

Committee(s):	Date(s):	Item no.
Planning and Transportation Committee	2 May 2017	
Subject: Enforcement Plan Draft Supplementary Planning Document	Public	
Report of: The Chief Planning Officer	For Decision	
<p><u>Summary</u></p> <p>A draft Enforcement Plan Supplementary Planning Document (SPD) was issued for public consultation during October/December 2016. In response to comments received two amendments are proposed, as set out in Appendix B to this report.</p> <p>Recommendations</p> <ul style="list-style-type: none"> • That the amendments to the Enforcement Plan Supplementary Planning Document listed in Appendix B be agreed. • That Members resolve to adopt the amended Enforcement Plan SPD. 		

Main Report

Background

1. The National Planning Policy Framework (NPPF) 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 explain how the local authority will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate to do so. The NPPF acknowledges that effective enforcement is important as a means of maintaining public confidence in the planning system.
2. 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 accordance with these recommendations an Enforcement Plan, has been prepared to ensure public confidence in the system (Appendix A). The Enforcement Plan sets out the City's approach to planning enforcement. It explains the principles and procedures to be followed to ensure that development is properly regulated; standards and targets to be worked to and includes tree protection enhancement polices.
4. The Local Development Scheme (LDS) sets out the planning policy documents to be prepared and the timetable for preparing them. The LDS which came into effect on December 2015 includes a programme to complete an Enforcement Plan.
5. The City of London Local Plan, adopted in January 2015, establishes a presumption in favour of sustainable development in line with the NPPF. It contains polices 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. On 26 July 2016 your Committee agreed the draft text for the Enforcement Plan for formal public consultation. The draft SPD was made available for formal public consultation for a six week period from 31 October 2016 until 12 December 2016.
7. Prior to the consultation, in response to comments made by your Committee, additional text was added to the draft SPD dealing with short term let properties and faculty requirements.

Results of the SPD consultation

8. In total, 3 responses were received to the consultation. Natural England confirmed that they did not wish to comment and Transport for London confirmed that they had no comments. The Director of Open Spaces who was notified in advance of the formal consultation made comments but was broadly in support of the draft SPD.
9. Before adopting a SPD the local planning authority must prepare a consultation statement. A consultation statement has been

prepared that sets out the persons consulted, summarises the main issues raised at both the informal and formal public consultation stage and explains how these were addressed in finalising the SPD for adoption. The Statement is attached as Appendix B.

10. It is recommended that two amendments to the SPD are made in response to the Director of Open Spaces comments and these are set out in Appendix B to this report. Appendix B incorporates the Schedule of Proposed Changes included in the SPD document attached at Appendix A.

Corporate & Strategic Implications

11. The Planning and Compulsory Purchase Act 2004 and the 2012 Local Planning Regulations set out matters to be taken into account in preparing SPDs. In preparing the draft SPD regard has been had to these matters, including the London Plan, City of London Local Plan and the NPPF.
12. The Enforcement Plan supports the Strategic ambitions of the Departmental Business Plan by advocating a planning enforcement service that is both effective and appropriate to the City.
13. An Equality Analysis Test of Relevance has been carried out for the draft SPD and no equality issues were identified. (Appendix C).
14. A Sustainability Appraisal Screening Assessment has been carried out for the draft SPD which has concluded a full Sustainability Appraisal/Strategic Environmental Assessment is not required. This has been confirmed by statutory consultees. (Appendix D).

Implications

15. There are no financial, risk, legal, property or HR implications arising from the proposed SPD consultation and adoption process.

Conclusion

16. Subject to the amendments in Appendix B it is recommended that the SPD be adopted by resolution. Under its terms of reference your Committee is authorised to adopt SPDs without reference to Common Council. After adoption the SPD and the supporting documents will be publicised in accordance with statutory requirements.

Appendices

- Appendix A - Enforcement Plan Draft Supplementary Planning Document
- Appendix B - Statement of Consultation and Proposed Changes
- Appendix C - Equality Analysis Test of Relevance
- Appendix D - Sustainability Appraisal Screening Statement

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