST - 31 OCTOBER 2014**

*To:* **Planning Committee**

*Date:* **9 December 2014**

*From:* **Head of Growth and Economy**

*Electoral division(s):* **N/A**

*Purpose:* **To consider the following report**

*Recommendation:* **The Planning Committee is requested to note the content of this report.**

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## 1. INTRODUCTION

- 1.1 The purpose of this report is to brief the Planning Committee members on the planning enforcement and monitoring work being undertaken by the County Planning, Minerals and Waste team within the Growth and Economy service.
- 1.2 The requirement to produce the report is set out in section 15, Monitoring Performance, of the Local Enforcement Plan for Minerals and Waste Development in Cambridgeshire - Version 2 July 2013. Unless otherwise stated the report covers the period 1 August to 31 October 2014 and summarises the following information.
- Complaints received and their current status
  - New enforcement cases
  - Ongoing enforcement cases
  - Ombudsman complaints received
  - Site monitoring visits completed

## 2. COMPLAINTS RECEIVED

- 2.1 Eight new complaints were received. Table 1 summarises their status at the time of writing.

**Table 1 - Complaint Status**

Complaint Type	Number
Not expedient to pursue	0
No breach established	1
Breach established and resolved	3
Breach established. Investigation on going.	3
Not a county matter	1
<b>Total</b>	<b>8</b>

## 3. NEW ENFORCEMENT CASES

- 3.1 No new Breach of Condition or Enforcement Notices were served during the reporting period

## 4. ONGOING ENFORCEMENT CASES

- 4.1 Eleven enforcement cases are on-going. A summary of each case is set out in Appendix 2.

- 4.2 For the purposes of the Town and Country Planning Act 1990 the issue of an Enforcement Notice (EN) or the service of a Breach of Condition Notice (BCN) constitutes taking enforcement action. Further information on the other planning enforcement tools which are available to this Council is set out in the Local Enforcement Plan.

## **5. OMBUDSMAN COMPLAINTS**

- 5.1 No Local Government Ombudsman complaints were received.

## **6. SITE MONITORING VISITS 1 AUGUST – 31 OCTOBER 2014**

- 6.1 The Authority also carries out proactive monitoring visits. The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 enable the Authority to levy specified fees for inspecting quarries and landfill sites for compliance with the conditions set out in the grant of planning permission. The fees are intended to cover the cost of conducting the visits and are set out below.

- Actives sites £331
- Inactive or dormant sites £110

- 6.2 Other waste activities such as waste transfer stations, waste recycling sites and scrap yards are also visited to assess compliance with the conditions set out in the grant of planning permission. However, the cost is borne by the Authority. A summary of the number and type of monitoring visits carried out during the monitoring year is set out in Table 2.

**Table 2 - Site visits by type 1 August- 31 October 2014**

<b>Site Type</b>	<b>Visits</b>
*Landfill	3
*Quarries	4
Scrap metal and end of life vehicles	1
Waste electrical and electronic equipment	1
Non-hazardous material recycling facility	1
Hazardous waste transfer and recycling	3
Non-hazardous waste transfer and recycling	1
Land restoration using inert waste	2
Inert waste transfer and recycling	1
Waste wood recycling	3
<b>Total</b>	<b>20</b>

\*

Chargeable site visits

## **7. MUST FARM TIMBER PLATFORM SITE UPDATE**

- 7.1 An update on the status of the Timber Platform Site (TPS) was included in the previous Enforcement Update Report dated 4 September 2014. A further update is now provided.
- 7.2 A detailed Project Design (PD) brief for the excavation of the TPS was submitted to English Heritage (EH) and Cambridgeshire County Council's Historic Environment Team (HET) on 10 September 2014.
- 7.3 EH and HET have reviewed the PD against the standards set out in the EH policy document Management of Research Projects in the Historic Environment (MoRPHE). Their extensive comments have been passed onto Hanson but the main areas of concern relate to a lack of specialist input into the PD and concerns over the estimated costs.
- 7.4 Before EH will agree any joint funding they have to be satisfied that the developer has provided a sufficiently detailed business case to allow them to assess the likely excavation costs and the post excavation assessment work. EH and HET have advised Hanson that the resource estimates for analysis and publication are currently insufficient and require further consideration. Hanson is now considering the comments. Provided the issues with the PD are addressed the anticipated excavation start date is likely to be some time in February 2015.

## **8. Bridgefoot Farm Fire**

- 8.1 A verbal update will be given on the fire at Bridgefoot Farm.

## APPENDIX 1 - ON GOING ENFORCEMENT CASES

Description of Alleged Breach	Location	Notice Issued	Comments
<p><b>1. AMBER</b></p> <p>Failure to comply with condition 3, hours of operation, of planning permission S/00795/11/CW.</p> <p><b><u>Condition 3</u></b></p> <p>Unless otherwise previously approved in writing with the Mineral and Waste Planning Authority operations authorised by this permission, including vehicles entering or leaving the site, shall be restricted to the following durations;</p> <p>07:00 to 18:00 hours Monday to Friday 07:00 to 13:00 hours Saturday,</p> <p>and shall not take place on Sundays or Bank or Public Holidays, unless previously agreed in writing with the Mineral and Waste Planning Authority.</p>	254a Cottenham Rd Cottenham Cambridge	BCN 15/07/14	A BCN was served in response to a complaint from a local resident alleging that vehicles have been regularly leaving and entering the site outside of the permitted hours over a period of several months. The complaint was supported by extensive written and photographic evidence. The notice took effect on 13 August 2014. The Waste Planning Authority (WPA) has not received any complaints alleging the site is still operating outside of the permitted hours since the notice took effect.
<p><b>2. GREEN</b></p> <p>Without planning permission, the material change of use of the land from agriculture to a use for the importation, deposit and storage of inert waste and aggregate.</p>	Land adjacent to Mepal Airfield Mepal	EN 18/03/14	<p>An estimated 20,000 tonnes of inert waste and aggregate has been deposited on the land. An EN was issued on 18 March 2014 and served on the landowner. The EN took effect on 22 April. The landowner had six months from the effective date to remove the waste and aggregate and restore the land to its former condition prior to the breach of planning control i.e. a state fit for the former agricultural use.</p> <p>The WPA had been led to believe that the waste and aggregate</p>

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			would be cleared before the 23 October deadline specified by the notice. However, the contractors who have been instructed by the landowner to remove the material contacted the WPA on 10 October and requested a two month extension to remove the waste. The request was declined but after further discussions with legal the WPA agreed to extend the deadline to 24 November. A formal inspection of the land on 25 November confirmed that all of the waste and aggregate had been removed.
<p><b>3. RED</b></p> <p>Failure to comply with condition 6 of planning permission F/02017/08/CM and E/03008/08/CM.</p> <p><b><u>Condition 6</u></b></p> <p>No development shall commence until a scheme for the phased improvement of the public highway known as Block Fen Drove from its junction with the A142 to its junction with the private haul road referred to in condition 4 has been submitted to and approved in writing by the MHPA in consultation with the local highway authority. The submitted scheme shall include a programme of implementation and shall be fully completed by 5 August 2012.</p>	<p>Mepal Quarry Block Fen Drove Mepal</p>	<p>BCN 06/01/14</p>	<p>Planning permission F/02017/08/CM and E/03008/08/CM permit an extension to Mepal Quarry. The operator of the quarry failed to implement the scheme approved by the Council on 3 March 2011 in accordance with condition 6. A BCN was issued and served on the site operator on 6 January 2014. The notice required that the approved scheme was implemented in full by 14 March 2014.</p> <p>Before work on Block Fen Drove can commence the Local Highways Authority (LHA), and the site operator must enter into a legal agreement under section 278 of the Highways Act 1980. The operator initially advised the Mineral Planning Authority (MPA) on 9 April that the Council had the information needed complete the section 278 agreement. In response the LHA asked the operator to provide a revised engineering drawing based on an up to date survey plan of Block Fen Drove. The survey has been completed and the revised engineering drawings have been provided and included in the agreement. The fee for drafting the agreement has been agreed but at the time of writing had not been paid.</p> <p>As of 20 November 2014, correspondence from the developer's solicitor was that signed engrossments were expected shortly and the delay has been as a result of the bond being sent to the insurers based in Ireland. Once the section 278 agreement has been received, it will be signed and completed which would allow for a start date for the work to be confirmed and the road space for the</p>

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			works booked. Any further progress will be verbally reported to the Committee at the next meeting.
<p><b>4. RED</b></p> <p>Failure to comply with condition 9 of planning permission F/02013/07/CW.</p> <p><b><u>Condition 9</u></b></p> <p>Within 3 months of the date of this permission a scheme for the phased improvement of the public highway known as Block Fen Drove from its junction with the A142 to its junction with the private haul road referred to in condition 4 shall be submitted to the Waste Planning Authority for approval. The submitted scheme shall include a programme of implementation and shall be fully completed within 2 years of the date of this permission.</p>	Witcham Meadlands Quarry Block Fen Drove Mepal	BCN 16/12/13	<p>Planning permission F/02013/07/CW permits the use of part of the land at Witcham Meadlands Quarry as a waste transfer station and a skip storage area and associated traffic. The operator failed to submit and implement the scheme required under condition 9 of the permission. A BCN was issued on 16 December 2013 and served on the site operator.</p> <p>The BCN requires that within 30 days of service the operator must submit for approval a scheme for the phased improvement of the public highway known as Block Fen Drove from its junction with the A142 to its junction with the private haul road. The scheme will achieve the same specifications as the highway scheme submitted by Aggregate Industries on Drawing No. 1 dated February 2011.</p> <p>The operator submitted a scheme to the WPA on 8 April but it was refused on 2 May because it did not refer to the required works between the Lafarge Tarmac access and the junction with the public highway (the A142). The operator was invited to resubmit the scheme and a chase up letter was sent on 28 October. A revised scheme was submitted on 18 November but this will also be refused as it still does not relate to all of the relevant parts of Block Fen Drove.</p>
<p><b>5. RED</b></p> <p>Failure to comply with condition 7 of planning permission S/01556/10/CW - Extension to existing waste transfer station including; rear stockyard and screening area; change of use of stables to office, toilet, rest room and store; plastic and cardboard storage area within</p>	Long Acre Farm Fen Road Chesterton Cambridge	BCN 08/10/13	<p>The site is a waste transfer station located at the north western end of Fen Road. The operator has been using the rear yard to process a mixture of inert and non-hazardous waste and to store processed inert waste.</p> <p>The BCN requires that:</p> <ul style="list-style-type: none"> <li>- The importation, storage and processing of waste material, and</li> </ul>

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<p>existing building; tree planting at rear paddock.</p> <p><b><u>Condition 7 - Surfacing of Site</u></b></p> <p>Within 2 months of the date of this permission details shall be submitted to the Waste Planning Authority, for approval in writing, of the hard surfacing of the rear yard/working area. No operations are to take place until the concrete surfacing has been completed. The finished level of the new concreted area is to be constructed no higher than 4.90 metres above ordnance datum as detailed in the addendum to the flood risk assessment dated February 2010 unless otherwise agreed in writing with the Waste Planning Authority. A topographical survey of the completed concreted area is to be provided to the Waste Planning Authority within 1 month of the completion of the concreting.</p>			<ul style="list-style-type: none"> <li>- all other operations within the rear yard, cease;</li> <li>- A scheme for the surfacing of the yard is submitted for the written approval of the waste planning authority; and</li> <li>- All the deposited waste is removed from the rear yard until such time as this area has been concreted in accordance with the scheme approved by the Waste Planning Authority.</li> </ul> <p>The deadline for compliance was 31 May 2014. The landowner has confirmed that he has rented the site out to a third party in the short term and that he will not be concreting the rear yard as he intends to redevelop the site.</p> <p>The site was formally inspected on 26 September. At the time of the visit the processing of waste material had ceased and some of the waste had been removed from the land. The remaining waste consists mostly of soil, sub soil and hardcore. The landowner has agreed to remove some more of this waste but states that he intends to use the hardcore to redevelop the land. He also argues that the remaining waste and hardcore prevents the tenant from recommencing processing activities in the rear yard.</p> <p>The Environment Agency have been asked to provide an assessment of the pollution risk which the remaining waste presents and whether they are minded to take any enforcement action against the landowner as the rear yard does not benefit from an environmental permit.</p> <p>The land will be inspected again on 18 December 2014.</p>



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<p><b>6. AMBER</b></p> <p>Failure to comply with Condition 4 of planning permission S/00060/10/CW - Variation of Conditions 2, 7, 8, and 9 of planning permission S/0203/05/CW to extend the period of land filling until 30 September 2011 and be consistent with planning permission S/2073/07/CW; deletion of conditions 4 (approved drawings) and 5 (phasing); and discharge of Conditions 10 (restoration) and 13 (wheel cleaning)</p> <p><b><u>Condition 4</u></b></p> <p>4) The site shall be restored to the pre-settlement contours shown on drawings no WIS/MSE/2740-12A dated 30-11-09 and WIS/MSE/2740-13 dated 20-07-07 by 30 September 2011.</p>	<p>Wilbraham Quarry Mill Lane Great Wilbraham</p>	<p>EN 01/05/12</p>	<p>This site is a chalk quarry which also has a series of planning permissions permitting the restoration of the land by landfilling with inert waste. Approximately half the site is still an active chalk quarry whilst the remainder has been landfilled. The active chalk quarry and the landfill are under separate ownership.</p> <p>The landfill owners had attempted to purchase the active quarry to gain access to additional void space whilst continuing to deposit waste on the landfill under planning permission S/0060/10/CW.</p> <p>Topographical survey data obtained from the Environment Agency showed that the waste deposited in the landfill was over 20 metres above the final restoration levels at the highest point. The resulting mound is visually intrusive and is having a significant detrimental impact on the amenity of the area.</p> <p>Two BCN's were served on the landfill owners on 2 June 2011 (see items 8 and 9 of this appendix) which required them to reduce the height of the waste stockpiles on the landfill and to submit a scheme for wheel cleaning. However, a more serious breach occurred when the deadline for achieving the final restoration levels for the landfill expired on 30 September 2011.</p> <p>The WPA issued an EN on 1 May 2012 which requires the landfill owners to cease the importation of waste and to remove a specific amount of the deposited waste each month until the approved restoration levels are achieved. The notice was not appealed and became effective on 4 June 2012.</p> <p>On 4 October 2012 officers from the WPA met with the landfill owners and their representatives to discuss a proposed timetable for compliance. The proposal was reviewed and amended by officers before being approved by the Development Control Committee on 8 November 2012.</p>

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			<p>Waste transfer notes supplied by the landfill owners, show some waste has been removed from the site and taken to several suitably permitted sites. However, the waste removal process has ceased.</p> <p>The WPA has completed the investigation into the alleged breach and the case file has been passed to legal. The defendants were summons to appear before Cambridge Magistrates Court on 6 June but the case was adjourned until 17 July to allow the defendants further time to consider the evidence against them.</p> <p>At the hearing on 17 July 2014 the defendants chose not to enter a plea against any of the charges laid before the court. Having listened to the facts the judge decided that the alleged offence was so serious that it should be passed to Cambridge Crown Court. A Plea and Case Management Hearing (PCMH) was due to take place at the Crown Court on 3 October, but was also adjourned until 10 November to allow the defendant's further time to consider the basis of their plea.</p> <p>At the Crown Court hearing on 10 November Holeworks (Management) Limited (HML) and Mr Daniel Francis Meads (Director) pleaded guilty to failing to comply with the notice. His Honour Judge Haworth adjourned sentencing until 8 May 2015 to allow HML time to implement the mitigation measures it has now proposed to comply with the notice. HML have now purchased additional land within the adjacent quarry and they intend to use this land to dispose of most of the excess waste. The over tipped waste is described as being inert and is believed to consist mostly of waste soil and subsoil.</p>

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<p><b>7. RED</b></p> <p>Without planning permission, the change of use of the land from agricultural land to a mixed use comprising of agricultural and the importation and disposal of waste material and raising the level of part of the land by the depositing of waste materials.</p>	<p>First Drove Little Downham Ely</p>	<p>EN 17/01/12</p>	<p>In 2005 a prior notification application (PNA), for a steel framed agricultural building, was submitted by the landowner to East Cambridgeshire District Council under planning reference 05/00014/AGN. The application was approved but the building has not been completed.</p> <p>The landowner excavated a series of holes in the land adjacent to the building footprint and spread the resulting material across a nearby field. The holes were then back filled with imported inert waste to create a raised area. The WPA took the view that the importation and deposit of waste required planning permission and that a breach of planning control had occurred.</p> <p>Despite repeated attempts to resolve the matter by negotiation the landowner continued to fill the excavated holes with inert waste. An EN requiring the landowner to cease the importation of waste, remove all deposited waste and restore the land to agricultural use was issued on 17 January 2012.</p> <p>The landowner appealed the EN on the following grounds:</p> <p>(b) - that the breach of planning control alleged in the EN has not occurred,</p> <p>(c) - that there has not been a breach of planning control,</p> <p>(d) - that at the time the EN was issued it was too late to take enforcement action against the matters stated in the notice,</p> <p>(e) - that the EN was not properly served on everyone with an interest in the land,</p> <p>(f) - the steps required to comply with the EN are excessive, and lesser steps would overcome the objections,</p>

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			<p>(g) - that the time given to comply with the EN is too short,</p> <p>The appeal was heard by a planning inspector at a Public Inquiry held in Ely. The Inquiry sat for six days in July 2012. The decision notice was issued on 7 September and confirmed the appeal was dismissed and the EN, as corrected and varied by the planning inspector, was upheld. The corrected and varied notice required the landowner to remove all the waste from land to the level of the adjoining field by 7 November 2012 and to return the land to its former condition (i.e. fit for agriculture) by 7 September 2013.</p> <p>Officers from the WPA visited the site on 6 December 2012 to determine whether the land had been reduced to the level of the adjoining field. A topographical survey of the land was undertaken during the visit and a series of trial pits were excavated. The results of the survey and the trial pits confirmed the level of the land had not been reduced in accordance with the requirements of the varied EN.</p> <p>A second site visit was undertaken on 7 September 2013 during which officers established that:</p> <ul style="list-style-type: none"> <li>- all the waste had still not been removed; and</li> <li>- the land had not been ben restored to a condition suitable for agriculture.</li> </ul> <p>A third site visit was scheduled for 13 August 2014. However, the landowner wrote to the WPA and requested a meeting with the Head of Service (HoS) and a representative from legal. The WPA agreed to the request and the site visit was put on hold.</p> <p>The meeting with the landowner and his daughter took place on 26 September. The landowner was advised that officers wished to enter the land and that if the Council's assessment was that the</p>

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			<p>varied notice had still not been complied with one option was prosecution. As the landowner did not give unequivocal consent to the request to enter land the WPA applied to the Magistrates' Court for a warrant. The application was successful and a warrant to enter the land was issued by the Court on 30 September.</p> <p>Officers and their contractors entered the land on 2 October. A further topographic survey was undertaken together with a further assessment of the land. The results of the visit confirmed the level of the land had not been reduced and the land had not been restored in accordance with the varied EN. A case file is now being prepared and will be passed to legal before the end of the year.</p>
<p><b>8.AMBER</b></p> <p>Breach of Condition 5 of planning permission S/00060/10/CW - Variation of Conditions 2, 7, 8, and 9 of planning permission S/0203/05/CW to extend the period of land filling until 30 September 2011 and be consistent with planning permission S/2073/07/CW; deletion of conditions 4 (approved drawings) and 5 (phasing); and discharge of Conditions 10 (restoration) and 13 (wheel cleaning)</p> <p><b><u>Condition 5</u></b></p> <p>Temporary stockpiles shall not exceed 2 metres in height.</p>	<p>Wilbraham Quarry Mill Road Great Wilbraham</p>	<p>BCN 02/06/11</p>	<p>Officers visited the site on 24 February and 25 May 2011. During the visits it was again noted that the heights of the stockpiles of waste, which had been deposited on the landfill site, were considerably in excess of the maximum permitted height of 2 meters and were several meters above the height of the surrounding land. The deposited waste was visually intrusive and was hindering the restoration of the landfill site. There was no void space within the red line of planning permission S/0060/10/CW into which the additional waste could be deposited.</p> <p>The landowner was advised on 1 April 2011 that they had until 1 June 2011 to comply with condition 5 or a BCN would be served. As the height of the stockpiles was not reduced by the deadline the WPA had no option but to serve the notice. The landowner had until 30 September 2011 to comply with the notice.</p> <p>At the time of writing the landowner remains in breach of condition 5. However, the WPA is now taking further enforcement action to reduce the height of the waste deposited on the land via the EN referenced under item 6.</p>

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<p><b>9. RED</b></p> <p>Breach of Condition 12 of planning permission S/00060/10/CW - Variation of Conditions 2, 7, 8, and 9 of planning permission S/0203/05/CW to extend the period of land filling until 30 September 2011 and be consistent with planning permission S/2073/07/CW; deletion of conditions 4 (approved drawings) and 5 (phasing); and discharge of Conditions 10 (restoration) and 13 (wheel cleaning)</p> <p><b><u>Condition 12</u></b></p> <p>12) Within 1 month of the date of this permission a scheme for the improvement of vehicle wheel cleaning facilities shall be submitted to and approved in writing by the Waste Planning Authority. The submitted scheme shall make provision for the following matters:</p> <ul style="list-style-type: none"> <li>- The pressure washing of vehicle wheels before they leave the site.</li> <li>- Provision for the supply and storage of adequate volumes of water for use in the cleaning of vehicle wheels.</li> <li>- Provision of a hard surfaced roadway capable of being mechanically swept between the wheel cleaning facility and the public highway.</li> <li>- Arrangements on site to ensure that all HCV</li> </ul>	<p>Wilbraham Quarry Mill Road Great Wilbraham</p>	<p>BCN 02/06/11</p>	<p>Officers visited the site on 24 February and 25 May 2011. During the visits it was noted that the wheel wash was not operational and that it had not been installed in accordance with the requirements of the planning permission.</p> <p>The landowner was advised on 1 April 2011 that they had until 1 June 2011 to comply with condition 12 or a BCN would be served. As the required scheme was not submitted by the deadline the WPA had no option but to serve the notice.</p> <p>The required scheme was not submitted by the 11 July deadline. At the time of writing the landowner remains in breach of condition. However, the approved timetable for compliance with the EN issued on 1 May 2012 (see item 6), includes a section which requires the landowner to keep Mill Road free of mud and debris whilst the waste is removed.</p>

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<p>vehicles leaving the site pass through the wheel cleaning facility before entering the public highway.</p> <ul style="list-style-type: none"> <li>- A maintenance scheme for the wheel cleaning facilities.</li> <li>- The provision for under chassis cleaning.</li> <li>- The approved scheme shall be implemented in full and thereafter maintained in an operational condition for the duration of the landfill development.</li> </ul>			
<p><b>10. AMBER</b></p> <p>Without planning permission, the material change of use of the land from agricultural land to a mixed use comprising of agriculture and the importation, deposit, and storage of non-agricultural waste wood materials and processed wood materials.</p>	<p>Dottrell Hall Farm Newmarket Road Fowlmere</p>	<p>EN 24/01/13</p>	<p>A significant quantity of waste timber had been deposited on the land by a third party. It was alleged the wood was going to be shredded at the farm before being transported to a power station in the midlands where it would be used as a fuel. The farm buildings are surrounded by a number of residential properties.</p> <p>This unauthorised use of the land was considered unsightly and detrimental to the amenities of the area. It was also not necessary for agriculture or any other lawful use of the land. Shredding the waste wood had the potential to generate very significant levels of noise which would disturb the local residents.</p> <p>The landowners were repeatedly advised that the waste wood should be removed from the land and taken to a suitably permitted waste management facility. As none of the waste was removed and further waste continued to be deposited the WPA had no option but to commence enforcement action.</p> <p>On 24 January 2013 an EN was served on all the parties who have a material interest in the land. The EN was not appealed and</p>

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			<p>took effect on 24 February 2013. The EN required that:</p> <ul style="list-style-type: none"> <li>- the use of the land for the importation, deposit and any processing of waste wood materials and the storage of any processed or unprocessed waste wood materials ceases.</li> <li>- all the deposited wood waste is removed from the land by 24 May 2013.</li> <li>- the land is returned to its former condition prior to the breach of planning control, namely a state fit for agriculture, by 24 June 2013.</li> </ul> <p>No further waste was deposited on the land after the EN took effect but less than one third of the wood was removed before the 24 May deadline. A criminal investigation into the breach was completed and the case file was passed to legal with the recommendation that the landowners were prosecuted for failing to comply with the EN.</p> <p>The landowners appeared at Cambridge Magistrates Court on 17 April 2014 before a district judge and pleaded guilty to failing to comply with the EN. The WPA advised the judge that the estimated cost of removing the waste wood was approximately £97,000 and that as the landowners had failed to remove the waste they had gained a financial benefit of the same value. The WPA also advised the judge that an application would be made to confiscate this benefit under the terms of the Proceeds of Crime Act 2002. The judge took the view that the case was serious and should be referred to Cambridge Crown Court for sentencing, irrespective of the POCA confiscation application.</p> <p>The waste was removed in July 2014 by a contractor acting on behalf of the landowners. The reported cost of removing the waste was £160,000 plus VAT. The land has now been returned to its</p>



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			<p>previous agricultural use. However, the EN will remain in place.</p> <p>The date of the sentencing hearing at Cambridge Crown Court has yet to be confirmed.</p>
<p><b>11. AMBER</b></p> <p>Without planning permission, the importation and deposit of waste materials.</p>	Block Fen Drove Chatteris	EN 21/01/03	An EN was served on the landowner on 21 March 2003 requiring that waste ceased to be deposited on the land. Since then waste has been intermittently deposited. However, no further tipping appears to have taken place since May 2010. The site continues to be monitored on an occasional basis.