

BREDGAR PARISH COUNCIL



RESPONSE TO SBC CONSULTATION ON A STRATEGY AND SERVICE CHARTER FOR PLANNING ENFORCEMENT

BPC consider that having an effective, vigorous and pro-active enforcement system is essential to uphold the planning system. Without effective enforcement there is no incentive for public compliance or for participants in the system to contribute. Therefore BPC welcome and commend this charter, its aims and objectives. We support the document and make the following positive comments for you to consider for further enhancement.

The aims in Section 1.6 are well stated but they do not convey sufficient intent to take action when necessary and needed. This may be interpreted as ‘the council having no intent to act’ by some members of the public and encourage them to push boundaries further when breaching planning controls.

Therefore strengthen the text as shown below or similar:

Change

be effective in dealing with breaches of planning control giving rise to unacceptable harm on public amenity and/or causing harm to land or buildings;

To

*be effective, **strong and vigorous** in dealing with breaches of planning control giving rise to unacceptable harm on public amenity and/or causing harm to land or buildings;*

In section 2.3 the same applies and the text could be strengthened to emphasise the council’s strong intent to act when it needs to do so.

Change

The Council will not condone wilful breaches of planning control, and will exercise its discretion to take enforcement action if it is expedient to do so.

To

*The Council will not condone wilful breaches of planning control, and will exercise its discretion to take **vigorous** enforcement action if it is expedient to do so.*

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Similarly in section 2.4 the same applies and the text could be strengthened to emphasise the council's strong intent to act when it needs to do so.

Change

where action is necessary in the public interest, ensuring that appropriate actions are being taken in parallel with negotiations with the individual / organisations breaching planning control;

To

*where action is necessary in the public interest, ensuring that appropriate **and timely actions** are being taken in parallel with negotiations with the individual / organisations breaching planning control;*

Section 2.7 categorises breaches of planning control into Major, Medium and Minor. The best response time for Major breaches is 2 days (presumably 2 working days). This response is not sufficient for Major incidents such as:

Unauthorised development in conservation area, Special Protection Area, Area of Outstanding Natural Beauty, or other national landscape designations

or

Siting of caravan or mobile home for residential purposes

A breach of control occurring late on a Friday afternoon or a Bank Holiday Weekend could not see any response for over 5 days. Allowing significant harm to occur and the offender to complete works in preparation for a prolonged period of dispute as the planning system slowly responds.

Such events require an immediate response that is not proposed in the charter. BPC propose that a further category of Emergency be added and a process that provides out of hours immediate response within 4 hours. Call filtering could be applied to ensure that this service level is only activated in limited circumstances.

Section 6.3 provides a number of key performance indicators that will be used to monitor planning enforcement performance. Maintaining the full resource level of the enforcement team is a key factor in delivering effective planning enforcement. BPC are concerned that prolonged periods of understaffing of the enforcement team has impacted performance in recent years. The charter should set a KPI to measure this factor and to set in context the performance achieved by the team and the Council.

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For example, KPI 5 – Planning Officer / Team staffing level (target 100%).

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