



Enforcement and Trees Team

Quarterly Report

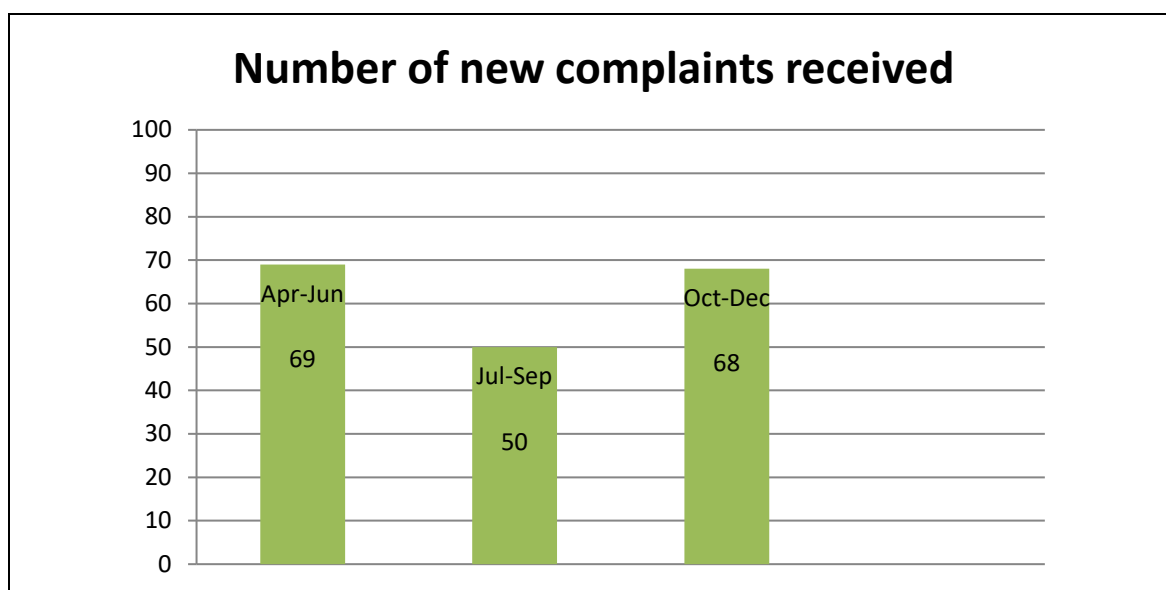
October - December 2017

1.0 Introduction

1.1 This report summarises the level of enforcement activity undertaken within the National Park for the period October – December 2017, the third 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.

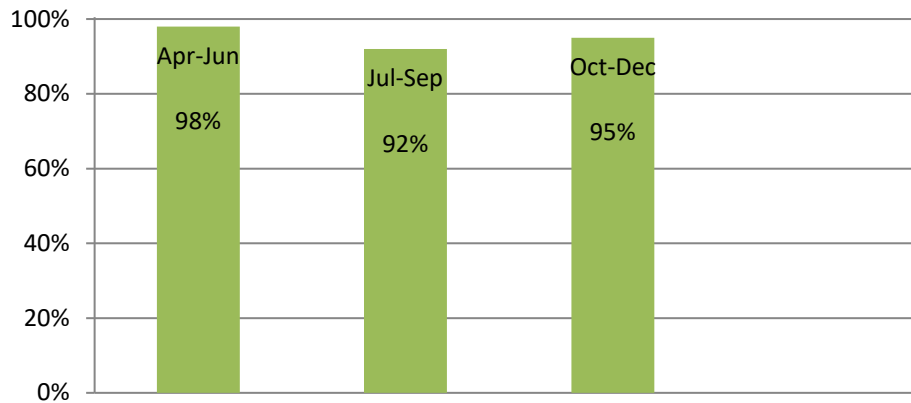
2.0 Number of New Enforcement Complaints

2.1 Much of our work is concerned with responding to reports about possible breaches of planning control. This quarter has seen 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.

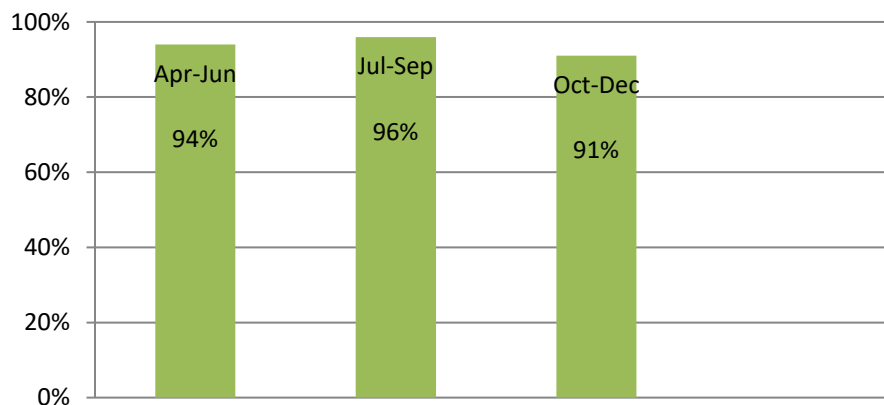


2.2 Two of our local key performance indicators are to acknowledge 90% of enforcement complaints within three working days and to carry out an initial enforcement investigation on 90% of all concerns raised within 15 working days of receipt. This quarter we have acknowledged 95% of all enforcement complaints within three working days and investigated 91% of all enforcement concerns received within 15 working days.

% complaints acknowledged within 3 working days



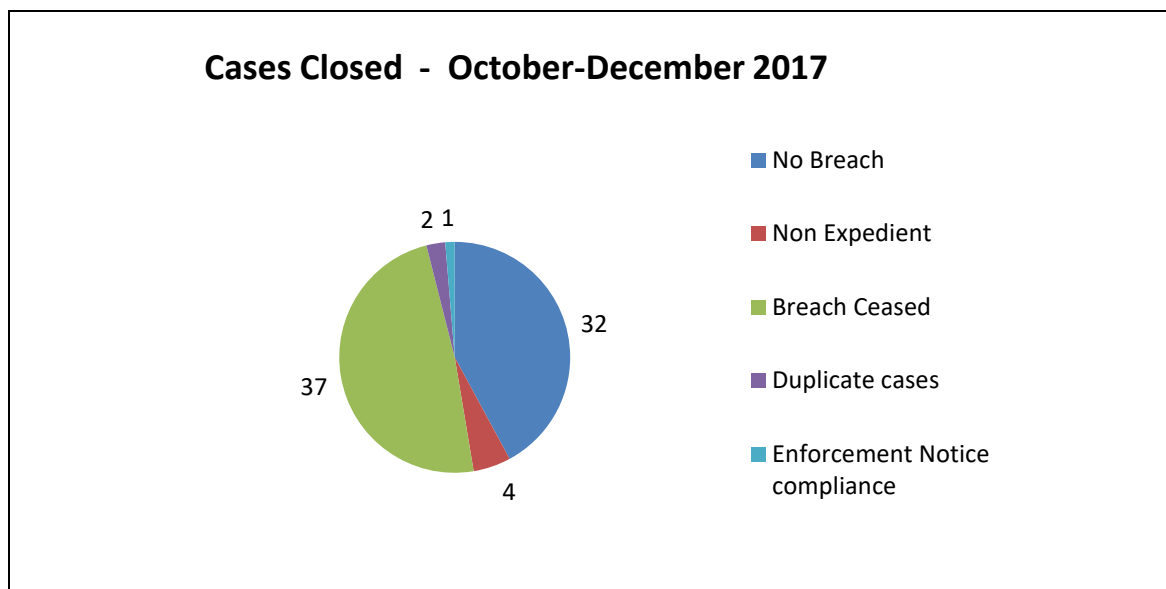
% cases investigated within 15 working days



3.0 Number of Enforcement Cases Closed

3.1 We have closed 76 cases during this quarter. Of these, 32 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 seven 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 two Enforcement Notices directed against the stationing of a mobile home and change of use of land and alterations to an outbuilding and construction of decking and verandah.

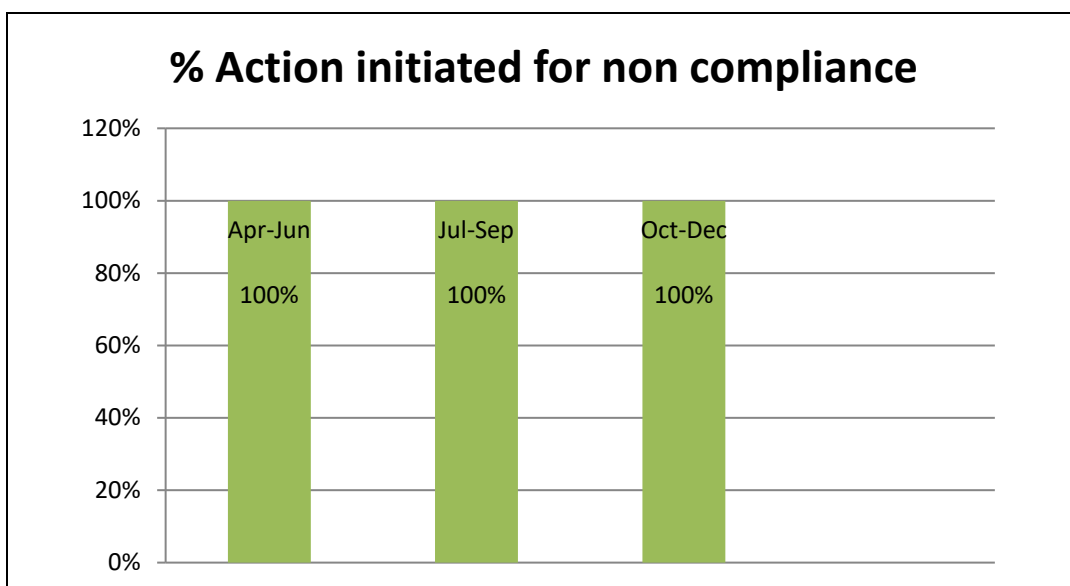
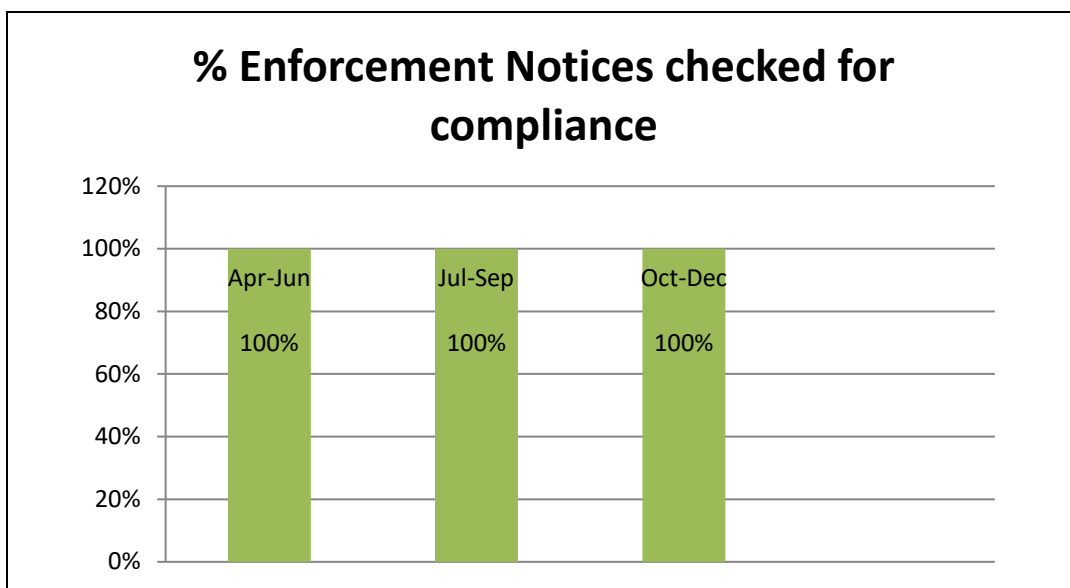
4.2 We have also served:

- One Temporary Stop Notice directed against the erection of a building.
- One Untidy Site Notice for the removal of a horse-drawn carriage, other vehicles, carriages and trailers.

5.0 Enforcement Notice Compliance

5.1 We have secured the resolution with four Enforcement Notices this quarter. These related to the reduction in height of fencing adjacent to a highway, the removal of floodlights and open storage of materials, the clearance of a site of vehicles and caravans and the removal of a motorcycle dirt track.

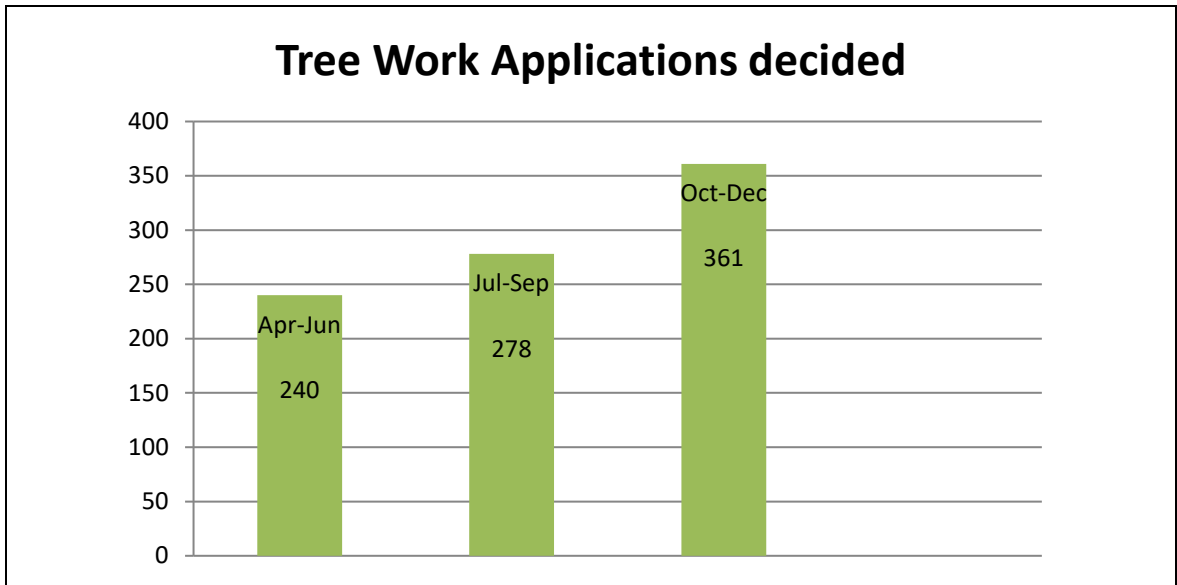
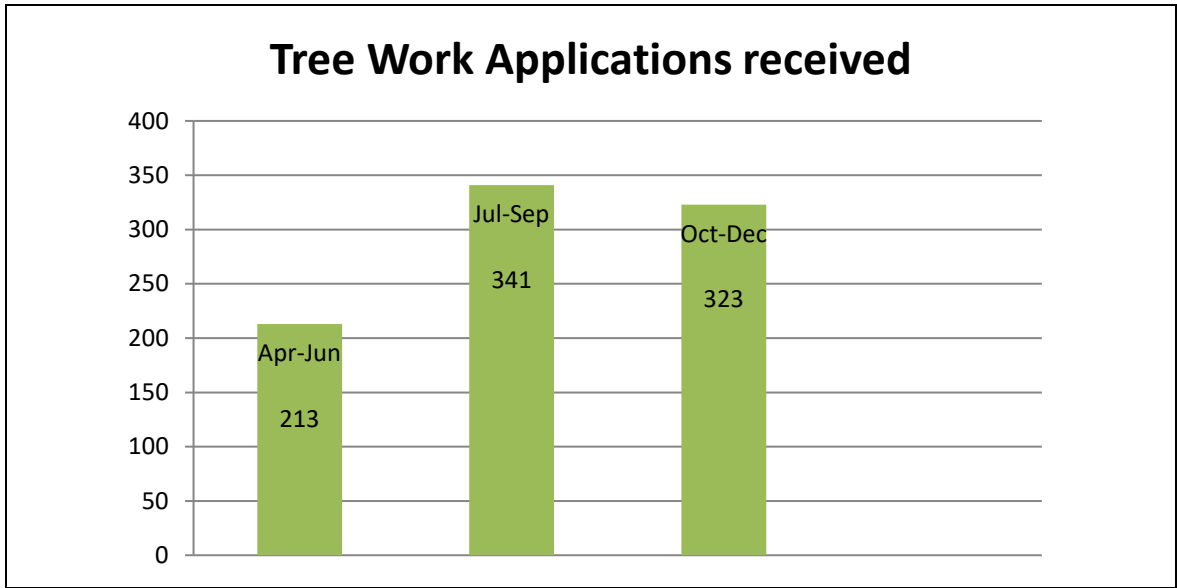
5.2 Our remaining local key performance indicators are to check compliance with 90% of Enforcement Notices within five working days of the compliance date and to initiate action within 15 working days in circumstances where there has been a failure to comply with an Enforcement Notice. During this quarter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

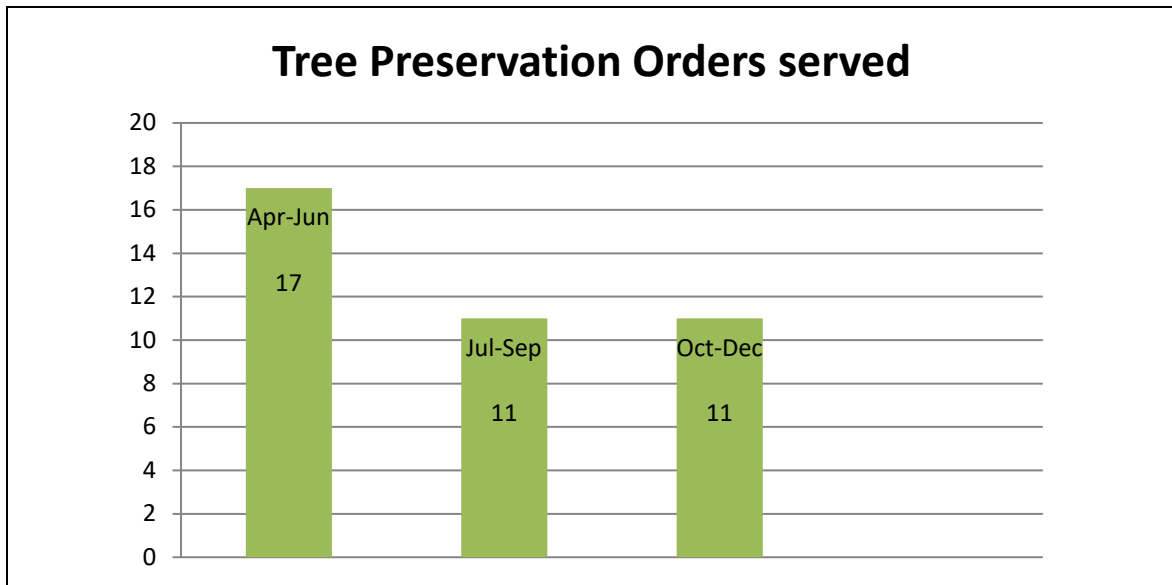
6.1 During the quarter the Team received 323 Tree Work Applications relating to various works to trees both within Conservation Areas and the subject of Tree Preservation Orders.

6.2 The Team issued 361 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 11 planning applications during this quarter and the planning fees generated were £2,082. These planning applications were in respect of the retention of decking, outbuildings, alterations to dwellings, an agricultural building, cladding and a certificate of lawfulness.

8.2 During the quarter we have determined 11 applications, 10 of which were approved. The refused application was 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 seven 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 listed two applications at the Magistrates' Court for prosecution where Enforcement Notices have not been complied with; the outcomes of which will be detailed in the next report.

10.2 We have also made an application to the Royal Courts of Justice for an Injunction to secure the compliance with an Enforcement Notice against the unauthorised stationing of a residential mobile home and construction of a track, amongst other matters. It is anticipated that a hearing date will be confirmed in the coming weeks following which further progress can be reported upon.