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11 July 2012

All Parish Clerks

Dear Parish Clerk

IDENTIFYING ENFORCEMENT PRIORITIES FOR A LOCAL ENFORCEMENT PLAN

Lichfield District Council has a Planning Enforcement Policy which sets out how we carry out the Planning Enforcement function and identifies priorities, which were in line with the Government policy set out in Planning Policy Guidance Note 18. This Policy was last reviewed and approved by the Council's Overview and Scrutiny Committee and the Planning Committee, in 2010.

As you may be aware, the National Planning Policy Framework (NPPF) has now replaced the Planning Policy Guidance Notes and Statements. Paragraph 207 of the NPPF relates to Enforcement and states that:

Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

We are, therefore, reviewing the current Enforcement Policy and are consulting with Town and Parish Councils, with a view to identifying issues which are priorities for local areas. I have attached the priorities which are set out in the current document, for your information.

A proforma is attached listing issues which may be local priorities for your area. I would appreciate it if this can be discussed at the Parish Council meeting and any local priorities identified to feed into the Enforcement Plan.

I would appreciate it if your Council could respond by the end of August 2012. Please contact me on the above direct line if you have any queries.

Yours sincerely

Christine Hibbs
Principal Planning Officer (Enforcement)

Please complete the proforma below, identifying up to 5 PLANNING RELATED priorities for your local area.

Please select up to 5 issues you consider are a priority for enforcement in your local area and rank them 1 – 5, 1 being the most important and 5 being the least important.

PARISH.....

ISSUE	RANKING 1 -5
A-boards	
Advertisements on premises	
Agricultural development	
Boundary treatment	
Breaches of conditions e.g. hours, obscure glazing etc.	
Car washes/valeting	
Conservation Areas	
Development in the flood plain	
Development not built in accordance with approved plans	
Development related to equestrian activity	
Farm diversification	
Flyposting	
Gypsies/Travellers	
Highway issues	
Householder Development i.e. buildings in gardens, extensions	
Landscaping	
Listed Buildings	
Materials used in development	
Protection of the Green Belt	
Temporary Uses e.g. car boot sales, motorbikes, war games etc	
Trees	
Untidy land and buildings	
Other (specify)	

USE THIS SPACE TO GIVE ANY ADDITIONAL COMMENTS ABOUT THE ISSUES RAISED OR ATTACH A SEPARATE SHEET.

6.0 Enforcement Priorities

6.1 When complaints and enquiries are received in respect of alleged unauthorised development they will be prioritised according to the criteria set out below:

6.2 **Priority 1** This applies where the breach relates to unauthorised development which poses a serious threat to the environment or public amenity, for example, by causing a serious traffic hazard, or poses permanent damage to the environment, for example, unauthorised work affecting the character of a Listed Building or the loss of a protected tree.

We will visit the site as soon as practicable (within 24 hours) after the receipt of the enquiry to identify the appropriate course of action; which could be commencing injunctive or legal proceedings or issuing statutory Notices.

6.3 **Priority 2** Where the breach relates to development where planning permission is unlikely to be granted without substantial modification or removal.

We will contact the relevant owners and occupiers as soon as possible (within 5 working days) to arrange to meet to discuss the matter and negotiate a solution. Enforcement action will be pursued if negotiations fail to address the harm arising from the development.

6.4 **Priority 3** Development which gives rise to problems that may be resolved by limited modification, for example, by the imposition of conditions on a planning approval, where the complaint relates to untidy land or buildings and breaches of conditions on existing planning permissions.

We will contact the owners and occupiers and give advice on what measures are required to address the issues, and give a reasonable timescale (usually 28 days) for them to carry out any necessary work or submit a planning application.

6.5 **Priority 4** Breaches of a minor or technical nature which do not raise any planning issues.

We will contact owners and occupiers, where appropriate or necessary. Advice may be given about the difficulties of selling the property in the future if the breach is not resolved.