

21 February 2018

Planning and Licensing Committee

Enforcement Plan

Report of: Nick Howard -Team Leader Development Management

Wards Affected: All

This report is: Public

1. Executive Summary

1.1 This report sets out an updated version to the Enforcement Plan.

2. Recommendation

2.1 For Members to agree the Draft Planning Enforcement Plan (February 2018).

3. Introduction and Background

3.1 The current planning enforcement plan was approved in March 2015, it is lengthy in content consisting of 38 pages, it is repetitive in parts and difficult to access. The revised plan sets out the Council's pro-active approach to planning enforcement and is easier for members of the public to interpret. The revised enforcement plan will be published on the Council's website which will ensure greater transparency.

3.2 Brentwood Borough Council has a duty to investigate alleged breaches of planning control and has the statutory powers to remedy such breaches. It is our policy to exercise those powers in a way that ensures that we control development effectively within the resources available to the planning enforcement service.

3.3 This document outlines the procedures we follow and the standard of service that can be expected when enquiries are made about alleged unauthorised development. Planning enforcement can be a complex process and the main aims of this document are to make sure:

- that adopted procedures are fair and reasonable;
- that all interested parties are kept informed whenever possible to do so, and
- that the outcome of any action taken is commensurate with the breach of planning control.

3.4 The Enforcement Plan has been prepared having regard to Government policy and guidance on planning enforcement to show how the Council will manage enforcement proactively.

4. Reasons for Recommendation

To ensure that the Council have an up to date enforcement plan that is transparent and concise. It sets the scene for the Council to move forward to an internet-based enforcement system whereby Members and the public can access details of and track the progress of enforcement cases on-line.

5. Consultation

5.1 Discussions with enforcement staff have been carried out and the managed service provider for Development Management have assisted in the preparation of this report.

6. Implications

Financial Implications

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6.1 There are no direct financial implications arising from this report.

6.2 The Enforcement Plan resources, have been incorporated into the Council's Medium Term Financial Plan for 2018-19.

Legal Implications

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6.3 Effective enforcement is important as a means of maintaining confidence in the planning system. Paragraph 207 National Planning Policy Framework requires that LPAs should publish a local enforcement plan to manage proactively enforcement which is appropriate to their area. This should set out a method of monitoring implementation of enforcement policy, a policy of investigation of any breaches and criteria for enforcement action where appropriate. An effective enforcement plan would engender consistency in any action taken and underpin a solid

approach to enforcement which would considerably improve public confidence in the planning system.

- 6.4 The main implications of the updated enforcement plan are the response times to each breach of planning control. These are in summary:
- a) Serious Breaches: Requiring immediate investigation within 48 hours and complainant to be informed of progress within 5 working days. Examples of serious breaches are unauthorised works to listed buildings
 - b) Urgent Complaints: Investigation to commence and complainant to be informed of progress within 5 working days. Examples of urgent complaints are unauthorised operational and building works
 - c) Non – Urgent complaints: Investigation to commence and complainant to be informed of progress within 15 days working days. Examples of non-urgent works are untidy sites.

7 **Appendix to this report**

Appendix A: Enforcement Plan February 2018

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