

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

PLANNING ENFORCEMENT UPDATE REPORT

1. PURPOSE OF REPORT

- 1.1 The report and the attached document have been produced to provide Members of Planning Committee with an update on planning enforcement cases which have been previously presented to Committee. The report is for information purposes only and will enable Members to identify individual enforcement cases, action taken so far and the relevant case Officer.

2. BACKGROUND

- 2.1 The Town and Country Planning system in Wales regulates the use and development of all land and buildings. Local Planning Authorities may need to consider taking enforcement action against unauthorised development or any breach of a planning condition imposed as part of a planning permission.
- 2.2 Although in itself it is not a criminal offence to carry out an unauthorised development or make a change in land use, powers are available to Local Planning Authorities to bring unauthorised development under planning control. Failure to comply with enforcement action is an offence.
- 2.3 Under Part VII of the Town and Country Planning Act 1990, Local Planning Authorities have a range of enforcement powers to address breaches of planning control. These powers are discretionary.
- 2.4 In Denbighshire, Planning Enforcement is dealt with by the Development Control and Compliance team based in Caledfryn, Denbigh. The team sits within the Planning and Public Protection Service.

The team is managed by the Development Control and Compliance Manager and currently has 2no. full time Officers handling the case load for the whole County. The team handle around 500 planning related complaints per year.

- 2.5 Under the Planning Scheme of Delegation Officers Officer's have delegated authority to undertake a range of urgent planning enforcement action. However, there are a number of planning enforcement cases which have been presented to Planning Committee in the last 3 years where Members have authorized action. These cases tend to be where retrospective planning applications have been refused and subsequent planning enforcement action would be required to address the breach of planning control.
- 2.6 Attached as **Appendix 1** to this report is a table of Committee authorized planning enforcement cases. The table is self explanatory and provides Members with details of the stage at which the enforcement case is at. In some cases Members will note the case has been closed.

2.7 Members are encouraged to contact the Planning Enforcement Officers to report any possible breach of planning control and they will make every effort to update Members of the investigation. Some investigations may take some time to complete but Officers will always endeavor to provide updates should circumstances change.

2.8 Contact details for the Planning Enforcement Officers are below:-

- Wayne.williams@denbighshire.gov.uk – 01824 706806
- Jill.emerson@denbighshire.gov.uk – 01824 706743

3. RECOMMENDATION

3.1 That the Planning Committee notes the information contained within the report and appendix.

**GRAHAM H. BOASE
HEAD OF PLANNING AND PUBLIC PROTECTION**