

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

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meeting date: 25 AUGUST 2022  
title: PLANNING ENFORCEMENT UPDATE  
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING  
principal author: HEAD OF LEGAL AND DEMOCRATIC SERVICES

## 1 PURPOSE

1.1 To provide committee with an update on planning enforcement.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives - }
- Corporate Priorities - } Consideration of these issues will promote the Council's aim to be a well-managed Council.
- Other Considerations - }

## 2 BACKGROUND

2.1 As the Local Planning Authority, the Council has responsibility for planning enforcement. At Ribble Valley Borough Council this function sits within Legal Services with the officers working closely with planning officers to determine what action should be taken in individual cases.

2.2 Details of the volume of planning enforcement was reported to Committee in November 2021 and this report provides an update on the volume and response provided by planning enforcement.

## 3 ISSUES

3.1 Between 20 November 2021 and 10 August 2022, the Council received 150 new complaints relating to planning enforcement. The Council also had a substantial number of ongoing matters which have also continued to be dealt with in this period. The Council takes a stepped approach to enforcement and so these complaints were all investigated. Weekly meetings take place between legal and planning officers to discuss new matters so that an agreed approach can be implemented quickly. Monthly meetings also take place at which all outstanding matters and the progress made is assessed and matters are moved on efficiently.

3.2 Planning Enforcement is discretionary, and the Council will not act unless it is expedient to do so. Once matters have been investigated it may be therefore that it is found that there is no breach or that it is not expedient to take any action. Where a breach of planning control has been established, any enforcement action should be commensurate to the harm caused by the breach. Those matters are closed, and no further action is taken. 48 matters have been closed with no further action during this period.

3.3 For those where action is required, it may be appropriate to invite a planning application to be made to regularise the position, so that it can be fully assessed with conditions being imposed where appropriate. If refused an applicant has a right of appeal to the Planning Inspectorate. Applications have been submitted in respect of 41 matters during this period.

3.4 As set out above and in line with government guidance, the Council seeks to work with and negotiate with the public. However, in some cases this cooperation is not forthcoming, or is not appropriate. As a result, in those investigations, the Council has taken significant formal action and has served the following formal notices:

- Planning Contravention Notices – 11
- Enforcement Notices – 3
- Breach of Condition Notice - 1
- Temporary Stop Notices – 1

The Council has also commenced a prosecution during this period relating to demolition of a listed building. This matter continues to progress through the magistrates' court.

#### 4. RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – The increase in planning enforcement officer resources has significantly increased and improved the volume and pace of enforcement.
- Technical, Environmental and Legal – The approach taken to planning enforcement accords with government guidance
- Political – No implications
- Reputation – Improved resources in this area will enhance the Council's reputation
- Equality & Diversity – The Council complies with its equality duties when carrying out planning enforcement.

#### 5. CONCLUSION

5.1 Note the contents of this report.

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