

Enforcement and Monitoring Update Report 2024

To: Planning Committee

Date: 20 March 2024

From: Head of Planning and Sustainable Growth

Electoral division(s): N/A

Purpose: To consider the following report

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

Officer contact:

Name: Bill Field

Principal Enforcement and Monitoring Officer, County Planning, Minerals and Waste

Email: Bill.Field@cambridgeshire.gov.uk

Phone: 07443 146604

1 Introduction

- 1.1 The purpose of this report is to brief the Planning Committee members on the planning enforcement and monitoring work and formal action undertaken by the County Planning, Minerals and Waste (CPMW) team within the Planning, Growth and Environment service.
- 1.2 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 formal enforcement action.
- 1.3 The Council's Scheme of Authorisation to Officers authorises officers to issue planning contravention notices, enforcement notices, stop / temporary stop notices and breach of condition notices in both urgent and non-urgent cases, relating to breaches of planning control for mineral/waste development, provided that any action taken is reported to the Planning Committee thereafter.
- 1.4 The Enforcement update report has historically been prepared and presented to Planning Committee on a quarterly basis, unless there are no items on the Committee agenda in which case the Chair can approve postponing the update report until the Committee next convenes. However, the last full report was presented to Committee in May 2023 and it covered the period 1 November 2022 to the 31 March 2023.
- 1.5 The Enforcement and Monitoring team consists of the Principal Enforcement and Monitoring Officer, Monitoring and Control Officer and Planning and Compliance Officer, who also undertakes planning work in the Development Management team.
- 1.6 Sections 2 to 5 of the report summarise: the current complaints under investigation; the number of formal Notices served; Enforcement Appeals; and Ombudsman complaints received in the period. Section 6 of the report details the site monitoring visits undertaken to chargeable sites between 1 April 2023 and 31 January 2024 and sections 7 to 13 of the report provide updates on some key enforcement investigations.

2 Complaints

- 2.1 At the time of writing this report, the Enforcement and Monitoring team has 26 active complaints that are under investigation.
- 2.2 Between 1 April 2023 and 31 January 2024 the team received 20 new complaints of which 11 remain open and under investigation, and 9 have been closed. A further 11 pre-existing complaints were closed within this reporting period. Although 3 of these complaints have subsequently been reopened, in response to new information that has been received about the resumption of activities on site.
- 2.3 Of the 11 complaints that were received in this period and remain open and under investigation:
 - 1 is awaiting the determination of a planning application which has been submitted;
 - 1 is pending the outcome of an appeal regarding a District planning matter;

- 4 have either the District Environmental Health team or the Environment Agency leading the investigation;
- 1 requires a site visit to assess the site status; and,
- 5 require further investigation by the team.

2.4 The status of the 15 complaints that were received prior to this reporting period that are still under investigation is:

- 2 cases where Enforcement Notices that have been served have been appealed to the Planning Inspectorate, further information on each can be found in sections 8 and 9 below.
- 1 is awaiting the submission of a planning application that has been requested.
- 3 are awaiting determinations of planning applications submitted to regularise the breach of planning control.
- 1 is awaiting the result of an appeal to the Planning Inspectorate against the refusal to issue a certificate of lawfulness, further information can be found in section 7 below.
- 5 cases are waiting for action to be undertaken by the operator within previously agreed timescales, and
- 3 cases require further investigation or monitoring by the team.

3 Notices Served

3.1 During this reporting period, 2 Enforcement Notices (EN) have been served, both relate to the importation and processing of waste and the use of waste for land raising. The sites are at Ellington and Pymoor and involve the same developers, further details of the breaches and the formal action are set out in Sections 8 and 9 of this report.

3.2 In addition to the formal enforcement action, 3 Planning Contravention Notices (PCNs) have been served in this reporting period. PCNs are a formal legal questionnaire that is used to gather evidence of land ownership and information relating to alleged breaches of planning control. Details of each of the PCNs and the background to their service can be found in sections 10, 11 and 13 below.

4 Appeals

4.1 Two separate appeals have been lodged with the Planning Inspectorate in respect of the two Enforcement notices that are referred to in paragraph 3.1 above and members are asked to note that the notices do not come into effect until the Planning Inspectorate has made its determination.

4.2 As set out in the last enforcement update report, an appeal against the refusal to issue a certificate of lawfulness relating to waste uses on land at Mil Road, Fen Drayton has been submitted to the Planning Inspectorate. However, to date, the Inspectorate have failed to provide a start date for the Appeal. Noting that the appeal relates to whether a breach of planning control has become lawful through the passage of time, officers are now considering whether the initiation of formal enforcement action is necessary, in order to reserve the Council's position. Further details can be found in section 7 below.

5 Ombudsman Complaints

5.1 No Local Government Ombudsman complaints were received during the period 31 March 2023 and 31 January 2024

6 Site monitoring visits 1 April 2023 – 31 January 2024

6.1 The Authority carries out proactive monitoring visits to check compliance with the conditions set out in the grant of planning permissions for quarries and landfill sites. The Authority levies fees for these visits, which are set out in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended). Prior to the 6 December 2023 the fees were £397 for each visit to an active site and £132 for inactive or dormant sites, or one which is in restoration.

6.2 On 6 December 2024 the fees for chargeable monitoring visits increased to:

- Active sites £496
- Inactive or dormant sites £165

The amount of chargeable monitoring visits scheduled to be conducted within each financial year is agreed in advance and all operators are notified of the proposed number of visits.

6.3 Other sites that are the subject of waste planning approvals, such as waste transfer stations, waste recycling sites and scrap yards are also visited by officers in order to assess compliance with the conditions set out in the grant of planning permission. However, the cost of these visits is borne by the Authority.

6.4 The total income from the site visits conducted in this financial year was expected to be in the region of £25,000.00.

6.5 A summary of the number and type of chargeable and non chargeable monitoring visits, as well as visits to complaint sites that were carried out during this monitoring period is set out in the table below.

Site type	Number of visits
Landfill	20
Quarries	37
Non chargeable sites	12
Complaint site visits	18
Total	87

6.6 The table below shows the number of chargeable mineral (quarry) and waste (landfill) monitoring visits that will be scheduled in the coming financial year (1 April

2024 to 31 March 2025), noting that the number of visits to each site ranges between 1 and 4, depending on the size of the site and level of activity taking place.

Type of site	Number of visits
Mineral / Quarries	53
Waste / Landfill sites	27
Total number of sites	40
Total number of visits	80

- 6.6 The total estimated income that will be generated by chargeable monitoring visits in the next financial year (1 April 2024 to 31 March 2025) is £31077.00. However, achieving this figure will depend on whether the status of any of the sites changes within the financial year.

Enforcement updates

7 Mill Road, Fen Drayton

- 7.1 On 21 November 2018, a Planning Contravention Notice was served on the site owner in respect of unauthorised waste storage and processing uses at the site. The Council had previously refused to grant two previous applications for a Certificate of Lawful Development for use of the land for the processing of inert waste. Although an appeal was lodged with the Planning Inspectorate (PINS) in relation to the refusal of the second Certificate application, it was withdrawn by the Appellant before the planned Public Inquiry could go ahead.
- 7.2 On 11 December 2018, a new Certificate of Lawful Development application was submitted for storage of inert building site waste and occasional processing incidental thereto. Noting that the agent for the applicant had already been advised that the Council was not aware of any material change(s) in circumstances that might be likely to lead to the grant of a Certificate of Lawful Development (CLD), the application was refused on 18 April 2019. An Appeal against the refusal was lodged with PINS and then subsequently withdrawn by the appellant.
- 7.3 In December 2019, a further (fourth) Certificate of Lawful Development application was submitted for an existing use for storage of inert building site waste and occasional processing incidental thereto. The evidence submitted with the application was complex and confidential advice was sought from Pathfinder legal services. On 8 February 2023 the Council refused to issue the certificate, the reason for refusal was:
- Based on the evidence provided in support of the Application, and the Council's own records to the contrary, the Council considers that there is insufficient documentary evidence to confirm, upon the balance of probability, that "the use of the land for the storage of inert building site waste and occasional processing incidental thereto" has subsisted without material

interruption on the Application Site for a period of 10 years or more preceding the date of the Application, or that it continues to subsist as described.

- 7.4 On 23 March 2023 the PINS confirmed that a valid appeal had been lodged with them against the refusal to grant the Certificate and the chosen appeal procedure would be written representations. No start date has been given for the appeal.
- 7.5 A Delegated Enforcement Report seeking authorisation to serve an Enforcement Notice (EN) for an unauthorised material change of use of the land was drafted. However, owing to the number of certificate applications that have been submitted, and the complexity of assessing the evidence, officers had intended to delay the service of such a notice until the result of the appeal.
- 7.6 Noting the length of time that PINS has taken to start the appeal, as detailed in paragraph 7.4 above, officers have written to the owner of the site to advise that formal enforcement action is being considered. Enforcement action is now likely to be considered necessary and expedient in order to address the waste uses that were not considered to be immune from enforcement action at the time of the application for a Certificate of Lawfulness.

8 The Pig Unit (former Mushroom Farm), Harthay Farm, Thrapston Road, Ellington.

- 8.1 In April 2022, the Environment Agency (EA) advised the County Council, as the Waste Planning Authority (WPA), that they were investigating the use of agricultural land at Ellington by FDS Construction Limited (FDS). The EA had visited the site in March and had concerns that FDS were importing and depositing inert waste materials on the land to raise the levels, as well as crushing concrete and demolition and building waste.
- 8.2 Following enquiries made with Huntingdon District Council (HDC) planning, it was confirmed that an application for prior approval had been submitted in relation to using permitted development rights on the land to construct an agricultural building for vertical mushroom farming. There are permitted development rights (under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for the importation of inert waste onto agricultural land to improve the land and for bringing in waste in connection with agricultural hardstanding and the preparation of land for agricultural buildings however, there are a number of restrictions and conditions that apply.
- 8.3 The EA visited the site again in June 2022 and confirmed to the WPA that some of the waste that had been imported had been used to raise the land by approximately 2 metres in height over a large area. In addition, piles of inert waste and other waste materials were in evidence on the site.
- 8.4 Officers from the WPA worked jointly with the EA and Her (and later His) Majesty's Revenue and Customs (HMRC) to obtain evidence that: a significant amount of inert waste had been brought onto site; waste had been processed; waste was stored on site; and, a significant amount of waste had been deposited and compacted to raise the level of the land and to create a raised roadway. The importation and processing

of waste are County matters and in addition to the waste deposit, the engineering operation of land raising also require planning permission.

- 8.5 On 18 August 2022, the EA presented the operator with a compliance report which required them to cease bringing waste on to the site and confirmed there were no longer any waste permits or exemptions for the site. However, at this time the EA advised the WPA that they were not intending to take any further action in respect of the site because the risk of pollution from the importation of inert waste is low.
- 8.6 Correspondence with East Anglian Farming Contractors Ltd (EAFC), the site owners, confirmed that they consider that they are using their permitted development rights to prepare the land for the agricultural buildings and that they intend to continue to work on site, with HGVs continuing to bring material on, to the site for at least another year.
- 8.7 On 19 October 2022, officers served a Planning Contravention Notice (PCN) on the two owners of EAFC to gather further evidence about the land ownership, the amount of waste being imported onto the site and the breaches of planning control. The information provided in response to the PCN did not satisfy officers of the WPA that the land was being prepared for the construction of an agricultural building or that the works that had taken place, and continued to take place, were necessary for the purposes of agriculture.
- 8.8 On 5 October 2023, an Enforcement Notice (EN) was served on the owners of EAFC, in respect of the use of the land for the importation, storage, processing and exportation of inert waste materials, and the deposit of waste in an engineering operation to raise the land, without the necessary planning permission. These waste activities are contrary to the locational criteria for waste management development and use of waste for land raising set out in polices 3 and 4 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (adopted 2021) (MWLP) and therefore would be unlikely to be granted planning permission, should such an application be submitted.
- 8.9 On 4 November 2023, PINS confirmed that an appeal had been lodged in respect of the EN, and on 9 January 2024 PINS confirmed that the appeal was valid and would follow the written representations procedure. Officers have submitted all relevant documentation in relation to the appeal, save for final comments and will update members on the Inspector's decision in due course.

9 Land behind Corkers Crisps, Willow Farm, Pymoor

- 9.1 In April 2020 officers received a complaint forwarded from East Cambridgeshire District Council (ECDC) regarding the importation of waste material onto land at the rear of the Corkers Crisps factory in Little Downham.
- 9.2 Investigations revealed that FDS Construction (FDS), whose heavy goods vehicles were seen entering the site, were depositing waste. FDS and the owner of the site advised the WPA that the waste material was brought onto the land to fill in an area where there had been a water body and to create an area of hardstanding which was needed to implement a prior approval application from ECDC for the construction of an agricultural building on the land.

- 9.3 The assessment of the planning situation that was made at the time, based on the information provided, was that the works related to the prior approval and therefore were considered to be permitted development. The landowner was sent a summary of the permitted development rights for agriculture which included the conditions and restrictions that apply, particularly in respect of the importation of waste onto agricultural land. The advice given highlighted that the importation of waste onto the site for processing and then moving off site would need planning permission and the landowner was advised not to allow this to take place on his land.
- 9.4 In July 2020, officers visited the site with planning enforcement officers from ECDC where it was noted that land raising had taken place across the site. The landowner and the owner of FDS Construction explained that this work was site preparation for the replacement Corkers Crisps factory following the destruction of the previous factory following a fire. Officers explained that land raising is development that would need to be included in planning application to ECDC for the replacement factory and it was agreed that ECDC would lead the investigation going forward and ensure that the land raising was included in the planning application that was being prepared for submission.
- 9.5 In April 2021, further complaints were received regarding FDS branded HGVs entering and leaving the site. The owner of FDS advised officers that no new waste material had been brought onto site and no more would be brought on however, he also stated that there was still a significant amount of site clearance associated with the ECDC planning application which would involve HGVs continuing to leave the site filled with waste. Following further complaints about activity at the site, in August 2021, ECDC served a Planning Contravention Notice on the landowner to establish the nature of the activities taking place on the land at the rear of the factory. The PCN was not formally responded to and ECDC did not pursue this.
- 9.6 In February 2022, County Planning and ECDC officers received more complaints regarding FDS HGVs continuing to enter and leave the site. ECDC were continuing to lead the investigation as there was no evidence of new waste being imported but evidence from site visits indicated that the land was now being used as haulage and aggregate storage yard which would need district planning permission. Noting that the activities that related to waste matters had ceased, the activity taking place on the land was no longer considered to be a waste planning matter.
- 9.7 In late 2022, further complaints were received about activities at the site. During a site visit which was undertaken in November 2022 the owner of FDS continued to state to officers that no new material had been brought onto site and that the waste in situ had not been imported but was displaced from around the site. However, an FDS branded portacabin was noted on site and the fact that FDS was leaving HGVs on site and employees were using it as a base indicated that the site continued to be used by FDS Construction as a base for operations and haulage yard, which would need planning permission from ECDC.
- 9.8 Following the receipt of further complaints, on 27 March 2023 an officer from County Planning conducted an unannounced visit to the site and witnessed an HGV from a grabhire company bringing waste soils on to the land and off loading them onto a pile of stored material on site.
- 9.9 On 30 March 2023 Planning Contravention Notices (PCNs) were served on the landowner and FDS Construction to gather evidence of the activities taking place at

the site. The PCN responses confirmed that the landowner and FDS considered that there was no breach of planning control taking place at the site.

- 9.10 On 16 November 2023 an Enforcement Notice was served on the owners of the land in relation to without planning permission: The importation, depositing, processing and exporting of inert waste materials and the raising of the land with waste.
- 9.11 On the 13 November 2023, the WPA were notified by PINS that an appeal had been lodged in respect of the service of the Enforcement Notice, and on 14 February 2024 PINS confirmed the start date of the appeal and that the written representation procedure would be followed. Officers have provided PINS with a completed questionnaire and statement of case relating to the appeal and at the time of writing this report are awaiting final comments from the appellant.

10 Kneesworth Nurseries, Bassingbourn Cum Kneesworth

- 10.1 In April 2023, South Cambridgeshire District Council (SCDC), forwarded details of complaints that they had received regarding the importation, deposit and burning of waste at the above site to the WPA and on 26 April 2023 officers visited the site and photographed Heavy Commercial Vehicles (HCV's) importing waste onto site and stockpiles of already tipped waste.
- 10.2 On the 2 May 2023, the WPA sent the operator of the site a formal letter asking him to cease all waste operations at the site and to clear the site within five weeks. Correspondence from the operator confirmed that he considered that he was operating lawfully under exemptions by the EA, that this was common practice in the groundworks trade and that he would continue to operate in this way.
- 10.3 On the 24 May 2023, a letter was sent to the landowner advising them of the situation on site and setting out the concerns that the WPA had about the unauthorised activity taking place.
- 10.4 Following discussions with the landowner, a PCN was served on both the operator and the landowner on the 11 August 2023. At the voluntary PCN meeting that took place on 25 August 2023 the operator advised that they intended to exit their tenancy several months early and then restore and reinstate the land and return it to the owner.
- 10.5 A site visit undertaken on 20 September 2023 confirmed that the land had been cleared, although some concerns remained over bunds surrounding the site which appeared higher than those originally in place. On 3 October 2023 the WPA sent letters to both the operator and landowner advising that potential courses of action were being considered in relation to the bunds. Officers from the WPA considered that it would not be expedient to pursue formal enforcement in relation to the bunds owing to the low level of planning harm. A letter was sent to the operator, advising them that no further action would be taken at this time but also reminding them that such matters are considered on a case basis.

11 Moat Farm, Castle Camps

- 11.1 On 4 April 2023, the Principal Enforcement and Monitoring Officer (PEMO) was advised by Essex County Council (ECC) about the importation and deposit of waste at the above site. The WPA had received complaints about this site in August 2021 but had referred the matter to Greater Cambridge Shared Planning (GCSP) because it related to the construction of an agricultural reservoir that was not a County matter. The new information provided by ECC related to reports of a significant amount of inert waste being imported onto agricultural land. Whilst there are permitted development rights, under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for the importation of inert waste onto agricultural land to improve the land there are restrictions and conditions which include that the waste must be incorporated forthwith.
- 11.2 On 19 April 2023, the WPA undertook a site visit which confirmed that a large stockpile of inert material was being stored to the rear of the farm. Officers also noted that other waste material had been deposited along a farm track running between Moat and Castle Farms and there was also evidence of other imported waste, some of which appeared to have been burnt on site.
- 11.3 A letter was sent to the landowner on 7 June 2023 which set out the WPA's concerns about the waste activities taking place on the site. The PEMO received an email from the landowner's agent on 14 June 2023, explaining that the material had been imported onto site with the intention of being used in the development of reservoirs, which had been delayed due to the refusal of prior approval for the reservoirs by GSCP and subsequent appeal.
- 11.4 On 4 October 2023, a PCN was served on the landowner and the initial response received from him on 8 November 2024 was incomplete. Following further discussions with the landowner, the WPA received a fully completed PCN, with additional supporting information on 2 January 2024.
- 11.5 As a result of the information provided in the PCN response, a letter was sent to the landowner informing him that in relation to the stockpile of imported inert waste, the WPA would await the outcome of the appeal in respect of the development of and prior approval for the reservoirs. However, the WPA advised that the landowner would be required to remove and lawfully dispose of the waste material stored along the farm track. At the time of writing this report a site visit is due to be arranged to check whether the removal of waste in this area has taken place.

12 Willow Hall Farm, Hill Row, Haddenham

- 12.1 On 2 August 2021, planning permission was granted for the Construction of irrigation reservoirs by the extraction, processing and export of sand and gravel and associated development at Willow Hall Farm, Haddenham. Following the discharge of pre commencement conditions, the mineral extraction commenced at the site on 28 February 2022.
- 12.2 Although monitoring visits to the site took place on 28 June 2022 and 16 December 2022, issues with groundwater at the site not being able to be discharged meant that other than soil stripping and installation of the processing plant, very little development had taken place at the site. However, concerns were raised about compliance with the conditions relating to archaeology on site.

- 12.3 In February 2023, following concerns that had also been raised regarding drainage at the site, officers arranged a further visit to check compliance with the planning conditions, in particular those relating to drainage and archaeology. A representative from the County Council's Historic Environment Team (HET) attended this visit. The visit confirmed that some of the most archaeologically sensitive areas of the site had been worked without the required supervision of archaeological consultants, and sign off from HET, as required by the approved Written Scheme of Investigation. This finding was in direct conflict with information that had been provided to officers by the operator. The operator was advised that the work on site needed to stop immediately.
- 12.4 On 17 February 2023, a formal letter was sent to the operator, Mick George Limited (MGL) setting out the breaches of planning control taking place on site, detailing the total destruction/loss of archaeological deposits in two areas and the partial destruction/loss of archaeological deposits in a third area of the site. The letter advised MGL that County Planning intended to serve a breach of condition notice in respect of the breaches of planning control.
- 12.5 The operator continued to work with HET to fully evaluate the damage caused to known archaeological deposits in the area and prepare an updated archaeological mitigation strategy which has now been approved and the operator will now excavate the archaeological deposits in accordance with it. The WPA continues to liaise with the historic environment team to ensure that the archaeological contractors on site are working in compliance with what has been agreed.

13 Five Acres, Staughton Moor, Great Staughton

- 13.1 On 18 February 2021 Huntingdonshire District Council (HDC) planning enforcement contacted County Planning, Minerals and Waste (CPMW) regarding the erection of a new building, the extension of a building and creation of hardstanding at the site along with a query regarding the possible change of use of the site which operates under waste planning permissions from the 1960s which were issued by previous local government administrative bodies which are no longer in force.
- 13.2 Legal advice obtained by HDC from 3Cs shared legal services confirmed that whilst District Councils are generally the planning enforcement authority for unauthorised development, this is not the case for Minerals and Waste development and as to which authority initiates enforcement action it would depend on the stage when a site starts to be used and the principal of that use. In this case the principal use was as a End of Life Vehicle (ELV) / scrapyard.
- 13.3 County Planning officers contacted the owner of the site and advised that they, as the waste planning authority (WPA), were investigating the unauthorised operational development at the site and that the unauthorised development at the site would need regularising.
- 13.4 On 16 April 2021 a request for pre application advice was made to County Planning for an extension and change of waste uses at the site. Further information and clarification was needed from the landowner and his planning agent, which significantly delayed the provision of the advice.

- 13.5 On 29 April 2021, the Principal Enforcement and Monitoring Officer (PEMO) sent an email to the landowner advising that the new building was unlikely to be granted planning permission because it was considered to be inappropriate in terms of the scale, mass and bulk which would be visually intrusive to the countryside area, contrary to policy LP11 of the Huntingdonshire Local Plan to 2036. The landowner was advised that he would need to consider how to address the unacceptable development.
- 13.6 Although no new waste uses had been introduced at the site, as had been proposed in the pre-application advice request, County Planning and HDC both continued to receive complaints about the site. On 11 June 2021 the PEMO emailed the landowner to advise that any works undertaken without the necessary planning permission would be entirely at his own risk and if the development is not considered to be acceptable in planning terms, he would be required to remove the unauthorised development.
- 13.7 On 21 December 2021, the pre-application advice response letter confirmed that although ELV uses were authorised at the site, the proposed expansion and processing of additional waste streams was development that would conflict with Policy 4 of the Cambridgeshire and Peterborough Mineral and Waste Local Plan which sets out the circumstances where new waste uses would be supported. The conclusion of the pre-application advice letter was that the proposed new waste uses could not be supported by officers.
- 13.8 On 18 March 2022 a joint site visit was undertaken with officers from HDC and County Planning and no waste or other activities were taking place on site, and it was noted that no changes had taken place on site since a visit that had taken place in summer 2021. Later that year, in October 2022, the use of the site for ELV recommenced and a site visit was undertaken to assess compliance with the conditions attached to the planning permissions for the site. Following the visit, on 6 December 2022 the landowner was asked to provide an update on regularising the breaches of planning control on site.
- 13.9 On 5 February 2023 a further request for pre-application advice was submitted to County Planning relating to the expansion of the car dismantling business on site by demolishing the existing buildings and infrastructure and replacing them with 10 buildings and staff and visitor car parks, whilst retaining the existing vehicle crushing area. On 24 March 2023 the pre application advice letter was issued, and it confirmed that subject to appropriate information and mitigation being provided, an application for new buildings on the site could be supported by officers.
- 13.10 The landowner and his planning agent provided regular written assurances that a planning application was being prepared, and that specialist consultants had been appointed to ensure that all the necessary supporting documents are provided and contain consistent information, the unauthorised development (buildings and hardstanding) constitutes a breach of planning control that remains outstanding. Noting the length of time that the breaches of planning control had been outstanding, a planning contravention notice (PCN) was served 3 January 2024 to gather formal, legal confirmation of the landowner's intentions and likely timescales for the submission of the application.
- 13.11 The response to the PCN confirmed that a planning application and supporting technical information and reports was still being prepared and the expected

submission date would be the end of February but that in the meantime the unauthorised building would be dismantled.

- 13.12 A site visit undertaken on 7 February 2024 confirmed that the dismantling of the building had commenced. At the time of writing this report, no new planning application has been submitted, however the main breach of planning control on site has been resolved with the removal of the building and the application is still expected to be submitted in due course.