

Meeting:	Planning Committee	Date:	8 February 2022
Subject:	Review of the Local Enforcement Plan for planning		
Report Of:	Head of Paid Service		
Wards Affected:	All		
Key Decision:			
Contact Officer:	No	Budget/Policy Framework:	No
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Appendices:	<ol style="list-style-type: none"> 1. Gloucester City Local Enforcement Plan 2015 2. Draft Revised Local Enforcement Plan for consultation 3. Summary of proposed changes to the local enforcement plan 		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 The council's current local enforcement plan for planning was adopted by Planning Committee on 3 November 2015. This report is for members to consider a revised local enforcement plan for consultation.

2.0 Recommendations

2.1 Planning Committee is asked to **RESOLVE** that the revised local enforcement plan attached at Appendix 2 be approved for a 6 week consultation.

3.0 Background and Key Issues

3.1 Background

The National Planning Policy Framework (NPPF) recommends that councils publish a local enforcement plan setting out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate. The current local enforcement plan, approved in 2015, sets out the City Council's approach to dealing with breaches of planning law and is attached at Appendix 1. The plan provides information and guidance to residents, developers and other interested parties on how the council will deal with any unauthorised development that does not accord with national and local planning policies. The planning enforcement service investigates an average of 150

complaints each year.

- 3.2 The local enforcement plan is different to other planning policies regarding land use as it relates to how the service uses its discretionary powers. Therefore, council resolved in 2015 that it would be more appropriate for the planning committee to approve the local enforcement plan.
- 3.3 Changes for the planning enforcement service since the 2015 plan was adopted include:
- Reduction from two to one planning enforcement officer
 - The planning enforcement service is no longer responsible for monitoring S106 planning obligations
 - The City Council has invested in digital services, enabling customers to self-serve for information. This includes a digital form for reporting breaches of planning, designed to ensure that all required information is available at the first point of contact.
 - The corporate business support team now assist with the registration of planning breaches
 - The Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury has been adopted and the City Plan is now at an advanced stage
- 3.4 The main planning priorities continue, including regeneration, supporting healthy and safe communities and safeguarding the city's heritage and natural environment. Proportionate planning enforcement has a role to play in ensuring that these priorities are achieved. The current plan contains comprehensive information about enforcement powers and when these powers might be used by the council. Therefore, the draft revised local enforcement plan attached at Appendix 2 does not propose significant changes to the content of the plan. The detail of all changes proposed is summarised in Appendix 3, key changes are highlighted below.
- 3.5 **Key changes to the local enforcement plan**
- While the 2015 plan is comprehensive, it is not easy to navigate. Therefore, it is proposed to re-organise the document, with more concise information, plain English headings and with hyperlinks to enable customers to quickly navigate to relevant sections. Links are also provided to the national planning practice guidance, to enable customers to self-serve for more detailed information if required.
- 3.6 Priorities in the 2015 plan are high, medium and low, with high priority being focused on cases of irreversible harm. Minor amendments are proposed to:
- **High priority:** Remove 'highly visible adverts' and 'unauthorised change of use, likely to result in a serious loss of amenity to local residents' as these do not fall within the definition of irreversible harm
 - **Medium priority:** Add 'unauthorised change of use, likely to result in a serious loss of amenity to local residents' and building works in a conservation area.
 - **Lower priority:** Made more succinct and advertisements added.
- 3.7 Currently, the timescales for investigating complaints relate to commencing investigations. The proposal is to change this to concluding the initial investigation and providing a response to the complainant. The timescales being 24 hours for high priority, 15 working days for medium and 30 working days for low.

3.8 Consultation

The amended local enforcement plan does not propose significant changes to how the council will investigate alleged cases of unauthorised development and what would be appropriate enforcement action. However, the national planning practice guidance identifies that the adoption of a local enforcement plan allows engagement in the process of defining objectives and priorities tailored to local circumstances. Therefore, it is recommended that the local enforcement plan be subject to a 6-week period of public consultation.

4.0 Social Value Considerations

- 4.1 The local enforcement plan proposes that planning enforcement powers will be used in a proportionate way to support compliance with national and local planning policies. In deciding whether or how enforcement action is taken, where relevant, regard is had to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control. Therefore, the plan should have a positive social value.

5.0 Environmental Implications

- 5.1 The plan prioritises taking enforcement action in relation to developments that cause irreversible harm to the environment and therefore has positive environmental implications.

6.0 Alternative Options Considered

- 6.1 Not applicable.

7.0 Reasons for Recommendations

- 7.1 To provide for minor change to the local enforcement plan.

8.0 Future Work and Conclusions

- 8.1 Once the final local enforcement plan has been adopted, local performance indicators will be prepared to measure performance against the timescales set out in paragraph 3.6.

9.0 Financial Implications

- 9.1 None arising from the content of this report (Financial Services have been consulted in the preparation of this report.)

10.0 Legal Implications

- 10.1 It is not a legal requirement to prepare a local enforcement plan but is recommended by the National Planning Policy Framework (paragraph 59).

(One Legal adviser has been consulted in the preparation of this report and on the proposed revisions to the local enforcement plan.)

11.0 Risk & Opportunity Management Implications

- 11.1 While there is not a legal requirement to prepare a local enforcement plan it provides justification and consistency for enforcement decisions. These decisions can have significant implications for the subject of enforcement, or those persons or communities affected by it, and therefore are often open to considerable scrutiny. The local plan provides a framework to explain decisions about whether to enforce.

12.0 People Impact Assessment (PIA) and Safeguarding:

- 12.1 Limited changes are proposed to how the planning enforcement service uses its powers and prioritises actions. Investigations will continue to be based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development. Decisions about whether not to enforce will continue to be based on judgements of planning harm and conflicts with national and local planning policies.
- 12.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

13.0 Community Safety Implications

- 13.1 Effective planning enforcement can have positive impacts for community safety.

14.0 Staffing & Trade Union Implications

- 14.1 Not applicable

Background Documents:

Gloucester City Local Enforcement Plan 2015
1990 Town and Country Planning Act, and subsequent amendments
National Planning Policy Framework 2021
National Planning Practice Guidance

Appendices:

Appendix 1: Gloucester City Local Enforcement Plan 2015

Appendix 2: Draft Revised Local Enforcement Plan for consultation

Appendix 3: Summary of proposed changes to the local enforcement plan

GLOUCESTER CITY LOCAL ENFORCEMENT PLAN

3RD November 2015

1.0 PURPOSE, AIMS AND CONTEXT

1.1 The aim of the planning enforcement function is to discourage unauthorised development and where planning breaches are evidenced, to take proportionate action to remedy any harm to amenity, and the built or natural environment.

1.2 These aims mirror current government policy for planning enforcement, which are set out in Paragraph 207 of the National Planning Policy Framework, and state:

“Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so”

1.3 The planning enforcement function works within a legislative framework. However there is also policy, guidance and case law which through their collective interpretation further shape how decisions are made. These include, but are not exclusive of the following:

- Legislative requirements (eg Planning Acts, Police and Criminal Evidence Act 1984)
- The National Planning Policy Framework, National Planning Policy Guidance and other government guidance, material in any planning (enforcement) decisions
- Gloucester City Local Plan (Second Stage Deposit – 2002), the Local Development Framework, including the emerging ‘Joint Core Strategy’, and any other material planning considerations
- Gloucester City Council Corporate Enforcement Policy

1.4 This Plan supersedes the Council’s Planning Enforcement Policy, approved by Members in May 2007, and updates the Council’s Planning Enforcement Plan, approved by members in September 2013.

1.5 Planning Committee has delegated powers to approve any changes to the Enforcement Plan, without referral to Full Council

- 1.6 This policy is supplemented by a 'Procedure Note' that sets out in more detail the 'day to day' approach to planning enforcement by this Council.

2.0 RESOURCES

- 2.1 This Plan has been drawn up with regard to the availability of resources and the demands on the service.
- 2.2 The team investigates an average of over 300 enquiries every year, and monitors all legal agreements signed under s106 of the Town and Country Planning Act, as well as undertaking other areas of work outlined in this Plan.
- 2.3 The City Council employs one full time Planning Enforcement Officer, and one full time Senior Planning Compliance Officer, based in the Private Sector Housing team, within the City Council's Public Protection service. Officers report to the Development Control Manager for authorisation of planning decisions.
- 2.4 Due to the complex nature of enforcement and the potential legal implications decisions may have, some cases can often take many months to fully investigate and resolve. It is therefore important that a smaller number of investigations are undertaken thoroughly, as opposed to spreading the service too thinly and as a result risk compromising desired outcomes. With this in mind, the team aims to have no more than 120 cases under investigation at any one time. This means that on occasion the investigation of some alleged planning breaches may not get first priority and may be postponed. This decision will be made in accordance with the priority system set out in Appendix 1.
- 2.5 The Council has powers to undertake works to remove breaches, where necessary, commensurate with the budget available.
- 2.6 There is no 'out of hours service' to investigate planning breaches that are alleged to be taking place, and require investigation, outside of normal working hours. Notwithstanding the above, officers will make best efforts to be flexible, according to the requirements of an investigation. The planning enforcement team will also seek support from other parts of the council who more regularly work out of hours, to assist as far as possible.
- 2.7 The Council is committed to ensuring that its officers are able to carry out their work safely and without fear and intimidation. Where appropriate, the Council will use legal action and any other means available to prevent or respond to abuse, harassment or assault on its officers.

3.0 BREACHES OF PLANNING CONTROL

3.1 The Planning Enforcement team will investigate and where necessary enforce against any breaches of the 1990 Town and Country Planning Act (as amended) (hereafter referred to as 'the Act'). The main breaches investigated have been listed in 3.4 accompanied with a brief description what it is and how the breach is addressed.

3.2 Before discussing what a breach of planning legislation is, it is valuable to know what **is not** a breach. The following is a list of activities which is commonly mistaken as being planning breaches:

- Operating a business from home where the residential use remains the primary use and there is no significant and adverse impact on residential amenity
- Obstruction of a highway or Public Right of Way
- Boundary disputes (civil matter)
- Adverts which have deemed consent in accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended)
- Breaches of restrictions imposed by deeds and covenants (civil matter)
- Where development is 'permitted development', as identified in the Town and Country Planning (General Permitted Development) Order 1995, and any subsequent amendments

3.3 Breaches of planning legislation:

- ***Damage or inappropriate alterations to Listed Buildings, Scheduled Ancient Monuments and Protected trees*** – Investigation and further action will be undertaken with the support of Conservation Officers, City Archaeologist and Tree Officer.
- ***Operational Development*** – Any unauthorised works are undertaken at the owner's risk, and may require demolition, reversal, or alteration.
- ***Unauthorised uses*** – If, after investigation a use is witnessed, and constitutes a material change of use, and in instances where it is causing harm, we will seek to cease the use.
- ***Breach of condition(s)*** – Failure to comply with a condition attached to a planning permission, or where development exceeds a condition or an allowance under 'permitted development rights', are considered a breach making a development unlawful. We will seek compliance with conditions where they have been identified and/or referred to the Planning Enforcement team.
- ***Untidy land/buildings*** – ~~Enforcement~~ Investigations (under s215 of the Act) will only be considered on private land when a significantly detrimental impact on neighbouring properties or visual amenity can be demonstrated.

- ***Unauthorised advertisements on privately owned land*** - The Council will remove unauthorised posters or placards after giving a minimum 48 hours notice (and 22 days for any other advertising 'display structure') to those responsible, owning the land, or benefiting from the advertisement. Advertising materials will be kept for one month, and at the team's discretion will be available for collection on receipt of a fee. This fee would cover the cost of securing their removal eg officer time and hiring of contractors.
- ***Unauthorised advertisements on public land*** - will be removed by Council appointed contractors or officers themselves, and disposed of without prior warning, including on Highways land where delegated authority has been given by Gloucestershire Highways under s132 of the 1980 Highways Act (as amended). Where signage is widespread or persistent, the Council will approach the beneficiaries of this 'flyposting' and seek removal within 48 hours, failing which the matter will be referred to Legal Services for prosecution.

3.4 ***Referrals*** - When receiving a complaint or enquiry, officers will have regard to the most effective and timely powers available to investigate and where necessary pursue further actions to achieve the Council's desired outcome. This will sometimes result in matters being referred to other departments and organisations, either wholly or as part of a joint approach, where needed. Similarly, the planning enforcement team will accept referrals from other departments and organisations in accordance with the areas of work identified above.

3.5 The Planning Enforcement service will work on specific area or subject based projects, such as Conservation Area improvements, commensurate with resources available.

4.0 **APPROACHES TO DEALING WITH A PLANNING ENFORCEMENT ENQUIRY**

4.1 Unless an allegation is particularly serious anonymous complaints will not be investigated. Furthermore, enquires will only normally be investigated if received in writing. Complainant details will remain anonymous and will not be made known without their agreement.

4.2 Further details on how to make a planning complaint or enquiry, including basic details required by officers, can be found on the Council's Planning Enforcement webpage.

4.3 Where an alleged breach has been investigated and concluded, any enquiry relating to the same site, which is not materially different to the previous allegation or does not raise any new issues, will not be investigated. In addition, regular unfounded complaints from the same source may be considered vexatious and not investigated.

- 4.4 Where an officer has a conflict of interest regarding any particular enquiry, the matter will be assigned to another officer to investigate.
- 4.5 The Council will acknowledge the complainant, respond to any requests for an update, and inform them of the outcome of the investigation, in line with Planning Enforcement Customer Charter – see Appendix 4. Anyone not satisfied with the service should initially discuss any concerns with the Private Sector Housing Manager. If still dissatisfied, the Council has a formal complaints procedure which can be found on the Council's website.
- 4.6 Where a serious breach is alleged, officers will investigate immediately, having regard to PACE (Police and Criminal Evidence Act) requirements as necessary. Covert surveillance, where necessary, will only be undertaken following the necessary RIPA (Regulatory Investigatory Powers Act) authorisation.
- 4.7 Before action can be considered, the Council must be able to evidence what the breach is, demonstrate its 'harm', identify what 'remedial' action(s) are required, and be satisfied that these actions are reasonable and proportionate. Each case will be considered on its own merits, and similar breaches in different locations may require different outcomes.
- 4.8 The Council will give those responsible for a breach in planning regulations the opportunity to undertake required actions, or attempt to reach a negotiated solution that suits all parties.
- 4.9 Where a breach has taken place then any 'interested party' has the right to apply for planning permission retrospectively. Such an application will be treated no differently from a planning application where no unauthorised works (or use) has already taken place. For matters requiring immediate attention a planning application should not hold up any urgent action. The Council may decline to determine a planning application where an enforcement notice has already been served and proposals relate to the identified breach.
- 4.10 Alternatively where the person (subject) of an investigation disputes that a breach has or is taking place, they have the opportunity to apply for a Lawful Development Certificate to determine the matter.
- 4.11 ***Expediency*** - Gloucester City Council is committed to taking a firm line to make those responsible accountable for their actions and for making good any unacceptable harm caused. However the Council will only take enforcement action when it is considered 'expedient' to do so. In considering this, the decisive issue should be whether the breach of control is unacceptably affecting public amenity or the existing use of land and buildings meriting protection in the public interest. For example, where development would receive planning permission, but no application is made, it would not usually be expedient to take further

action. Any requirements or action must be 'proportionate'. While the Council is solely responsible for assessing whether or not it is expedient to pursue further action, the failure to take appropriate planning enforcement action where it is clearly necessary may result in investigation by the Ombudsman, and an award of costs could be made against the Council. Enforcement Notices should only be served on a breach that is not acceptable in planning terms, otherwise the person (subject) of the Notice could appeal. This could also result in an award of costs against the council.

- 4.12 Where a planning breach occurs but the matter is concluded without further action, then a 'contravention' will be recorded in the Land Charges Register, and then declared on any future land search.
- 4.13 Formal action will only be taken with the prior authorisation of the Development Control Manager or the relevant line manager, in line with the Council's Scheme of Delegation. In a similar manner, cases will only be closed with the prior and recorded authorisation of the Development Control Manager, following the recommendation of the case officer, who should be able to evidence and justify their reasons for doing so.

5.0 **POWERS**

- 5.1 Where further information is required to determine the facts, the Council has the following **investigative powers**:
- **Rights of Entry** – are available to enter land without the owner's permission or prior arrangement, where a breach of planning control is suspected. The exception is for the inside of domestic properties, where 24 hours prior notice must be given. It will be considered an offence if anyone wilfully obstructs any officer trying to freely enter the land. If immediate access is required permission may be given by court injunction
 - **S16 Notice** (of Local Government Act 1992) and **s330 Notice** (of Town and Country Planning Act 1990, as amended) – requires details of ownership and other interests in property
 - **Planning Contravention Notice** – requires further information concerning development undertaken or activities alleged to be taking place on land
 - **PACE interview** – for serious allegations, where an offence has or is suspected to have taken place, an interview under formal caution will normally be undertaken
- 5.2 Where **immediate action** is required, the Council has the following powers:
- **Stop / Temporary Stop Notice** – requiring an immediate cessation of development or any use of land or a building, to remove serious threat or harm. The maximum length of time that a Temporary Stop Notice will have effect is for

a period of 28 days. During this period the Local Planning Authority must decide whether or not it is appropriate to take other enforcement action.

- An **Injunction** may be sought in the County or High Court for extremely serious planning breaches (actual or expected).

5.3 In many cases action is required to remove a breach, or otherwise make it acceptable in planning terms. Where required actions have not been undertaken, the Council may serve any of the following **Notices**, where it is expedient to do so. The type of notice served will depend on the nature of the breach:

- **Enforcement Notice** – the most commonly used notice, to address unauthorised operational development or an unauthorised material change of use.
- **Listed Building Enforcement Notice** – Served when there has been unauthorised and inappropriate alterations to a Listed Building or structure.
- **Breach of Conditions Notice** – where conditions of a planning approval are not being fully complied with
- **s215 Notice** – Untidy land or buildings adversely affecting the amenity of a neighbourhood
- **s225 Notices** - requiring removal of posters, placards and ‘advertisement displays’ from private land
- **Planning Enforcement Order** – where the Council believes there has been a ‘concealed’ breach that would otherwise be immune from enforcement action due to the passage of time.

5.4 **Consequences of non compliance with a Notice** – Where the requirements of a Notice have not been fully complied with, in the timescales given, (and unless successfully appealed against) those responsible for the breach will be considered to be committing an offence.

5.5 Compliance with an Enforcement Notice will not discharge it; its provisions will remain in force and will be valid should the unauthorised use or specified development re-occur. Notices will be registered against the land, and will be identified as part of any ‘land search’.

5.6 The Council has powers to take **direct action** to address a breach in planning control, in the following circumstances:

- For serious breaches requiring *immediate action*, where the landowner or other relevant party refuses to undertake emergency works (eg works to preserve a listed building)
- Direct action to remove unauthorised *advertisements and signage* will be undertaken as set out in Section 3 above.
- Where the requirements of a Notice have not been complied with and action is appropriate and necessary.

Taking direct action does not preclude the City Council from prosecuting those responsible, where it is appropriate to do so.

5.7 Works may be undertaken by officers or specialised contractors, according to the nature of the works, and commensurate with the budget available. Those responsible for the breach will be invoiced and recovery proceedings undertaken where necessary. Officer time will be included within any costs calculation, based on a 'charge out rate' provided by Finance. Until paid, the costs will be placed as a charge on the land and will be subject to inflation.

5.8 The Council's appointed legal representative will lead on planning prosecutions:

- Where an offence is considered to have been committed, the Council will decide whether to pursue prosecution of those responsible. This decision will be based on the 'evidence' and 'public interest' tests.
- A 'Simple Caution' may be 'offered', but does not preclude the Council pursuing prosecution if not accepted
- Prosecution should be considered even when the requisite works or the breach is removed prior to court action.
- Costs will be sought where successful prosecutions are brought, or where the Council considers unnecessary appeals have been made.
- Where a breach in planning control results in significant financial or material gain, the Council will consider recovery action under the Proceeds of Crime Act, in conjunction with the planning prosecution.

5.9 In some instances planning enforcement action may not be taken because, due to the passage of time, the breach of planning has become immune from enforcement action. The time for breaches to be immune from enforcement action will often be 4 years. This includes operational development (the carrying out of unauthorised building, engineering, mining or other operations), or change of use to use as a single dwellinghouse, or breach of a condition preventing change in use of any building to use as a single dwellinghouse. For all other breaches it must have taken place more than 10 years ago for it to be immune from enforcement action.

5.10 Where planning permission has been given, or even not needed, other consents might be required under different regimes. It is the owner's/developer's responsibility to ensure all requisite consents are in place.

6.0 **MONITORING**

6.1 ***Planning Conditions*** – The Council does not have a Conditions Monitoring Officer, however discharge of conditions will be overseen by the assigned planning officer as part of a 'total case management' approach. Non compliance of conditions will only be referred to the enforcement team if developers or

owners are not responding to approaches made by the planning officer, or the breach occurs some time following the completion of the development and it has been brought to our attention.

- 6.2 ***Legal Agreements*** - Where planning obligations are not being met legal action will be considered if negotiations or identified dispute procedures do not result in agreement and the requisite actions. Where a financial contribution is not paid then the Council's debtor system will be used to recover funds owed.

7.0 **INFORMATION, REPORTING AND PUBLICITY**

- 7.1 The enforcement team will keep full and up to date records of all investigations undertaken, to inform and justify any future action, and to compile evidence as necessary eg for prosecutions.
- 7.2 Further information on the planning enforcement function is provided on the Council's website, and is updated regularly. This will include an electronic Planning Register, displaying details of all Notices. Copies of all notices served after December 2011 are also available to view on public access or can alternatively be provided on request. As a public document, completed s106 Agreements are also available to the public, on request.
- 7.3 Good publicity is important in deterring others from committing serious planning breaches, and reassuring members of the public of the Council's commitment to enforcing against serious breaches in planning regulations. The Council will work with appropriate media to publicise the team's work and positive outcomes, including details of impending court cases and their outcome.
- 7.4 Every six months officers will report to Planning Committee on the general performance of the service, including details of all Notices pending or in effect, and any other specific cases that are of interest.

APPENDIX A - Priorities for Action

The use of a priority system allows officers to recognise and react to the most serious cases as they are received. The priority rating should be reviewed following assessment of the case, and this will allow officers to maintain focus in the right areas during especially busy periods. The Senior Planning Compliance Officer will review with the enforcement officer the priority rating as part of regular enforcement case reviews.

Cases will be prioritised as follows:

Level 1 - High Priority

Breaches that may result in irreversible damage or loss, or where works are under way and an immediate approach will bring a halt to works, preventing unnecessary cost and wasted time to the developer. A site visit and investigations will be commenced as soon as possible:-

- Breaches of Listed Building control where demolition or alterations are taking place.
- Unauthorised works to or works affecting Scheduled Monuments.
- Breaches of planning control in a Conservation Area where immediate, irreparable damage would be caused.
- Works to trees protected by a Tree Preservation Order and works to trees in Conservation Areas where trees are likely to be lost or seriously injured.
- Breaches of control or conditions causing serious irreversible damage to the environment e.g. protected species are on site.
- Breaches of planning control or conditions that may damage a site in an area of archaeological interest
- Breaches where development is currently taking place and an immediate approach could avoid unnecessary works being carried out
- Unauthorised changes of use, likely to result in serious loss of amenity to local residents.
- Flyposting and any other highly visible advertisement breaches where a delay in action would be seriously detrimental to highway safety or visual amenity.

Level 2 - Medium Priority

A site visit and investigations will usually be commenced within 5 working days for:-

- Breaches of planning control that involve building works likely to be contrary to that set out in the development plan or other material planning guidance.
- Breaches of planning control or conditions that result in harm or loss of amenity, or nuisance to a neighbourhood.
- Other unauthorised uses

- New breaches that undermine initiatives undertaken (eg Eastgate Street improvements scheme)

Level 3 - Lower Priority

A site visit and investigations will be commenced within 10 working days for:-

- Development involving small domestic structures such as sheds or fences.
- Other breaches of advertisement control.
- Other breaches in planning regulations where the impact is not likely to significantly affect others, and a delay would not prejudice the council's ability to resolve the matter
- Land or properties left in such a poor state (e.g. through fly tipping / overgrown vegetation) where they result in loss of amenity, or nuisance to a neighbourhood.
- 'Pro-active' project work

APPENDIX B – Planning Enforcement Customer Service Standards

1. We will investigate all complaints, as long as they are not anonymous or vexatious, and they have been received in writing, by email, or as a FOCUS enquiry. Other complaints will be investigated at the discretion of the Senior Planning Compliance Officer.
2. Complainants should provide as much information as possible including their contact details, and how the alleged breach affects them, and other information as set out on the Council's planning enforcement webpage.
3. Where the complaint does not relate to planning, either wholly or in part, we will refer the matter to the relevant department with your details, asking them to update you. We will retain and investigate any part of the enquiry relating to planning.
4. We will acknowledge all complaints within 5 days of receipt, naming the assigned officer undertaking the investigation, and their contact details.
5. We will ensure that complainant details remain anonymous.
6. Apart from acknowledging the complaint, and advising on its outcome, we will only update complainants on request.
7. We will only seek or take action where a breach is proven, demonstrable harm is caused, and where it is expedient and legally possible to do so.
8. Any actions sought or taken will be reasonable and proportionate to the proven breach, in accordance with government advice.
9. We will seek the co-operation of responsible persons through negotiation. We will, however, take a firm line where co-operation or agreement is not forthcoming, and the nature of the breach merits it, including where necessary prosecution.
10. We will inform complainants of the outcome of any investigation, with reasons.
11. Where the subject of any complaint is aware of the investigation, we will inform them of the outcome, with reasons.
12. We welcome feedback on our performance, and an opportunity to comment on-line is available through the City Council's planning enforcement website.
13. Should you not be satisfied with the handling of your complaint, in the first instance please contact the City Council's Private Sector Housing Manager. If you remain dissatisfied, the City Council's complaints procedure is accessible on the Council's website.

Appendix 2: Draft Revised Local Enforcement Plan

GLOUCESTER CITY LOCAL DRAFT LOCAL ENFORCEMENT PLAN FOR CONSULTATION FEBRUARY 2022

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1.0 Introduction

1.1 This plan sets out Gloucester City Council's approach to dealing with breaches of planning law. It provides information and guidance to residents, developers and other interested parties on how the council will deal with any development that does not accord with national and local planning policies.

1.2 National policy for planning enforcement is set out in paragraph 59 of the National Planning Policy Framework, and states:

'Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This

should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate'.

1.3 The council employs one full time Planning Enforcement Officer whose role is to investigate alleged breaches of planning control. An average of 150 planning enforcement cases are investigated each year. This number does not include cases where an initial assessment indicates that there has not been a breach of planning.

1.4 The Plan identifies the priorities for planning enforcement action. This enables the Council's resources to be focused on the most serious breaches which are causing greater harm. The Plan also provides information about how the local planning authority will decide if it is expedient to exercise its discretionary powers.

1.5 This Plan supersedes the Local Enforcement Plan approved by the Planning Committee on 3 November 2015.

2.0 What is a breach of planning control?

2.1 A breach of planning control can occur where one, or more, of the following has taken place (this list is not exhaustive):

- Building works are being carried out without the relevant approval
- Development is not being built in accordance with a planning permission
- Planning conditions are not being complied with
- Adverts displayed without consent
- The condition of land has become unacceptable (an eyesore)
- Works to a listed building are being carried out without the relevant consent
- Works to a protected tree are being carried out without the relevant consent

2.2 Most breaches of planning control are not illegal. Exceptions include unauthorised work to trees protected by a Tree Preservation Order or which are located in a Conservation Area. Unauthorised works to listed buildings/structures are also an offence.

2.3 In some instances planning enforcement action cannot be taken because the breach has become immune from planning enforcement action due to the passage of time. Development will become immune from enforcement if not taken within:

- Erection of buildings, building works, change of use to a dwelling: 4 Years
- Changes of use of buildings or land (except change to a dwelling) and non-compliance with planning conditions: 10 Years
- Works to Listed Buildings: No time limit

2.4 The following are examples of activities that are not breaches of planning control:

- Operating a business from home where the residential use remains the primary use and there is no significant and adverse impact on residential amenity

- Obstruction of a highway or Public Right of Way
- Parking of vehicles on the highway or grass verges
- Land ownership and boundary disputes or trespass issues (civil matters)
- Adverts which have deemed consent
- Breaches of restrictions imposed by deeds and covenants (civil matter)
- Internal works to a non-listed building
- Where development is 'permitted development'

3.0 Our approach to dealing with alleged breaches of planning control

3.1 Unless an allegation is particularly serious anonymous complaints will not be investigated. Furthermore, enquires will only be investigated if received in writing. Complainant details will remain anonymous and will not be made known without the complainant's agreement.

3.2 The key stages for investigation of a breach are summarised below and the time taken for each stage will vary depending on the alleged breach of planning control:

- Receipt of report of breach and acknowledgement provided to the complainant
- Assessment of whether the reported matter comprises a planning matter
- Assessment of whether there has been a breach of planning control, including a site visit if required
- Initial assessment and potential actions – whether to invite application, whether negotiations are appropriate, whether to close case as not considered expedient to enforce due to minor breach, consideration of formal action.

3.3 Where a serious breach is alleged, officers will investigate immediately, having regard to PACE (Police and Criminal Evidence Act) requirements as necessary. Covert surveillance, where necessary, will only be undertaken following the necessary RIPA (Regulatory Investigatory Powers Act) authorisation.

3.4 When receiving a complaint or enquiry, officers will sometimes refer matters to other departments and organisations, either wholly or as part of a joint approach.

4.0 Reasons for not investigating cases or for closing cases

4.1 A new enforcement case will not be opened if it is clear that there is no breach of planning or where a previous case for an alleged breach has been closed and the complaint is not materially different to the previous allegation.

4.2 Enforcement cases will be closed in the following circumstances:

- there is no breach of planning control
- planning permission is not required
- it is permitted development
- the breach is rectified (by negotiation)

- planning permission has been granted retrospectively
- the development is lawful (due to time elapsed/immunity see paragraph 3.3)
- not expedient to take enforcement action (see section 7 for more information)

5.0 Prioritising breaches and timescales

5.1 To make the most effective use of resources comprising one planning enforcement officer, new reports of alleged breaches will be prioritised upon receipt. Enforcement investigations and action will be focused on the most serious breaches.

5.2 There are three categories for enforcement priorities.

Category	Type of Reported Breach
High	Breaches that may result in irreversible harm or loss, examples include
	Works to a Listed Building or scheduled monument
	Works to a tree in the Conservation Area or protected by a Tree Preservation Order
	Demolition in a Conservation Area
	Breach of condition/ approved development is underway and an immediate approach could avoid further clearly unacceptable works taking place
	Works in contravention of an Enforcement or Stop Notice
	Works likely to cause serious irreversible damage to the environment, e.g. protected species are on site
	Works likely to cause substantial/permanent damage to important archaeological sites
	Breach of condition/development causing serious harm to public safety
Medium	Breaches that may result in significant but not irreversible harm, examples include
	Breaches of planning clearly contrary to the development plan or national planning guidance
	Breach of condition that results in significant harm to amenity or nuisance to a neighbourhood
	Unauthorised change of use likely to result in a serious loss of amenity for local properties
	Building works in a Conservation Area
	New breaches that undermine regeneration initiatives undertaken
Lower	All other breaches of planning, examples include
	Small scale development and domestic alterations such as outbuildings and fences
	Other breaches where the impact is not significant to impact the local amenity
	Breaches of advertising controls
	Untidy sites

5.3 We will aim to investigate complaints in accordance with the service levels below.

Category	High	Medium	Lower
Stage			
Register and Acknowledge	Immediate	5 Working days	10 Working days

Site visit (if necessary), initial assessment and initial response to the complainant	Within 24 hours (Excluding weekends and bank holidays)	Within 15 Working days	Within 30 Working days

5.4 From time to time the Council will experience spikes in workload when it receives higher numbers of complaints or when dealing with complex enforcement cases. At these times, resources will be focused on higher priority cases.

6.0 Negotiations/Inviting applications

6.1 In accordance with government guidance, we will try to resolve breaches of planning through negotiation. In cases where a breach of planning control is assessed as likely to be acceptable having regard to relevant planning policies, we will invite a planning application to regularise the development. An application may also be invited in cases the identified harm could be overcome by attaching conditions to a planning permission. Where an application has been invited, it should not be assumed that planning permission will be granted. These applications will be treated no differently from a planning application where no unauthorised development has already taken place.

6.2 Where the contravener disputes that there is a breach of planning control, they may apply for a Lawful Development Certificate to determine the matter.

6.3 Where an application is invited, the enforcement case will remain open pending the outcome of the planning application. If negotiations fail to secure a satisfactory solution, formal action will be considered. The Council will try to avoid the negotiations becoming protracted where there is a requirement to make the development acceptable or for a use to cease.

7.0 Expediency

7.1 Whilst the Council does not condone breaches of planning control, it is not obliged to take action against an identified breach. Even when unauthorised development has been identified not all breaches will be harmful and it will not always be expedient for the Council to pursue formal action. Planning legislation sets out that the council may issue an enforcement notice where it is “expedient” to do so, having regard to the development plan and to any other material considerations.

7.2 When taking formal action, the council must provide evidence of a breach of planning and demonstrate that harm has occurred as a result of the breach planning control. It must also show that any action is proportionate and reasonable.

7.3 The Council’s decision on expediency will be informed by the following considerations:

- Is the development contrary to national and/or local planning policy?
- Is the development acceptable in respect of all other material planning considerations?
- If an application was submitted for the development, prior to it being carried out, is it likely to have been granted?

- Is the breach causing unacceptable harm to public amenity?
- Is the breach unacceptably affecting existing land, use or buildings which merit protection in the public interest?

7.4 Taking enforcement action must be in the public interest. Enforcement action will not be taken simply because a breach has occurred. In considering this, the decisive issue should be whether the breach of control is unacceptably affecting public amenity or the existing use of land and buildings meriting protection in the public interest. For example, where development would receive planning permission, but no application is made, it would not be expedient to take further action.

7.5 When considering whether to take formal planning enforcement action the Council may be criticised if its decision is considered too hasty or unreasonable. Equally, the Local Government Ombudsman has the power to award compensation to injured parties if the Council fails to take action against clearly harmful breaches.

7.6 Formal action will only be taken with the prior authorisation of the relevant line manager, in line with the council's Scheme of Delegation. Cases where it is considered not expedient to enforce will only be closed with the prior authorisation of the relevant line manager.

8.0 Enforcement Tools

8.1 Where further information is required to determine the facts, the Council has the following investigative powers:

- **Rights of Entry** – to enter land without the owner's permission or prior arrangement, where a breach of planning control is suspected. The exception is for the inside of domestic properties, where 24 hours prior notice must be given. If immediate access is required permission may be given by court injunction
- **S16 Notice (of Local Government Act 1992) and s330 Notice (of Town and Country Planning Act 1990, as amended)** – to require details of ownership and other interests in property
- **Planning Contravention Notice** – to obtain further information concerning development undertaken or activities alleged to be taking place on land. Further information is available on the [National Planning Practice Guidance \(PPG\)](#)
- **PACE interview** – for serious allegations, where an offence has or is suspected to have taken place, an interview under formal caution will normally be undertaken

8.2 Where immediate action is required, the Council has the following powers:

Stop Notice - Requires the unauthorised activities to cease immediately to remove serious threat or harm. The notice can only be issued following the service of an enforcement notice. A recipient can challenge the notice and claim compensation. Further information is available in the [PPG](#).

Temporary Stop Notice - lasts for a period of 28 days but does not need to be served with an enforcement notice. During this period the Local Planning Authority must decide whether or not it is appropriate to take other enforcement action. Further information is available in the [PPG](#).

Injunction – Granted by the courts on an application from the Council. It can be used for extremely serious planning breaches (actual or expected). Further information is available in the [PPG](#).

8.3 Where negotiations fail to secure a satisfactory solution, formal action will be considered. The type of notice served will depend on the nature of the breach:

- **Enforcement Notice** –to address unauthorised operational development or an unauthorised material change of use. Further information is available in the [PPG](#).
- **Listed Building Enforcement Notice** – to address unauthorised alterations to a Listed Building or structure. Further information is available in the [PPG](#).
- **Breach of Condition Notice** – where conditions of a planning approval have not been complied with. Further information is available in the [PPG](#).
- **Section 215 Notice** – Untidy land or buildings causing significant harm to the amenity of a neighbourhood
- **Section 225 Notice** - requiring removal of posters, placards and ‘advertisement displays’ from private land. Further information is available in the [PPG](#).
- **Planning Enforcement Order** – where the Council believes there has been a ‘concealed’ breach that would otherwise be immune from enforcement action due to the passage of time. Further information is available in the [PPG](#).
- **Direct Action** – where the council takes action to deal with an unauthorised development. Those responsible for the breach will be invoiced and recovery proceedings undertaken where necessary. Until paid, the costs will be placed as a charge on the land and will be subject to inflation.
- **Prosecution** – formal court proceedings can be undertaken by the council if any of the above notices are not complied with. This can also include displaying advertisements without consent works to TPO trees, works to a listed building and demolition of a building in a conservation area as these breaches are criminal offence which can be prosecuted without the need to serve a notice.
- **Proceeds of Crime Act Confiscation** – on successful conviction to confiscate any monetary benefits derived from not complying with an enforcement notice

8.4 Compliance with an Enforcement Notice will not discharge it; its provisions will remain in force and will be valid should the unauthorised use or specified development re-occur. Notices will be registered against the land, and will be identified as part of any ‘land search’.

8.5 The Council is committed to ensuring that its officers are able to carry out their work safely and without fear and intimidation. Where appropriate, the Council will use legal action and any other means available to prevent or respond to abuse, harassment or assault on its officers.

8.6 The Council’s appointed legal representative will lead on planning prosecutions:

Where an offence is considered to have been committed, the Council will decide whether to pursue prosecution of those responsible. This decision will be based on the ‘evidence’ and ‘public interest’ tests.

- A ‘Simple Caution’ may be ‘offered’, but does not preclude the Council pursuing prosecution if not accepted

- Prosecution should be considered even when the requisite works or the breach is removed prior to court action.
- Costs will be sought where successful prosecutions are brought, or where the Council considers unnecessary appeals have been made.
- Where a breach in planning control results in significant financial or material gain, the Council will consider recovery action under the Proceeds of Crime Act, in conjunction with the planning prosecution.

9.0 Monitoring

9.1 Planning Conditions – The discharge of conditions will be overseen by the planning case officer. Non-compliance with conditions will be referred to the planning enforcement officer if contraveners do not respond to the planning officer, or the breach occurs after the completion of the development.

9.2 Legal Agreements - Where planning obligations are not being met legal action will be considered if negotiations do not resolve the issues.

10.0 Information, reporting and publicity

10.1 This plan will be available on the council's website. Under Section 188 of the Town and Country Planning Act 1990 the council is required to keep an enforcement register. This is a public register of all notices and is available on the council's website. Hard copies of these documents can be requested if required.

10.2 Good publicity is important in deterring others from committing serious planning breaches, and reassuring members of the public of the Council's commitment to enforcing against serious breaches in planning regulations. The Council will work with appropriate media to publicise the team's work and positive outcomes, including details of impending court cases and their outcome.

10.3 Every twelve months officers will report to Planning Committee on the general performance of the service, including details of all notices served since the previous update.

11.0 Privacy Statement

11.1 The Council has published its Privacy Notice which sets out how data will be handled and made available to the public. A copy of the latest version of the Privacy Notice can be viewed [here](#).

Appendix 3: Summary of changes to the local enforcement plan (2015)

Contents

Contents list added to make it easier for customers to navigate the document. Also to assist with transparency of information

1. Introduction
2. What is a breach of planning control?
3. Our approach to dealing with alleged breaches of planning control
4. Our reasons for not investigating cases or for closing cases
5. Prioritising breaches and timescales
6. Negotiations/Inviting applications
7. Expediency
8. Enforcement tools
9. Monitoring
10. Information, reporting and publicity

Section 1 Introduction

Amended to provide an introduction which clarifies the purpose of planning enforcement and to specify the purpose of the local enforcement plan. Content reduced to make it simpler. Amended text to refer to the current NPPF. Some resource information from previous section 2 included.

Previous Section 2 Resources

Majority deleted as information generally not relevant to the purpose of the local enforcement plan, as set out in the introduction. Resource information included in introduction. Priorities included in a dedicated section, to ensure this information is easily available for customers.

Section 2 What is a breach of planning control?

Change of heading from previous section 2 which was “Breaches of planning control”. Information simplified to be more customer friendly.

Section 3 Our approach to dealing with alleged breaches of planning control

Heading changed from previous section 4, ‘Approaches to dealing with a planning enforcement enquiry’ to ‘our approach to dealing with alleged breaches of planning control’ to clarify that this is the Gloucester approach. Information contained within the previous section 4 separated out and included in additional sections, to make it easier for customers to find relevant information.

Section 4 Reasons for not investigating cases or for closing cases.

New section, as set out above. More detailed information included, to provide improved transparency about why certain cases are not investigated and the circumstances where cases will be closed.

Section 5 Prioritising breaches and timescales

Previous information on prioritising breaches was included in Appendix A and customer service standards in Appendix B. This information has been incorporated in the main body of the document in a new section 5.

Priorities: The following amendments have been made:

- *High priority: Removed 'highly visible adverts' and 'unauthorised change of use, likely to result in a serious loss of amenity to local residents' as these do not fall within the definition of irreversible harm*
- *Medium priority: Added unauthorised change of use, likely to result in a serious loss of amenity to local residents' to take account of removal from high priority. Added building works in a conservation area as planning law requires that development preserves and/or enhances conservation areas.*
- *Low priority: Changed to 'lower' priority as these breaches are still important to complainants. Reworded to be more succinct and advertisements added as proposal is to remove from high priority. In most cases, there is other legislation that can require the removal of unacceptable advertisements more quickly than planning legislation.*

Timescales: The timescales in the current local enforcement plan (Appendix A, page 10) provide that:

High: A site visit and investigations will be commenced as soon as possible

Medium: A site visit and investigations will usually be commenced within 5 working days

Low: A site visit and investigations will be commenced within 10 working days

A separate service standard includes a target of acknowledging all complaints within 5 working days.

The current timescales do not involve any engagement with customers or have a focus on outcomes. There is no timescale for the completion of an initial assessment or for informing the complainant of the outcome of the initial investigation.

Therefore, it is proposed that the timescales be amended to provide for customer updates and an initial assessment.

The timescales have been increased to reflect the focus on an initial assessment and also to take account of planning enforcement officer capacity. The service now has one planning enforcement officer. There were 2 planning enforcement officers when the current local enforcement plan was adopted in 2015.

Section 6 Negotiations/Inviting applications

Moved from previous section 4 and separate section clarity provided in relation to the circumstances where it would be considered appropriate to invite a planning application.

Section 7 Expediency

A new section that contains the information that was previously in section 4. This provides more detailed information including the considerations that will affect judgements on expediency. Text amended to refer to relevant manager as post names can change frequently.

Section 8 Enforcement Tools

Previously section 5, 'Powers'. Links added to the planning practice guidance for further information.

Section 9 Monitoring

Previously section 6. No changes proposed.

Section 10 Information, Reporting and Publicity

Reference to internal record keeping removed, this is an operational matter rather than being relevant to the local enforcement plan. Amended to remove reference to decision notices and S106 agreements being on the website, this information is now available on the planning enforcement web page.

Amended the frequency of reporting to planning committee on the general performance of the service from every three months to twelve months, to reflect current planning enforcement officer capacity.

Section 11 -Privacy Statement

New section, The Data Protection Act (2018) requires public bodies to publicise how they process and use personal data which is included in a privacy statement. This new section includes a link to the planning enforcement privacy statement which was published after the current plan was adopted.

Abbeydale

21/00759/OUT
52 The Wheatridge Gloucester GL4 4DJ
Erection of 2 no. Detached Dwellings (outline).
G3Y 19/11/2021

MILLD

21/01168/FUL
8 Ashton Close Gloucester GL4 5BP
Proposed First Floor Extension at Front
G3Y 26/11/2021

RHIAM

Abbeymead

21/00378/FUL
7 Hadrians Way Gloucester GL4 5DD
Two Storey Extension to rear of property
G3Y 24/11/2021

MILLD

21/00738/FUL
24 Farmington Close Gloucester GL4 4XA
Two Storey Side Extension
G3Y 12/11/2021

MILLD

Barnwood

21/01096/ADV
Unit 1 Centre Severn Barnwood Link Road Gloucester GL4 3HR
4 x non-illuminated wordmark signs on the northern, eastern, southern and western elevations and 47 non-illuminated signs across the site
GFY 17/11/2021

CJR

21/01126/LBC
183 Barnwood Road Gloucester GL4 3HH
Remove existing cement render from gable end wall external side. To be then rendered with a suitable lime render.
G3L 26/11/2021

MILLD

Barton & Tredworth

20/01200/FUL

ELENJ

50 Conduit Street Gloucester GL1 4TU

Single storey extension and erection of a detached playroom and store to the rear garden, alterations to existing house.

G3Y 05/11/2021

21/00492/LAW

ELENJ

2 Leonard Road Gloucester GL1 4PQ

ALTERATION OF DOOR AND WINDOW POSITIONS AND REMOVAL OF INTERNAL WALLS

LAW

25/11/2021

21/00550/FUL

ELENJ

56 Clement Street Gloucester GL1 4JW

Two storey extension to rear of dwelling

G3Y 08/11/2021

21/00586/FUL

ELENJ

94 Alfred Street Gloucester GL1 4BY

Single Storey Rear & Side Extension

G3Y 02/11/2021

Coney Hill

21/01187/FUL

RHIAM

35 Ashgrove Avenue Gloucester GL4 4NF

NEW PORCH AND FIRST FLOOR EXTENSION TO REAR

G3Y 29/11/2021

Elmbridge

20/01270/LAW

BICKN

248 Cheltenham Road Gloucester GL2 0JW

Loft Conversion to provide additional bedroom and en-suite

LAW 22/11/2021

21/00523/FUL	ELENJ
83 Elmbridge Road Gloucester GL2 0NU	
Extend existing drop kerb (Class 3 Classified Road)	
G3Y 02/11/2021	
21/00732/FUL	ELENJ
105 Lavington Drive Gloucester GL2 0HR	
Proposed two storey side extension. Relocation of existing parking to front	
G3Y 19/11/2021	
21/00802/FUL	ELENJ
248 Cheltenham Road Gloucester GL2 0JW	
Single storey side and rear extension with raised summer room to prevent losing flood water storage capacity	
REF 24/11/2021	
21/00869/FUL	BICKN
16 Riversley Road Gloucester GL2 0QT	
Replacement of existing garage with a 2 storey side extension	
G3Y 30/11/2021	
21/00950/FUL	BICKN
5 Coltman Close Gloucester GL1 3QJ	
Two storey side extension and single storey front lean-to extension	
G3Y 23/11/2021	
21/01086/FUL	ELENJ
166 Elmbridge Road Gloucester GL2 0PH	
Proposed two storey side and rear extension to 166 Elmbridge Road	
G3Y 09/11/2021	

Hucclecote

21/00044/FUL	FISHM
34 Fieldcote Drive Gloucester GL3 3EP	
Single-storey extension to front and alterations to front dormer.	
G3Y 08/11/2021	

21/00130/FUL	FISHM
47 Spencer Close Gloucester GL3 3EA	
Proposed side extension	
G3Y	18/11/2021
21/00803/FUL	FISHM
92 Hucclecote Road Gloucester GL3 3RU	
Remodelling of bungalow to include single storey front extension, loft conversion including new dormers and rooflights, single and two storey rear extension, plus new doors and windows.	
G3Y	17/11/2021
21/00889/FUL	FISHM
57 Churchdown Lane Gloucester GL3 3QJ	
SINGLE AND TWO STOREY EXTENSION TO REAR WITH NEW PORCH TO FRONT	
G3Y	22/11/2021
21/01028/FUL	RHIAM
144 Chosen Way Gloucester GL3 3DA	
Proposed two storey extension to side and rear of property with associated works	
G3Y	26/11/2021

Kingsholm & Wotton

20/00576/FUL	ELENJ
92 Kingsholm Road Gloucester GL1 3BB	
Demolition of existing rear single storey flat roofed extension and construction of new single storey pitched roof extension to the rear of the property. Internal refurbishment of kitchen area. Addition of a new porch to the front of the property.	
G3Y	17/11/2021
21/00539/FUL	ELENJ
3 Oxford Terrace Gloucester GL1 3NT	
Proposed first floor rear extension.	
G3Y	16/11/2021
21/00767/FUL	ADAMS
Gloucester Rugby Football Club Kingsholm Road Gloucester GL1 3AX	
Proposed replacement pitch including drainage infrastructure	
G3Y	09/11/2021

21/01115/TRECON

JJH

11 Denmark Road Gloucester GL1 3HZ

Copper Beech (*Fagus sylvatica* 'Purpurea') - T1 - Reduce the overhang of the canopy, to the north-west side of the tree, to reduce the shading and falling debris into the garden of number 13. Taking 2 to 3 metres off back into the inner canopy.

TPDECS 10/11/2021

Kingsway

21/01127/LAW

MILLD

3 Bampton Castle Way Kingsway Quedgeley Gloucester GL2 2FJ

Installation of front elevation roof windows. Construction of rear Dormer

LAW 26/11/2021

Longlevens

21/00214/FUL

ELENJ

40 Oxstalls Drive Gloucester GL2 9DE

2 Storey Side and Rear extension

G3Y 12/11/2021

21/00254/FUL

ELENJ

1 Haydale Gardens Gloucester GL2 0DJ

Demolition of existing conservatory and garage, and erection of a single storey extension

REF 05/11/2021

21/00754/FUL

BICKN

64 Park Avenue Gloucester GL2 0EQ

Proposed side 2 storey and rear single storey extension

G3Y 24/11/2021

21/00979/FUL

BICKN

1A Richmond Gardens Gloucester GL2 0DS

Demolition of single storey garage to be replaced with new double storey side extension

G3Y 30/11/2021

21/01134/FUL BICKN
22 Old Cheltenham Road Gloucester GL2 0AW
Proposed single storey and 2 storey extension to rear of property
REFUSE 30/11/2021

Matson & Robinswood

21/00690/FUL FISHM
14 Marlborough Road Gloucester GL4 6GE
PART SINGLE STOREY AND TWO STOREY SIDE AND REAR EXTENSION
G3Y 08/11/2021

21/00937/NMA JOLM
Land South Of Winnycroft Farm Corncroft Lane Gloucester GL4 6BX
Variation of house types including 67 Maidstone housetypes replaced with a newer Maidstone housetype, 11 Kenley housetypes replaced with the Denford housetype and 61 Maidstone housetypes replaced with the Ellerton housetype as permitted under reserved matters 18/01141/REM and minor changes to dwelling pathway alignments.
NOS96 23/11/2021

Moreland

19/00605/FUL ELENJ
23 Sydenham Terrace Gloucester GL1 5EA
Single and two storey extensions to enable extension of existing takeaway and creation of self-contained residential first floor flat
REF 09/11/2021

21/00826/FUL MILLD
225 Stroud Road Gloucester GL1 5JU
Demolition of the existing single storey rear extension. A single storey extension and a new dormer to existing roof, timber frame dormer with a finish to match existing roof
G3Y 12/11/2021

21/00899/FUL MILLD
301B Stroud Road Gloucester GL1 5LB
Proposed extension to existing property including raised ridge height to allow first floor with associated works
G3Y 03/11/2021

21/01014/FUL

BICKN

125 Calton Road Gloucester GL1 5ES

Replace Existing Garage with Purpose Built Single Storey Bedroom, Wet Room & Carers Room for Disabled Person

REF

03/11/2021

Quedgeley Fieldcourt

21/00846/FUL

ADAMS

Plot H Kingsway Business Park Quedgeley Gloucester

Erection of a building for use as a builders' merchant (storage, distribution, trade counter, offices and ancillary sales) along with associated access, landscaping, engineering operations and associated ancillary works.

G3Y

03/11/2021

Quedgeley Severn Vale

21/00770/FUL

MILLD

1 Gazelle Close Quedgeley Gloucester GL2 4NS

Raise ridge height by 1m for loft conversion

G3Y

05/11/2021

Tuffley

19/00887/FUL

FISHM

5 Birchwood Fields Gloucester GL4 0AL

To create a loft style conversion

G3Y

30/11/2021

21/00290/FUL

MILLD

12 Firwood Drive Gloucester GL4 0AB

Retention of a wooden extension to second floor to produce an ensuite to front bedroom and family bathroom

REF

26/11/2021

21/00645/FUL MILLD
157 Finlay Road Gloucester GL4 6SE
Demolition of existing garage and erection of small single storey annexe for elderly parent.
G3Y 25/11/2021

21/00875/FUL FISHM
8 Brookthorpe Close Gloucester GL4 0LJ
Creation of a loft conversion with a rear dormer and Juliet balcony
G3Y 02/11/2021

Westgate

20/01124/FUL MILLD
The Famous Pint Pot 74 Bruton Way Gloucester GL1 1EP
First floor extension to provide 2 no. flats
G3Y 03/11/2021

21/00822/CONDIT MILLD
18 Brunswick Square Gloucester GL1 1UG
Condition 3 - Bike storage area - Secure enclosed bike storage area, for 12 bikes, is provided to the rear of the existing building.
ALDIS 05/11/2021

21/00835/CONDIT ADAMS
5 Park Road Gloucester GL1 1LH
Discharge of Conditions 16, (Flood evacuation management plan), 21 (biodiversity enhancement), 22 (sustainability measures), 30 (cycle parking), 32 (electric vehicle charging), and 35 (fall prevention) of permission ref. 19/00296/FUL
ALDIS 16/11/2021

21/00873/CONDIT ADAMS
Land At Bakers Quay Llanthony Wharf And Monkmeadow Bounded By
Partial discharge of Condition 43 (land remediation) of permission ref. 18/00685/FUL for Phase G (Monk Meadow) of the site - verification reports for soft landscaping areas Blocks 18 and 20
PADIS 10/11/2021

21/01036/LBC ADAMS
Canal And River Trust Docks Office Commercial Road Gloucester GL1 2EB
External works to Grade 2 listed building comprising of repairs to windows and replacement windows.

G3L 09/11/2021

21/01069/FUL ADAMS
111 Eastgate Street Gloucester GL1 1PY

Change of use from office to twelve flats (use class C3) with an office retained on the second floor, erection of wall and railings to front, alterations to frontage area, steps to rear, works to outbuilding to rear, provision of car parking, and associated external works.

G3Y 18/11/2021

21/01138/CONDIT ADAMS
Former Gloucester Prison Barrack Square Gloucester GL1 2JN

Partial discharge of Conditions 26 (part A - Demolition Phase Construction and Environmental Management Plan - for all phases of the development) and Condition 43 (Construction Method Statement (highways matters) - for phase 1 of the development) of permission ref. 19/01314/FUL

PADIS 03/11/2021

21/01155/CONDIT ADAMS
Land East Of Hempsted Lane Hempsted Lane Gloucester

Discharge of Condition 2 (septic tank remediation) of reserved matters approval
21/00389/FUL

PADIS 25/11/2021

DECISION DESCRIPTIONS ABBREVIATIONS

AAPRZ:	Prior Approval Approved
ALDIS:	All Discharged
AR:	Approval of reserved matters
C3C:	Conservation Area Consent for a period of 3 years
CAC:	Conservation Area Consent
ECREF:	PDE Refused - Commenced
ENOBJ:	No Objections
ENPDEZ:	PDE Decision – No objections
EOBJ:	PDE Decision - Objection
G3L:	Grant Listed Building Consent for a period of 3 Years
G3Y:	Grant Consent for a period of 3 Years
GA:	Grant Approval
GATCMZ:	Grant approval for telecommunications mast
GFY:	Grant Consent for a period of Five Years
GLB:	Grant Listed Building Consent
GLBGOS:	Grant Listed Building Consent subject to Government Office of South West clearance
GOP:	Grant Outline Permission
GOSG:	Government Office of South West Granted
GP:	Grant Permission
GSC:	Grant Subject to Conditions
GTY:	Grant Consent for a period of Two Years
GYO:	Grant Consent for a period of One Year
LAW:	Certificate of Law permitted
NOB:	No objections
NOS96	No objection to a Section 96 application
NPW:	Not proceeded with
OBJ:	Objections to County Council
OBS:	Observations to County Council
PADIS	Part Discharged
PER:	Permission for demolition
RAD:	Refuse advert consent
REF:	Refuse
REFLBC:	Refuse Listed Building Consent
REFREA:	Refuse
REFUSE:	Refuse
RET:	Returned
ROS96:	Raise objections to a Section 96 application
RPA:	Refuse Prior Approval
SCO:	EIA Screening Opinion
SPLIT:	Split decision
TCNOB:	Tree Conservation Area – No objection
TELPRI:	Telecommunications Prior Approval
TPDECS:	TPO decision notice
TPREF:	TPO refuse
WDN:	Withdrawn