



Enforcement and Trees Team

Quarterly Report

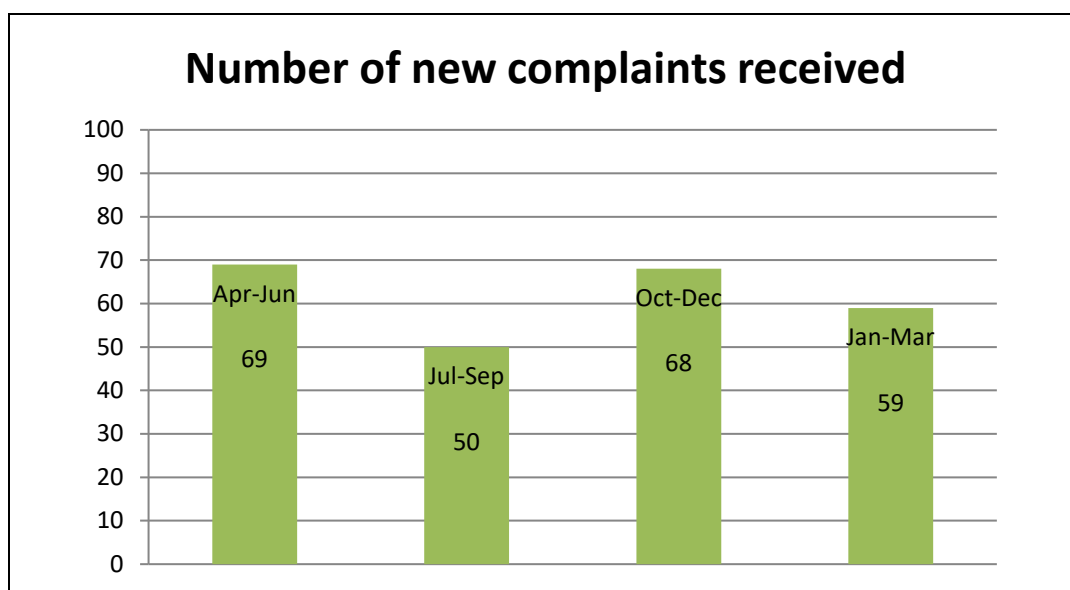
January – March 2018

1.0 Introduction

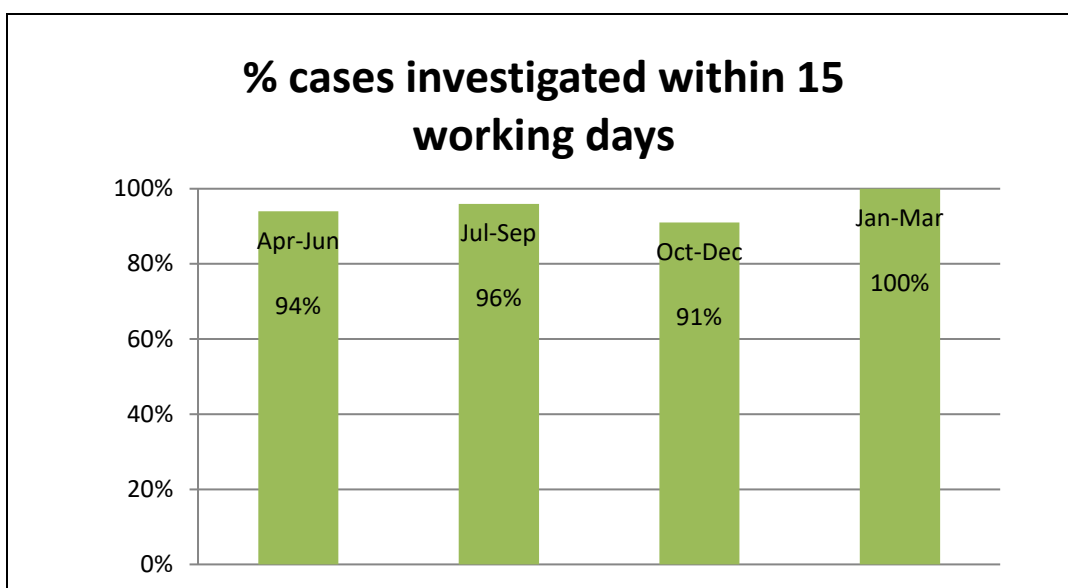
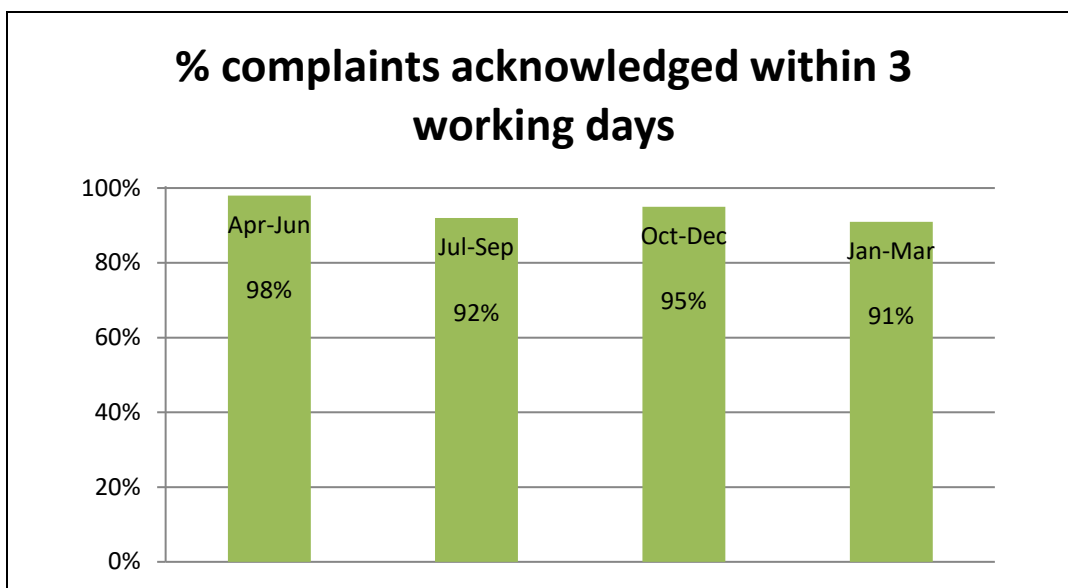
1.1 This report summarises the level of enforcement activity undertaken within the National Park for the period January – March 2018, the fourth quarter of the 2017-2018 year. The report also details the number of Tree Work Applications that have been submitted in the joint National Park and District 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 59 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.



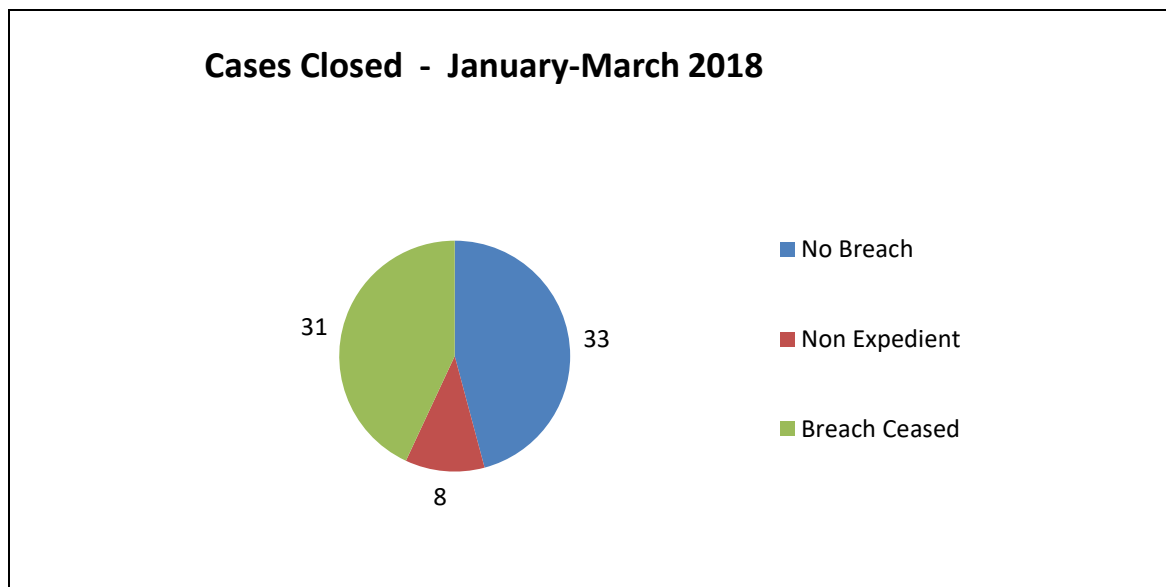
2.2 Two of our local key performance indicators are to acknowledge 90% of enforcement complaints within three working days and to carry out an initial enforcement investigation on 90% of all concerns raised within 15 working days of receipt. This quarter we have acknowledged 91% of all enforcement complaints within three working days and investigated 100% of all enforcement concerns received within 15 working days.



3.0 Number of Enforcement Cases Closed

3.1 We have closed 72 cases during this quarter. Of these, 33 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 just under 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 one 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

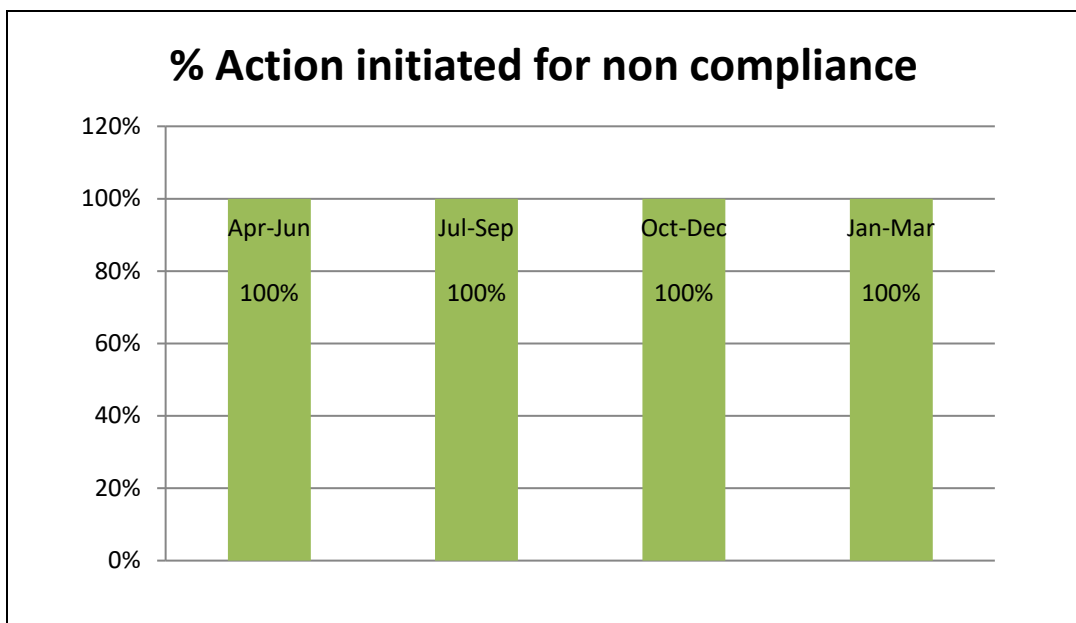
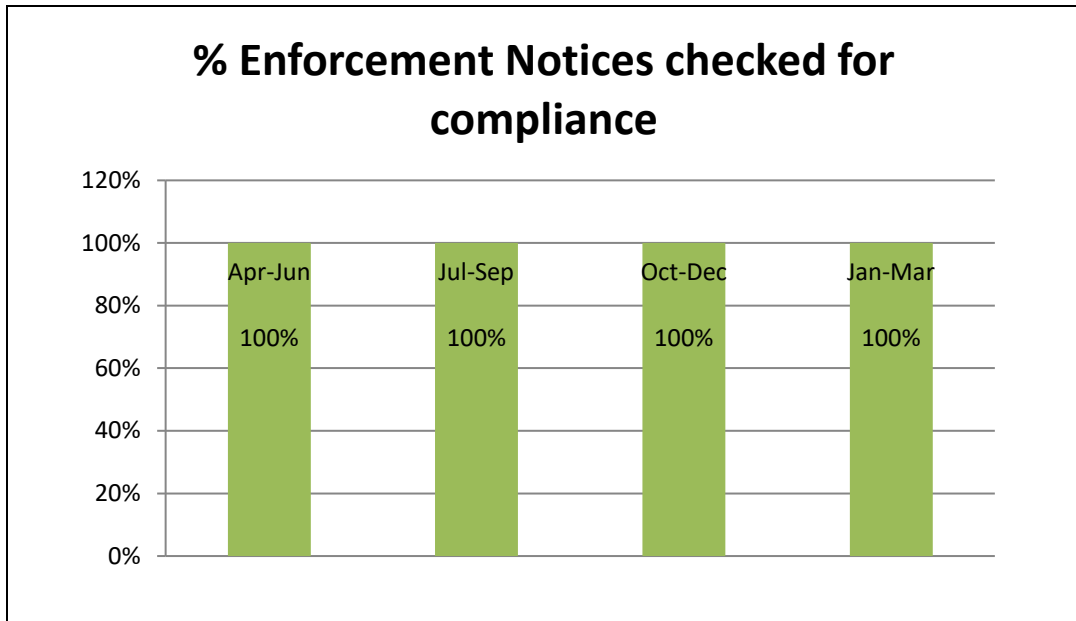
4.1 This quarter we have served the high number of eight Enforcement Notices directed against a raised platform, breach of agricultural occupancy condition, outbuildings, the storage of vehicles, windows, a building and hardstandings and a mobile home.

4.2.1 We have also served one Temporary Stop Notice directed against works to agricultural buildings.

5.0 Enforcement Notice Compliance

5.1 We have secured the resolution with two Enforcement Notices this quarter. These related to the removal of fencing and gates around a Listed Building and the cessation of open storage and a scaffolding contractors yard as well as the removal of a caravan, buildings and fencing.

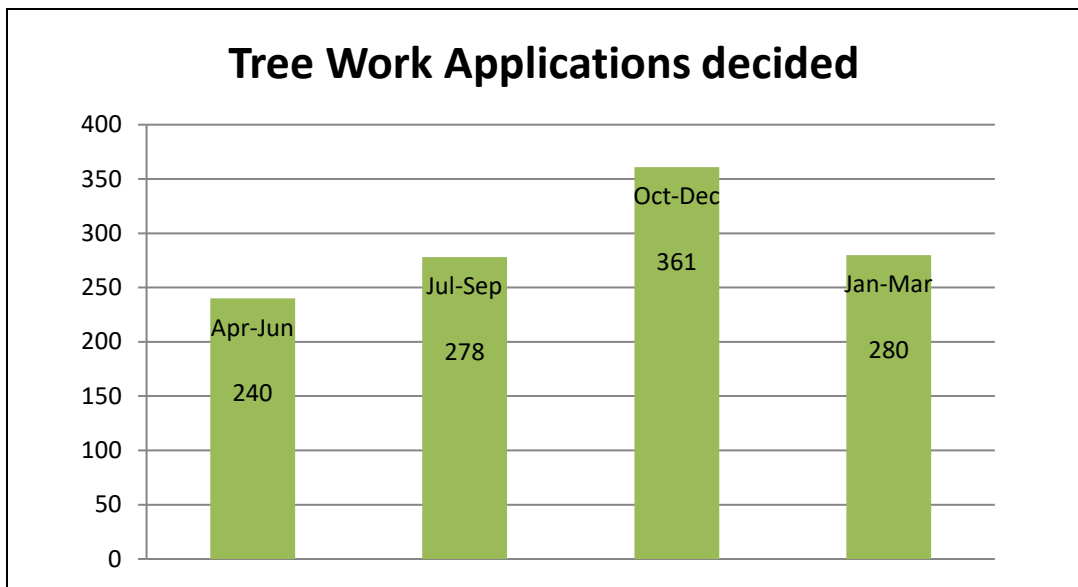
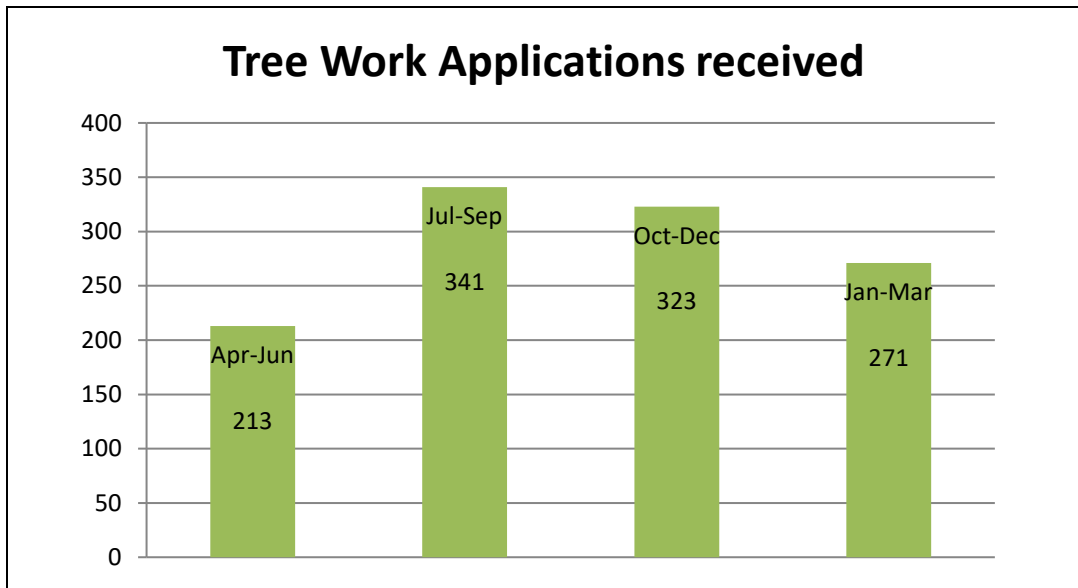
5.2 Our remaining local key performance indicators are to check compliance with 90% of Enforcement Notices within five working days of the compliance date and to initiate action within 15 working days in circumstances where there has been a failure to comply with an Enforcement Notice. During this quarter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



6.0 Tree Work Applications

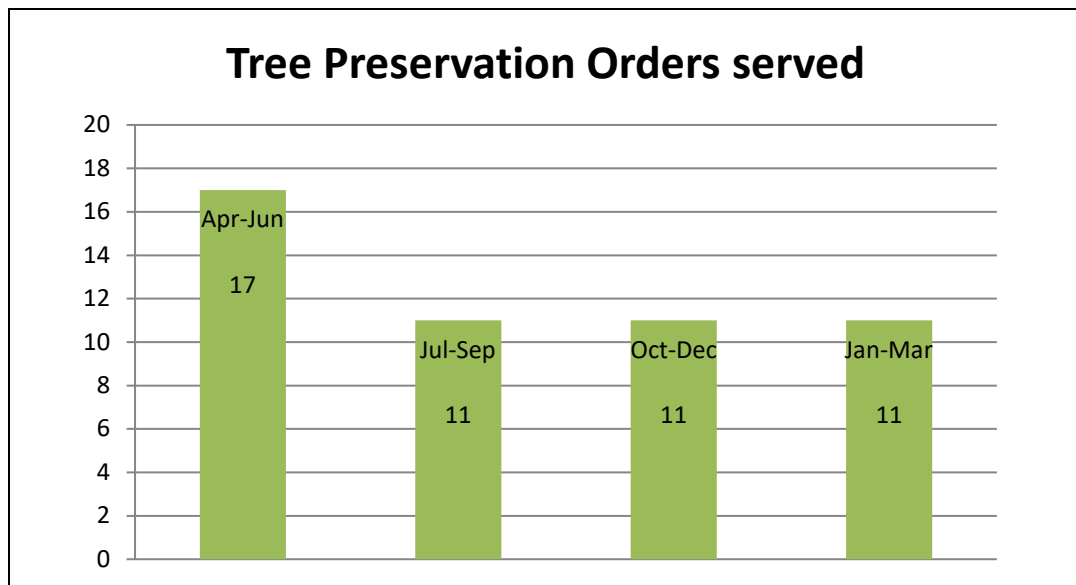
6.1 During the quarter the Team received 271 Tree Work Applications relating to various works to trees both within Conservation Areas and the subject of Tree Preservation Orders.

6.2 The Team issued 280 Tree Work Decisions, 100% within the target deadline.



7.0 Tree Preservation Orders

7.1 During the quarter the team served 11 Tree Preservation Orders in order to protect trees that were considered to be under threat and worthy of protection.



8.0 Retrospective Planning Applications

8.1 We have registered six planning applications during this quarter and the planning fees generated were £1,341. These planning applications were in respect of the retention of beach huts, a building and hardstanding, shed, agricultural building, stabling and garaging.

8.2 During the quarter we have determined 11 applications, nine of which were approved. Both refused applications were then the subject of an Enforcement Notice. It must be noted that applications are only invited if developments are likely to be considered acceptable, hence there is usually a high approval rate.

9.0 Enforcement Appeals

9.1 There are currently the high number of ten enforcement appeals awaiting a decision from the Planning Inspectorate.

9.2 As a consequence of awaiting such a volume no decisions have been received in the last quarter.

10.0 Direct and Legal Action

10.1 We have secured two successful prosecutions in the last quarter against the failure to comply with Enforcement Notices directed against fencing and gates around a Listed Building and the failure to complete the construction of a building in accordance with the approved plans, following the service of an Enforcement Notice. Both respective parties were fined and the Authority awarded its costs in taking these matters forwards.

10.2 Having made an application in December to the Royal Courts of Justice for an Injunction to secure compliance with an Enforcement Notice directed against the unauthorised stationing of a residential mobile home and construction of a track, amongst other matters, we have since attended the hearing and secured an Order which directs total compliance with the Enforcement Notices by the end of May. The failure to then do so would represent a serious offence that is liable to imprisonment.