



Enforcement and Trees Team

Quarterly Report

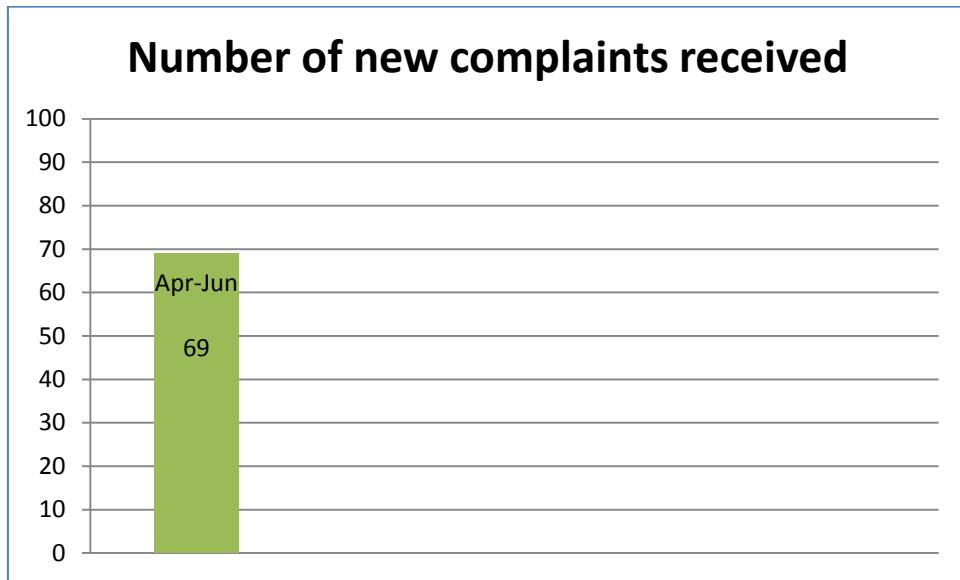
April - June 2017

1.0 Introduction

1.1 This report summarises the level of enforcement activity undertaken within the National Park for the period April - June 2017, the first quarter of the 2017-2018 year. The report also details the number of Tree Work Applications that have been submitted in the joint National Park and District Council areas as well as the number of Tree Preservation Orders that have been served.

2.0 Number of New Enforcement Complaints

2.1 Much of our work is concerned with responding to reports about possible breaches of planning control. This quarter has seen 69 new cases reported. However, it should be remembered that we monitor compliance with planning conditions and have minerals and waste and agricultural occupancy programmes of work in order to monitor these sites. These proactive programmes of work involve the periodic monitoring of around 125 additional sites.



2.2 Two of our local key performance indicators are to acknowledge 90% of enforcement complaints within three working days and to carry out an initial enforcement investigation on 90% of all concerns raised within 15 working days of receipt. This quarter we have acknowledged 98% of all enforcement complaints within three working days and investigated 94% of all enforcement concerns received within 15 working days.

% complaints acknowledged within 3 working days



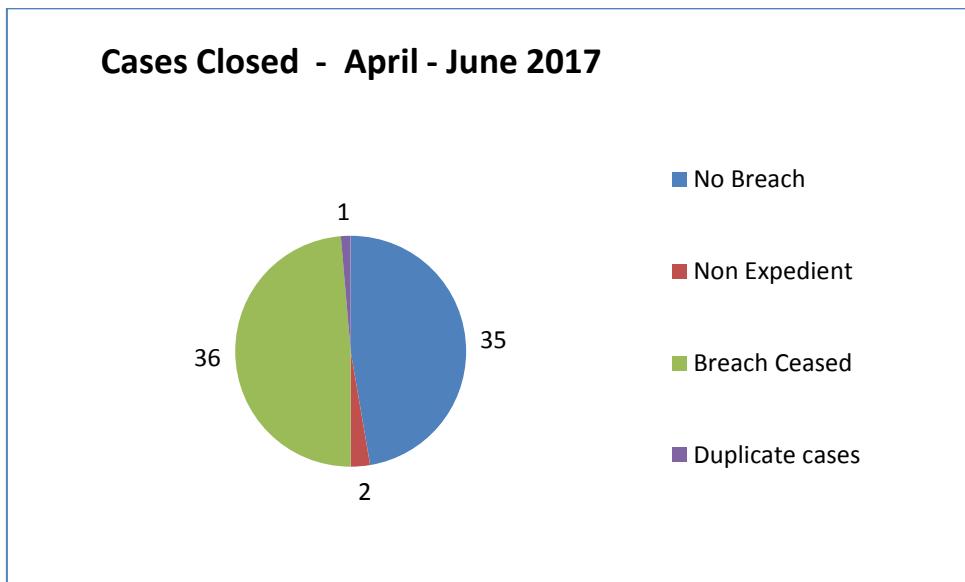
% cases investigated within 15 working days



3.0 Number of Enforcement Cases Closed

3.1 We have closed 74 cases during this quarter. Of these, 35 were closed as 'no breach of planning control', where it was found that the development either had the benefit of planning permission, fell within 'permitted development' tolerances or did not constitute 'development' within the meaning of the Town and Country Planning Act. The percentage of new concerns brought to our attention that were not breaches of planning control remains at around 50% of the concerns received for the year. All cases require investigation, and do take a considerable amount of time, which can delay proceeding with cases where breaches of planning control have occurred.

3.2 Thirty six cases were closed during this quarter as the identified breach of planning control had ceased, either as a result of the owner agreeing to remove or cease the unauthorised development, comply with an Enforcement Notice or as a result of retrospective planning permission having been granted.



4.0 Enforcement Notices

4.1 This quarter we have served one Enforcement Notice directed against an unauthorised residential mobile home.

5.0 Enforcement Notice Compliance

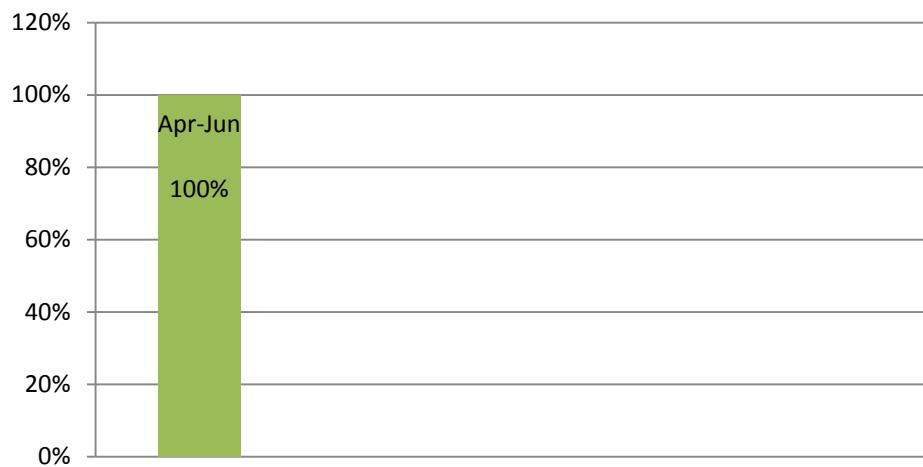
5.1 We have secured the resolution with two Enforcement Notices during the quarter where the breaches of planning control had been rectified. The first related to the removal of an earth bund along a road frontage and the associated storage of materials. The second related to a pond where a revised scheme was subsequently negotiated to make the development acceptable in planning terms.

5.2 Our remaining local key performance indicators are to check compliance with 90% of Enforcement Notices within five working days of the compliance date and to initiate action within 15 working days in circumstances where there has been a failure to comply with an Enforcement Notice. During this quarter we have visited 100% of these sites and initiated action, where necessary, in 100% of cases in accordance with these timescales.

% Enforcement Notices checked for compliance



% Action initiated for non compliance



6.0 Tree Work Applications

- 6.1 During the quarter the Team received 213 Tree Work Applications relating to various works to trees both within Conservation Areas and the subject of Tree Preservation Orders.
- 6.2 The Team issued 240 Tree Work Decisions, 98% within the target deadline.

Tree Work Applications received



Tree Work Applications decided



7.0 Tree Preservation Orders

7.1 During the quarter the team served 17 Tree Preservation Orders in order to protect trees that were considered to be under threat and worthy of protection.

Tree Preservation Orders served



8.0 Retrospective Planning Applications

- 8.1 We registered twelve retrospective planning applications during the quarter and the planning fees generated were £2,900.
- 8.2 The planning applications were in respect of the retention of a retaining wall, outbuilding, works to an outbuilding, signage, manege, decking and fencing.
- 8.3 During the quarter sixteen retrospective applications were determined of which one was refused and is now the subject of negotiation to find a suitable alternative solution. It must be noted that applications are only invited for developments which are likely to be considered acceptable hence the high proportion of applications granted.

9.0 Enforcement Appeals

- 9.1 There is currently one enforcement appeal awaiting a decision from the Planning Inspectorate.

10.0 Direct and Legal Action

- 10.1 We currently have two cases that are the subject of further action. The first case relates to a prosecution that has successfully been brought against the failure to comply with an Enforcement Notice to remove various items from agricultural land. A trial was held in May and the owner pleaded guilty and was subsequently fined £230 and the Authority was awarded £2000 to cover its costs. Further steps will now be taken, in the form of direct action, to clear the site.
- 10.2 The second case relates to the instigation of committal proceedings against the failure to obey a High Court Injunction. Further consideration is however being given to this case in light of a recent planning appeal decision.