

<b>Committee:</b>		<b>Date:</b>
Planning and Transportation Committee		26 July 2016
<b>Subject:</b> Consultation on Enforcement Plan Draft Supplementary Planning Document		<b>Public</b>
<b>Report of:</b> Director of the Built Environment		<b>For Decision</b>
<b><u>Summary</u></b>		
<p>An Enforcement Plan has been prepared which sets out the City's approach to planning enforcement including trees. It explains the principles and procedures the City will follow to ensure that development and works to trees are properly regulated and contains standards and targets to be worked to. It is proposed that the Enforcement Plan should be progressed as a Supplementary Planning Document (SPD) to the City of London Local Plan.</p> <p>Members are asked to agree the draft Enforcement Plan and agree to it being made available for public consultation as part of the process of adoption as a Supplementary Planning Document.</p> <p><b>Recommendation</b></p> <p>Members approve the draft text of the Enforcement Plan, Appendix 1 to this report and agree to it being issued for public consultation for six weeks.</p>		

## **Main Report**

### **Background**

1. The National Planning Policy Framework (NPPF) issued by the Government in 2012 supports the preparation of an Enforcement Plan. It advocates that local planning authorities should consider publishing a local enforcement plan to manage enforcement in a way that is appropriate to their area. This should set out how the local authority will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so. The NPPF acknowledges that effective enforcement is important as a means of maintaining public confidence in the planning system.
2. In addition the National Planning Practice Guidance for Tree Preservation Orders and trees in conservation areas advocates that local planning authorities should consider publishing tree protection enhancement policies and have clear written procedures to deal with cases.
3. In the light of these recommendations an Enforcement Plan, has been prepared to ensure public confidence in the system and includes tree protection enhancement polices. See Appendix 1 - Enforcement Plan.

4. The attached Enforcement Plan sets out the City's approach to planning enforcement. It explains the principles and procedures the City will follow to ensure that development is properly regulated and contains standards and targets to be worked to. It contains a section on tree protection which sets out the City's approach to regulating works to the City's trees and targets to be worked too.
5. The City of London Local Plan was adopted in January 2015. This establishes a presumption in favour of sustainable development in line with the requirements of the National Planning Policy Framework. It sets out a number of policies which include the protection of local residents' amenities, the townscape, the protection of trees and designated heritage assets including their settings. The Enforcement Plan is consistent with the approach outlined in the Local Plan.

### **Current Position**

6. It is intended that the Enforcement Plan will be adopted as a Supplementary Planning Document (SPD) to the Local Plan in order to add weight to it.
7. SPD's must be prepared in accordance with procedures set out in relevant regulations and public consultation must accord with the City's Statement of Community Involvement (SCI), an update to which was agreed by the Planning and Transportation Committee on 5 July 2016. The draft SPD has been prepared having regard to the matters specified in Section 19 of the Planning and Compulsory Act (2004) and prescribed in Regulations 8 and 10 of the Town and Country Planning (Local Planning) (England) Regulations 2012. An Equalities Impact Assessment, a Screening Statement and Consultation Statement have been prepared as required.
8. It is proposed that the Enforcement Plan will be the subject of a formal consultation exercise for a six week period, in August and September 2016. This exceeds the minimum requirements set out in Regulation but is considered necessary to allow sufficient time for comment over the summer holiday period. It will be co-ordinated with the consultation on the draft City of London Local Plan issues and Options, to avoid confusion and possible consultation fatigue and will include:
  - a draft version of the SPD
  - the consultation statement setting out the persons initially consulted when preparing the draft SPD, a summary of the main issues raised and how these issues have been addressed in the SPD
  - the Equalities Impact Assessment and
  - Screening Statement

See Appendices 1-4.

9. On completion of the formal consultation period, a further report will be brought to this Committee outlining any comments received and how these should be taken into account and seeking approval for adoption of the final version of the SPD.

### **Implications**

10. There are no financial, risk, legal, property or Human Rights implications arising from the proposed SPD consultation and adoption process. The only costs will be staff time and any issues relating to enforcement or legal action will be dealt with at that time in accordance with the current legislation.

### **Conclusion**

11. Members are asked to agree the draft text of the Enforcement Plan for public consultation.

### **Background Papers**

Appendix 1 - Enforcement Plan

Appendix 2 - Enforcement Plan Equality Impact Assessment

Appendix 3 - Enforcement Plan Sustainability Appraisal Screening Report

Appendix 4 – Enforcement Plan Consultation Statement

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