



# **Enforcement and Trees Team**

## **Quarterly Report**

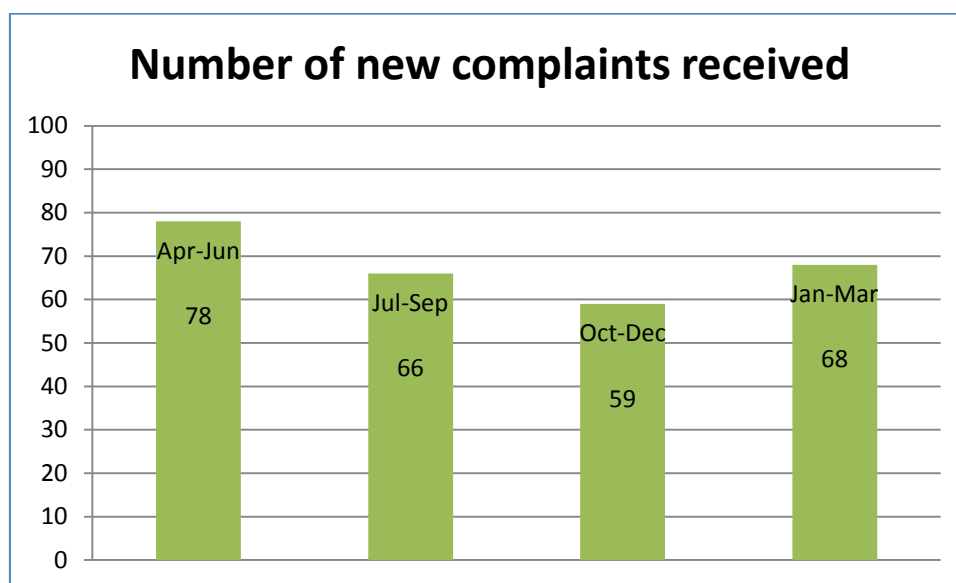
**January – March 2017**

## 1.0 Introduction

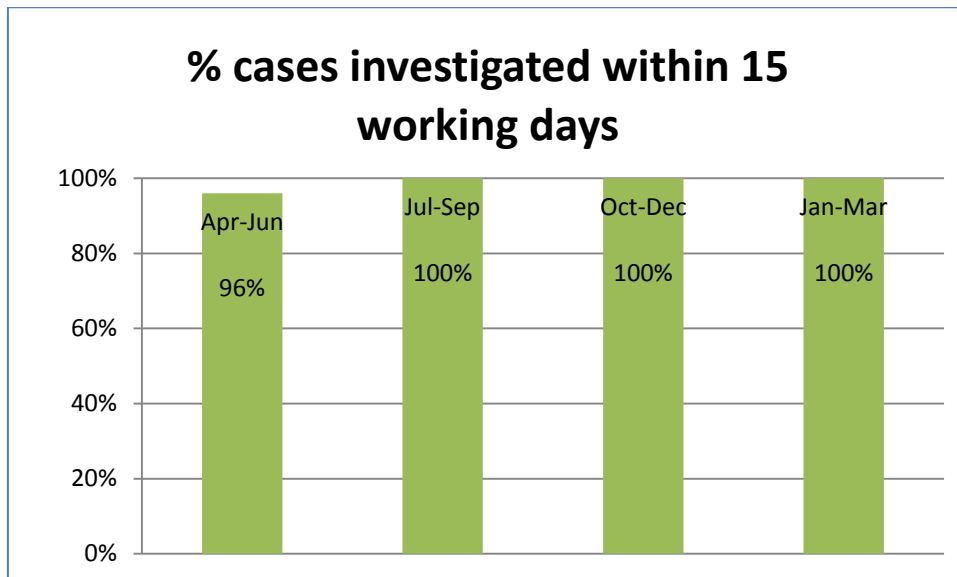
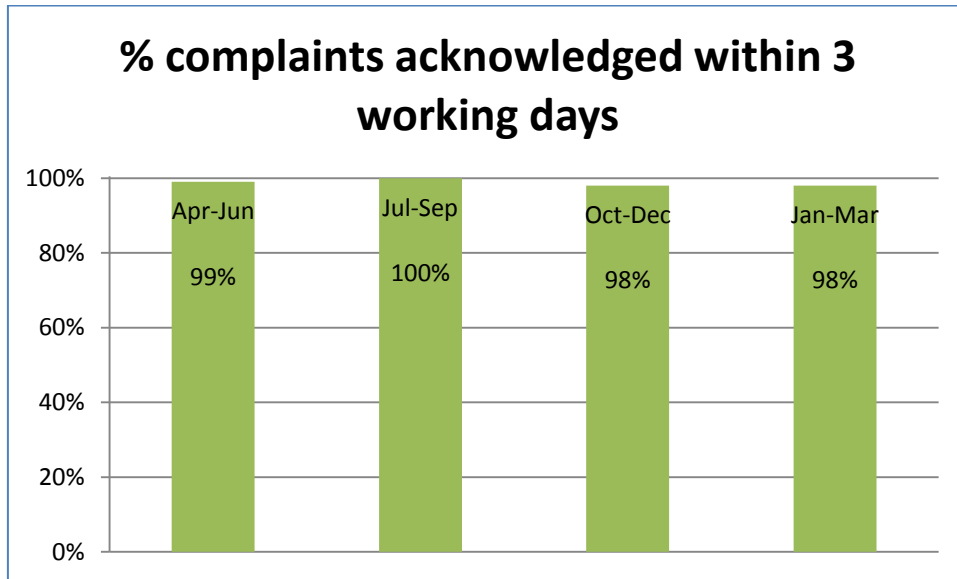
1.1 This report summarises the level of enforcement activity undertaken within the National Park for the period January-March 2017, the final quarter of the 2016-2017 year. The report also details the number of Tree Work Applications that have been submitted in the joint National Park and District Council 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 68 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.



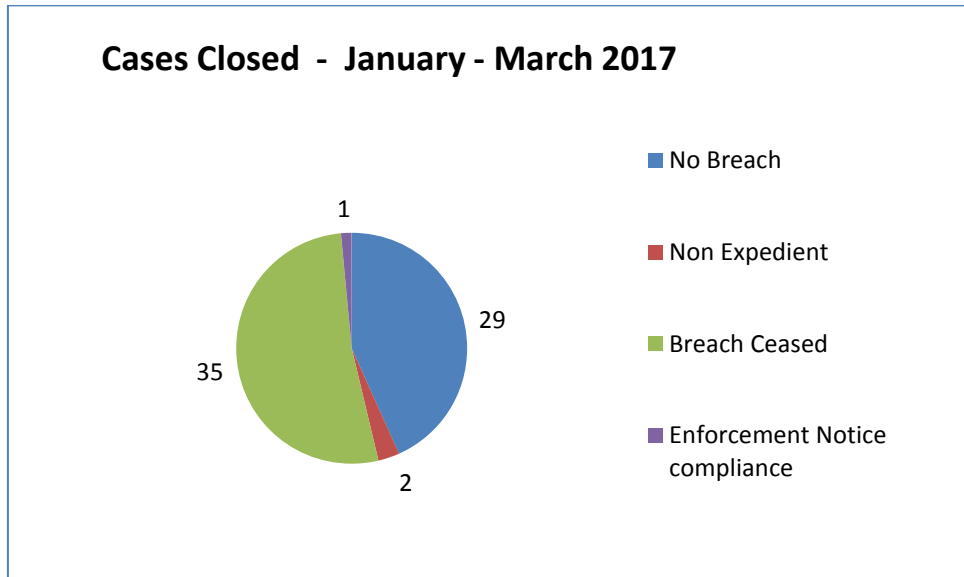
2.2 Two of our local key performance indicators are to acknowledge 90% of complaints within three working days and to carry out an initial investigation on 90% of all concerns raised within 15 working days of receipt. This quarter we have acknowledged 98% of all complaints within three working days and investigated 100% of all concerns received within 15 working days.



### 3.0 Number of Enforcement Cases Closed

3.1 We have closed 66 cases during this quarter. Of these, 29 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 five 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.



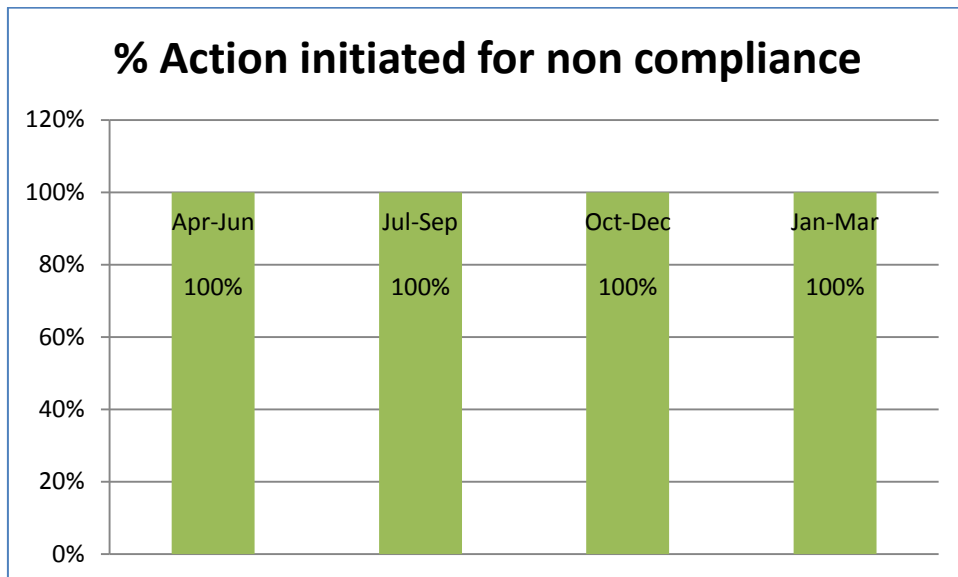
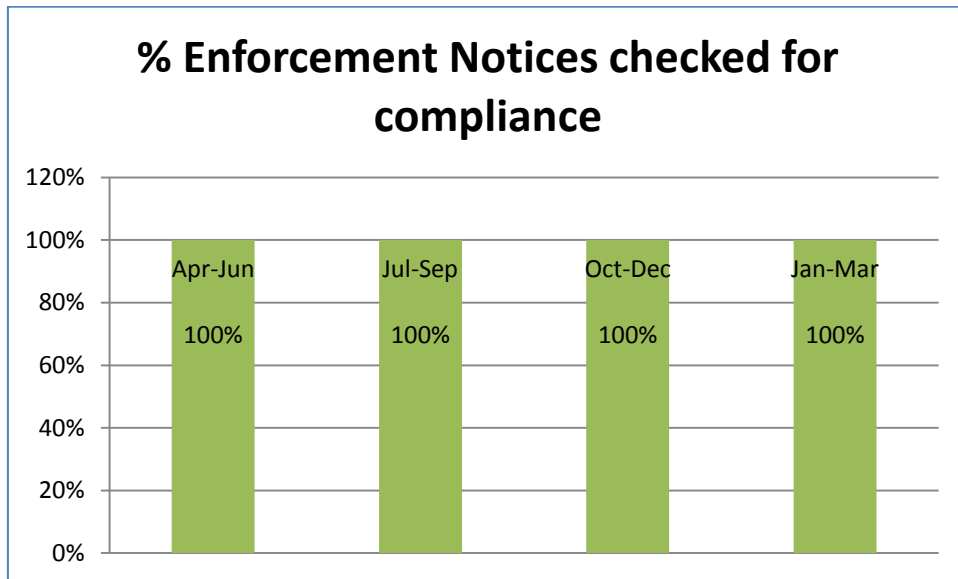
#### 4.0 Enforcement Notices

4.1 This quarter we have served one Enforcement Notice for the removal of a residential mobile home. A Temporary Stop Notice was also served on this site to cease all building works and halt the residential occupation of the mobile home.

#### 5.0 Enforcement Notice Compliance

5.1 We have secured the resolution of one Enforcement Notice during the quarter where the breach of planning control has been rectified.

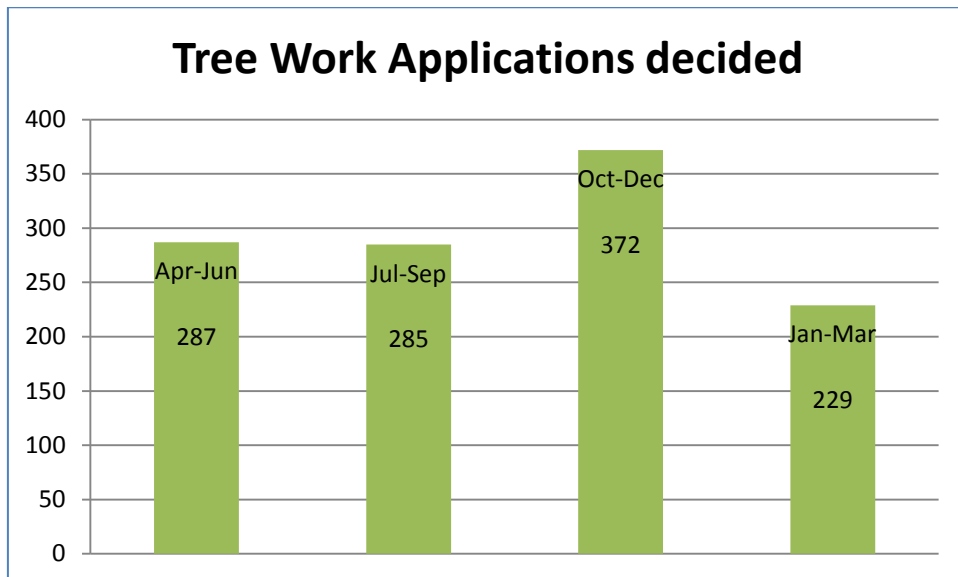
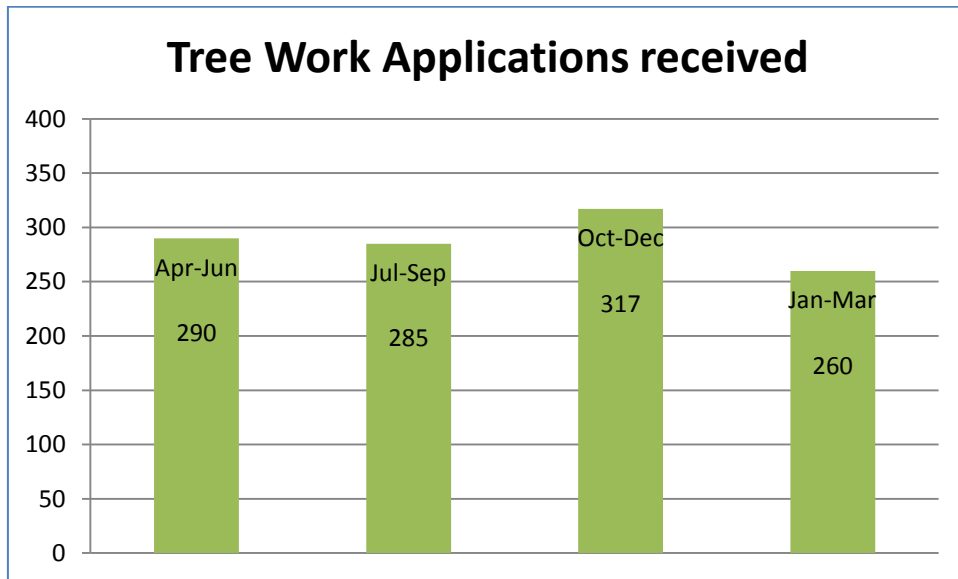
5.2 Our remaining local key performance indicators are to check compliance with 90% of Enforcement Notices within five working days of the compliance date and to initiate action within 15 working days in circumstances where there has been a failure to comply with an Enforcement Notice. During this quarter 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

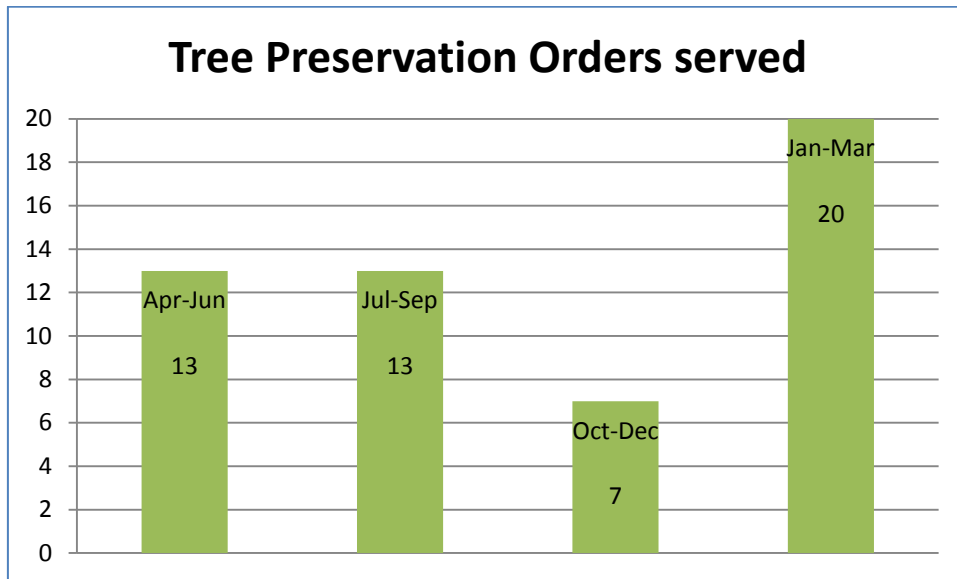
6.1 During the quarter the Team received 260 Tree Work Applications relating to various works to trees both within Conservation Areas and the subject of Tree Preservation Orders.

6.2 The Team issued 229 Tree Work Decisions, 98% within the target deadline.



## 7.0 Tree Preservation Orders

7.1 During the quarter the team served 20 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 registered sixteen retrospective planning applications during the quarter and the planning fees generated were £3,110.
- 8.2 The planning applications were in respect of the retention of a storage container and embankment, a lean-to, extension to stables, field shelter and track, signage, roof-lights, covered seating area, pond, outbuilding, extensions to houses, and hard-standings.
- 8.3 During the quarter 17 retrospective applications were determined of which four were refused and are the subject of further action and/or negotiation.

## 9.0 Enforcement Appeals

- 9.1 There is currently one enforcement appeal awaiting a decision from the Planning Inspectorate.
- 9.2 We have received four appeal decisions this quarter. One appeal, for an extension to a house, was allowed whilst the other three appeals were dismissed. Most notably, following a four day Public Inquiry, an Enforcement Notice was upheld against the unauthorised stationing of a residential mobile home on agricultural land. The owners now have six months in which to vacate and clear the site.

## 10.0 Direct and Legal Action

- 10.1 We currently have two cases that are the subject of further action. One case relates to a prosecution that is being brought against the failure to comply with an Enforcement Notice to remove various items from agricultural land. This case now progresses to a trial in May.

10.2 The second case relates to the instigation of committal proceedings against the failure to obey a High Court Injunction and alongside this Direct Action will be taken by the Authority to clear the site of the unauthorised residential mobile home and other items present at the site.