

REPORT TO:	Planning Committee
REPORT TITLE:	Enforcement Update
REPORT AUTHOR:	Planning Enforcement Officer

1. Introduction

- 1.1. The purpose of this report is to provide an update on the work of the Planning Enforcement team, which comprises two Planning Enforcement Officers, who investigate alleged breaches of planning control and act as necessary.

2. Recommendation

- 2.1. That the contents of the report are noted.

3. Historic and Current Position

- 3.1. Over the past two years one of the key priorities has been to work on the review and clearance of the historic enforcement cases received between 2013 and 2020 inclusive. Significant progress has been made in addressing these cases, and the team are now in a position where only a limited amount remain. The cases that remain are typically more technical and complex in nature, requiring additional time and resources to address appropriately. However, the overall reduction in the historic cases has enabled officers to dedicate more attention to the important matters where formal action is required.
- 3.2. They are currently focusing on enforcement cases received between 2021 to 2024 inclusive. They are working to close the cases where it is not expedient to take formal enforcement action, which remains a discretionary decision for the Council as the Local Planning Authority. This approach will help ease the overall workload and ensure that officers are better able to concentrate on the most important and the time-sensitive cases, particularly those where formal action is required.
- 3.3. Below in table (1) shows the current number of open cases and the number of cases received between 2013 and 2024 inclusive –

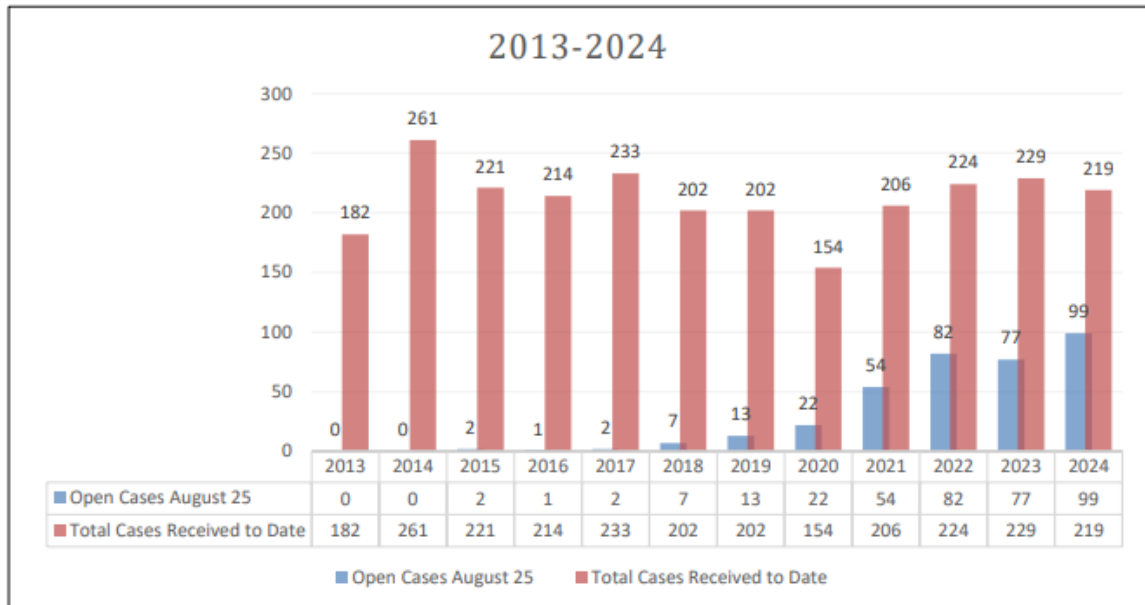


Table 1. The table illustrates the amount of outstanding cases within the system that the now refer to as the 'historic cases'.

3.4. They are continuing to review the outstanding cases received between 2015 and 2024 inclusive, alongside 130 cases received in 2025. There are 359 outstanding cases to consider together with the new cases received in 2025.

Below in table (2) shows the current number of open cases and the number of cases received to date in 2025-

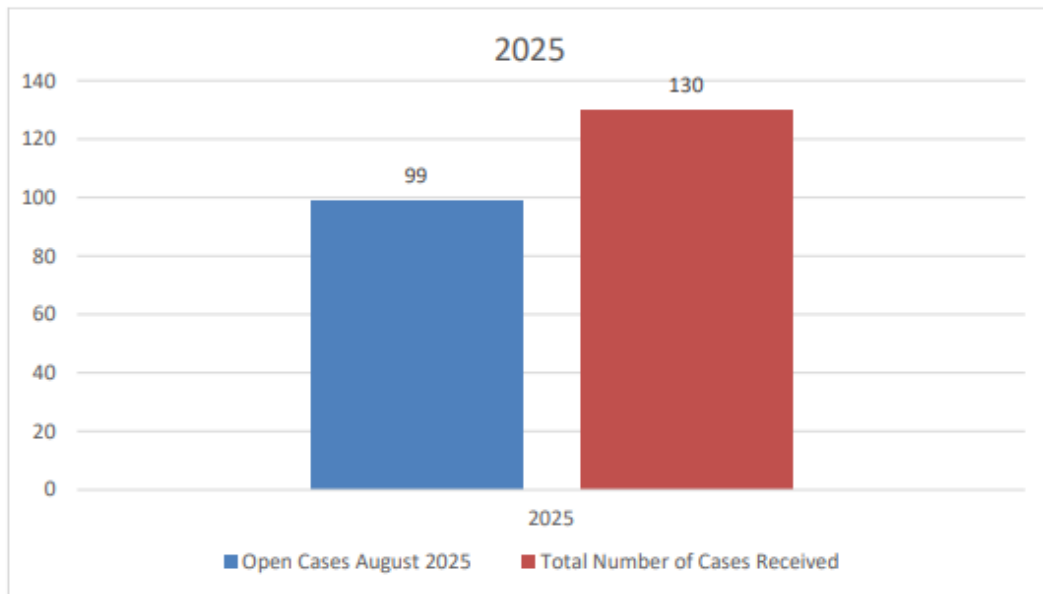


Table 2: This table illustrates the figures received so far in the year 2025. 25% of these cases have been closed and 75% of the cases remain open. Some of these cases are awaiting a decision from a planning application and some of these cases require further investigation.

- 3.5. There are 458 live cases on hand, including the historic cases that require further action. A number of these cases require formal action, intervention from other teams/agencies or a planning decision. Planning breaches that are causing significant and ongoing harm to public amenity or the environment will be made a priority. Lower priority will be given to cases where the breach is minor, technical in nature or causing minimal impact and these may be resolved through negotiation rather than formal action.

4. Review of Enforcement Protocol

- 4.1. The Enforcement Protocol has been reviewed and updated to reflect the approach now being taken (which is not significantly different to that before). The revised Protocol will be presented to Cabinet alongside an update on the service. The amendments and improvements in the new Protocol will mean that cases will be allocated to individual officers and investigated within agreed priority levels – in effect a traffic light system.

5. Enforcement Notices and Prosecution Cases (2024 to 2025)

- 5.1. Between May and December 2024, a total of eight enforcement notices have been served. This represents a significant increase compared to recent years and marks the highest number of notices served in a single year since 2014. This upward trend reflects the team's continued commitment to taking formal enforcement action where necessary in order to uphold planning control and secure compliance.

- 5.2. The Council have recently been granted a Planning Enforcement Order by the magistrates' court which gives us a right to take formal action against a breach of planning control where the time limits for taking enforcement action have expired because the person deliberately concealed the unauthorized development. The Order enables us to take action notwithstanding that the time limit has expired.
- 5.3. The prosecution offences relating to non-compliance of an enforcement notice that took place in court in February 2025 ended successfully and the defendants were fined.
- 5.4. The below table shows a list of enforcement cases that are currently within the appeal or legal system –

Action	Breach of Planning Control	Address	Outcome
Enforcement Notice	Without planning permission, the erection of boundary wall, fence and roller shutters to the side of the property facing Riding Barn Street.	105 Hyndburn Road, Church	Appeal – Awaiting Decision
Enforcement Notice	Without planning permission, the erection of an agricultural building.	Rosedene Barn, Rhoden, Oswaldtwistle	Appeal – Awaiting Decision
Enforcement Notice	The development is not in accordance with the approved plans, planning application ref 11/22/0203.	18 Moorside, Clayton-Le-Moors	Appeal – Awaiting Decision
Enforcement Notice	Erection of fencing on land adjacent to Park Road, Monk Street and Princess Street	Served on individuals	Appeal – Awaiting Decision

		suspected to have interest.	
Planning Enforcement Order	Concealment of the development of a residential dwelling in the Green Belt without planning permission	Order hearing scheduled for Magistrates Court in March 2025	Planning Enforcement Order Granted (March 2025)
Prosecution	Failure to comply with an Enforcement Notice served.	2 Oakdeane Avenue, Huncoat	Owner Prosecuted (Feb 25)
Prosecution	Failure to comply with an Enforcement Notice served.	70 Glebe Street, Great Harwood	Owner Prosecuted (Feb 25)
Enforcement Notice	Without planning permission, the laying of a hard standing concrete and the creation of a vehicular access (driveway) on a classified road without drainage provisions.	33 Queens Road, Accrington	Awaiting Prosecution
Enforcement Notice	Without planning permission, the laying of concrete on a cobbled street without drainage provisions.	Wood Street, Church	Appeal – Awaiting Decision
Enforcement Notice	Change of use of land for the storage of tyres and vehicles.	Wood Street, Church	Complied with the Notice
Breach of Conditions Notice	Failure to comply with the conditions attached to the approved application.	Whalley Road Car Wash, Clayton Le Moors	Part – compliance to the notice, awaiting the discharge of conditions.

Table 3: Enforcement cases within the legal system that are considered to be a serious breach of planning control.

6. Local Government (Access to Information) Act 1985: List of Background Papers

6.1. *Copies of documents included in this list must be open to inspection and, in the case of reports to Cabinet, must be published on the website.*