

Agenda Item 11
Report PC20/21-33

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Title of Report	Enforcement Update
Purpose of Report	To update SDNPA Members on planning enforcement workload statistics including notices served

Recommendation: To note the update on enforcement action.

1. Overview

- 1.1 The SDNPA planning enforcement team investigates alleged breaches of planning control within the recovered areas of the National Park: Adur & Worthing, Arun, Brighton & Hove, Eastbourne, Mid-Sussex, & Wealden. They also investigate any alleged breaches where the SDNPA “called-in” any original planning application post-October 2017 or any other investigations that we wish to “call-in”, plus any breaches relating to Minerals & Waste for the entirety of the Park. We also monitor the host authorities’ response to investigating enforcement for the non-recovered areas (Chichester, East Hampshire, Horsham, Lewes, & Winchester) with the SDNPA Link Officers.
- 1.2 The purpose of this report is to highlight the amount of investigations carried-out. This does not include the host authorities’ figures. The team is comprised of: DM Lead (Heather Lealan), Enforcement Officers (Andy George & Jack Trevelyan), & Monitoring & Compliance Officer (Sabrina Robinson).
- 1.3 During the on-off stages of lockdown (since February 2020) we have continued to operate the Planning Enforcement service with an emphasis more asking the public to supply photos if possible and doing as much via our desktops as we can. For alleged breaches that fit the criteria of high harm and are time dependent (such as works to a listed building or protected trees being felled) we have continued to visit. In these cases, a continued, ongoing Risk Assessment is made via the attending enforcement officer. All risks are, of course avoided. This has meant a backlog in “low level” cases – such as visits to private gardens where interaction with the public is unavoidable, and the breach is deemed not to become immune (4 years for operational development, 10 years for a change of use).
- 1.4 These figures were taken on 28 January 2021.

2. Figures

	2018/19	2019/20	2020/21 (so far)
Current investigations	-	-	65
New Cases Received	240	175	125
• Determined Under 9 Months			

<ul style="list-style-type: none"> • Determined Within 9-12 Months • Determined Over 12 Months 			
Cases Closed:	251	193	121
<ul style="list-style-type: none"> • Compliance • Not Expedient to Pursue • No Breach • Retrospective Application Approved 	33 53 124 41	26 23 122 22	13 21 75 12
Enforcement Notices	7	5	1
<ul style="list-style-type: none"> • Compliance • Still Within Compliance Timeframe • Appealed EN with PINS • Prosecution Due to Non-Compliance 	4 0 2 (1 Ongoing, 1 Allowed) 1 (1 Ongoing)	2 1 2 (1 Ongoing, 1 Dismissed) 0	0 1 0 0
Stop Notices (excluding Temporary Stop Notices)	2	2	2
Breach of Condition Notices	0	2	0
<ul style="list-style-type: none"> • Compliance • Still Within Compliance Timeframe • Prosecution 	0 0 0	1 1 0	0 0 0
Tree Preservation Orders (TPOs)	2	1	1
Article 4 Directions	1	0	1

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Appendices: None
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