

Members' Planning Training 2017

Monitoring & Enforcement

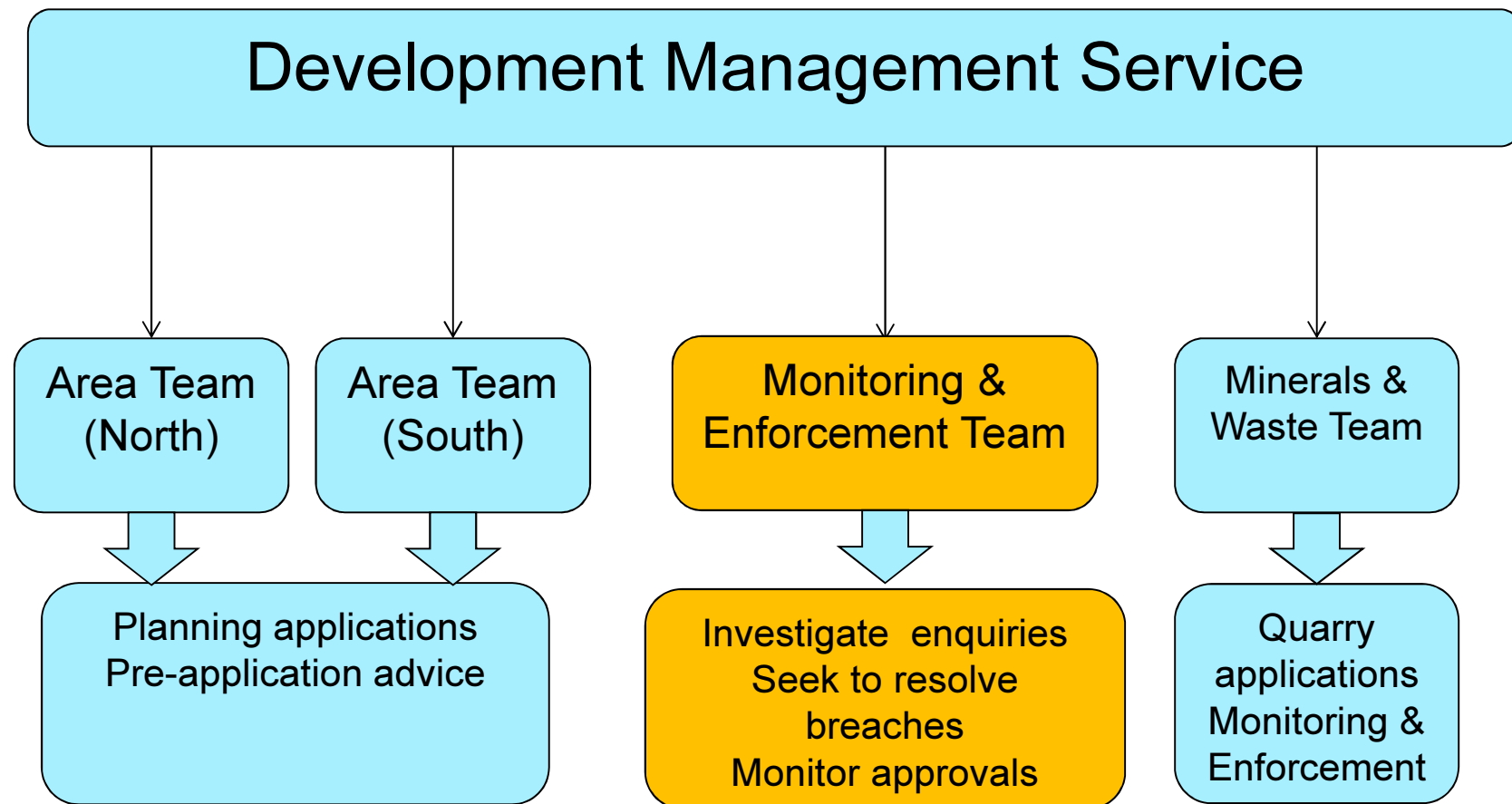




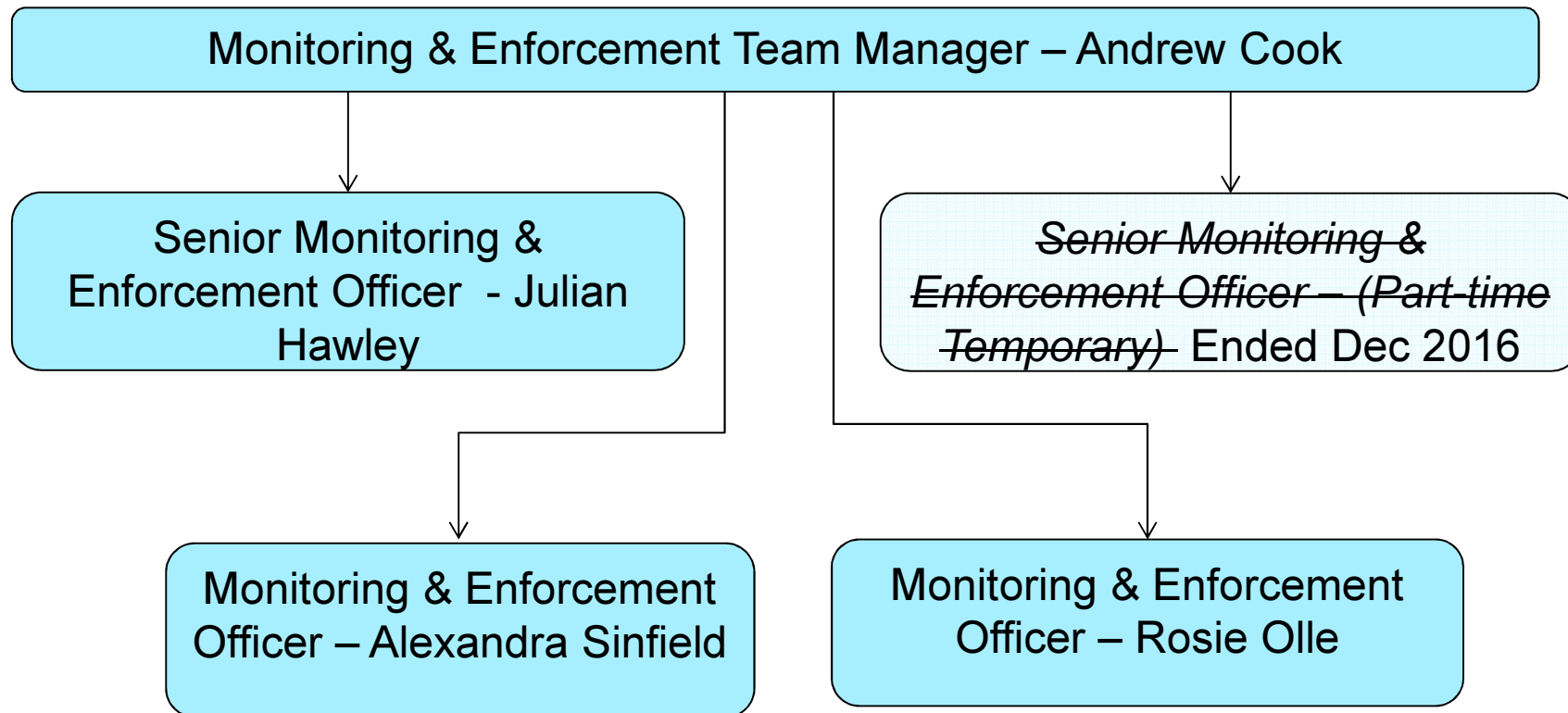
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Introduction



Introduction



Introduction

- Investigate enquiries about possible breaches of planning control and where breaches are found, seek a resolution
- We investigate around 400 enquiries per year
- About 160 breaches discovered (40%)
- Carry out selective monitoring of approved developments

Introduction

- 10-15 Formal Notices issued each year
- 130-140 Enforcement Cases resolved each year
- 4-5 Enforcement appeals handled each year

Other Work

- Housing completion statistics
- Caravan rallies

Monitoring

- In Feb 2017 we started formal monitoring of approved developments
- Previously done on an ad hoc basis and in response to enquiries
- 800 applications decided in 2016/17 of which 600 were approved
- Limited resources so focussing on new-build dwellings and conversion of buildings to dwellings (including holiday accommodation) – 90 dwellings completed in 2016/17
- Also monitoring large schemes (e.g. Newburgh Site, Bradwell and Aldi, Bakewell)
- May expand in the future to include other types of development

Monitoring

- Aim is to ensure development is proceeding in accordance with approved plans and conditions
- Joint working with planning caseworkers
- Visible on-site presence
- Identify and deal with issues early on to prevent them becoming bigger issues
- In the longer-term our workload may decrease
- Has work started? commencement slips
- Local knowledge – e.g. Parish Councils, Members
- Will also continue to investigate enquiries relating to all types of approved developments

Local Enforcement Plan

Paragraph 207 of the National Planning Policy Framework (March 2012) stated:

*“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.**”*

Local Enforcement Plan

- Authority's LEP adopted in June 2013
- Published on website – see <http://www.peakdistrict.gov.uk/planning/planning-enforcement>
- What is a breach of planning control?
- How do I report a possible breach of planning control?
- Investigation process
- In what circumstances can we take action?
- What are our priorities?

Expediency

- Carrying out development without planning permission is not a criminal offence
- Taking enforcement action is discretionary
- Consider the level of any harm caused – e.g. harm to the landscape, impact on highway safety, privacy of local residents
- Assess against the relevant local policies (Core Strategy, Saved Local Plan) and government guidance (NPPF)
- If planning application had been made is it likely to have been approved? If yes, then probably not expedient to take enforcement action
- Any action taken must be proportionate with the breach of planning control to which it relates.



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Any Questions?

<http://www.peakdistrict.gov.uk/planning/planning-enforcement>