

Parish Forum Meeting Wednesday 26 April 2017

Welcome by Allen Kirkbride

Planning enforcement



Planning Enforcement Team



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Planning Enforcement

Planning enforcement : breaches of planning control

Defined by National Planning Policy Framework and Planning Practice Guidance:

- *Effective enforcement to maintain public confidence in the planning system*
- *Discretionary*
- *Planning Authorities should act proportionately*

Unauthorised works do not constitute an offence!

Decisive issue – Does the breach unacceptably affect public amenity or the existing use of land and buildings meriting protection in public interest?

Whether to take action or not - expediency

Is planning permission likely to be granted?

- If yes, then it is not expedient to pursue enforcement action.
- Emphasis on negotiating compliance and regularising breaches of control before considering taking enforcement action.
- Where this approach fails or it is clear that permission is unlikely to be granted, and it is 'expedient' to do so, the Authority will pursue formal action.

What is the harm caused by the breach?

- How severe is the harm? Can it be remedied?

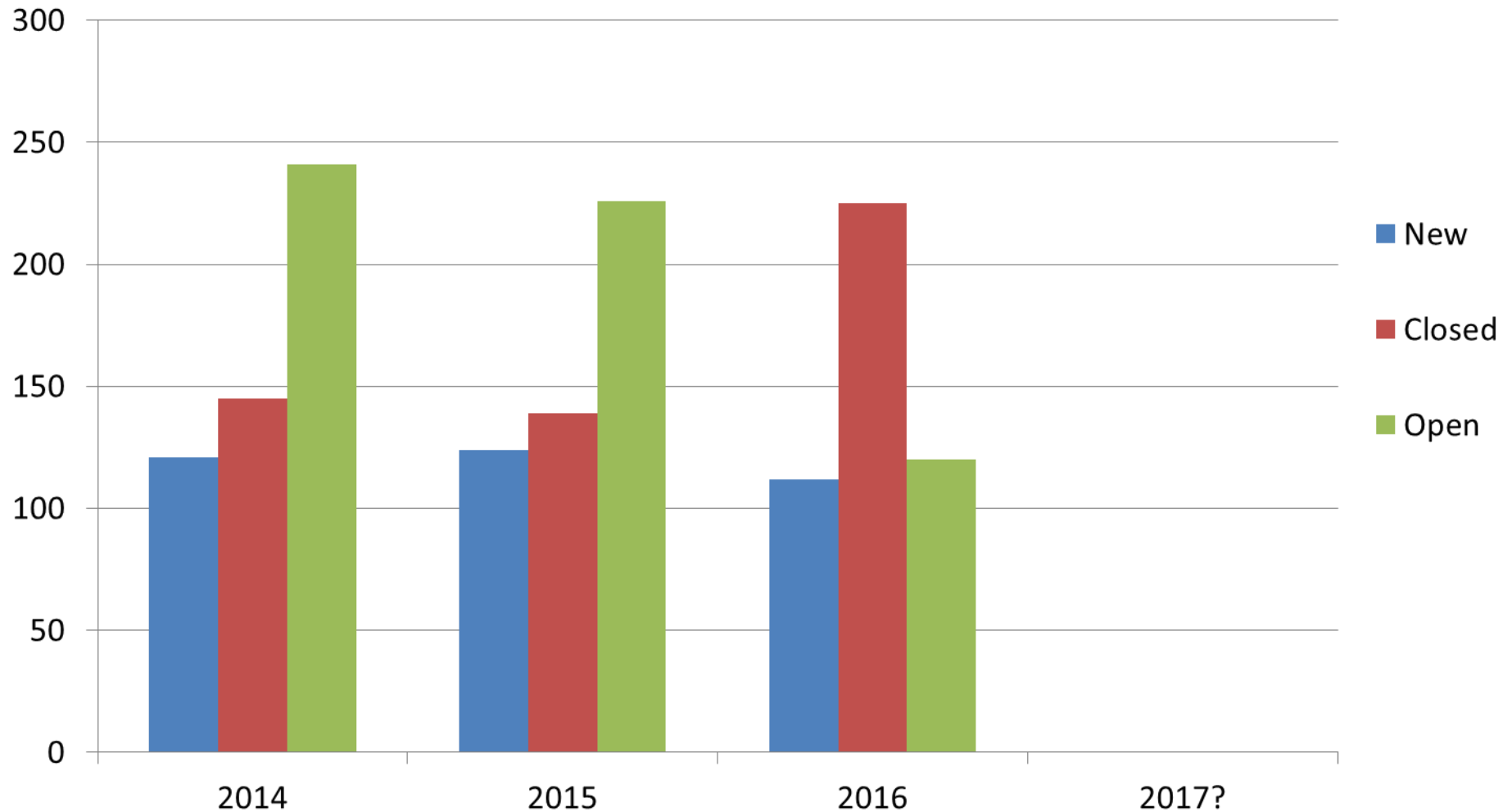


Types of Enforcement Action

- Planning Contravention Notice
- Section 215 Notice
- Section 225 Notice
- Breach of Condition Notice
- Enforcement Notice
- Listed Building Notice
- Stop Notice
- Injunction
- Default Powers
- Prosecution



Planning Enforcement Cases



Formal Action

Historic Buildings



Caravans



Untidy Land



Agricultural Buildings



Monitoring and Compliance

Aim: to tackle breaches of planning control as early as possible (avoiding formal action)

- Checking compliance with plans conditions during development works
- Monitoring compliance with conditions and s106 obligations over time



Parish Councils

- Parish Councils have a really important role to play in planning enforcement:
- ***Helping to target our activity*** - what types of development should we focus our resources on?
- ***Helping to monitor development*** – letting the Authority know if you think something is wrong.

Yorkshire Dales National Park
Management Plan
2013-18

UPDATING THE NATIONAL PARK MANAGEMENT PLAN

What is it for?

- To deliver National Park ‘purposes’:
 - “to conserve and enhance the natural beauty, wildlife, and cultural heritage”
 - “to promote opportunities for the understanding and enjoyment of the special qualities [of the Park] by the public”
- And *in doing so...*
 - “to foster the economic and social well-being of local communities...”

What should it do?

- Provide a plan for the Park
- Set out a shared ‘Vision’ for the Park
- Put national/regional strategy into context
- Provide the framework for organisations to work together on local issues
- Provide a baseline for measuring progress and reporting publicly

What should go in it?

- The ‘special qualities’ of the Park
- Issues facing the Park
- The ambition for the Park:
 - a long-term ‘vision’
 - specific objectives to help achieve that vision

A distinctive, living, working cultural landscape that tells the story of generations of people interacting with their environment



We don't own the National Park



YORKSHIRE DALES
National Park Authority

- YDNPA owns 0.00003%
- Other public bodies own about 1%
- 95% owned by private individuals

We're not the only funders

- YDNPA spends around £5 million pa;
- NE agri-environment schemes = £10m pa
- Plus:
 - District and county councils
 - Environment Agency/Forestry Commission
 - Private businesses
 - Individuals
 - Charities

So, it's not *our* Plan

- Produced by 'NPMP Steering Group', made up of 14 key 'implementers'
- Plus a wider group of other 'implementers'
- Plus:
 - Lots of other organisations with an interest;
 - Local residents and businesses
 - Visitors
 - Taxpayers

What's the NPMP really for?

- A *process* to:
 - Reconcile competing priorities;
 - Agree the key issues;
 - Identify shared opportunities and funding.
- Which leads to:
 - A realistic and widely-supported plan
- So that:
 - Some good things get done in the National Park over the next 5 years.

Timetable

- **May/June** – first public consultation
- **July** – detailed evidence reports
- **Aug-Dec** - drafting objectives
- **Feb** – public consultation on full draft
- **June** – updated Plan adopted.

How parishes can get involved

- Respond to the consultations:
 - What are the most important issues?
 - What do you want to see done about them?
 - What could parishes do to help?
- Publicise and promote the consultations
- Discuss issues at the Parish Forums
- Use your Parish Members on the Authority

A few of the issues?

- Building more affordable, local housing
- Brexit impact on upland farming
- Retaining traditional field barns and walls
- Improving condition of important habitats
- Getting access to services (inc. broadband)
- Helping to reduce downstream flooding
- Caring for a rapidly ageing population
- Stopping persecution of birds of prey

Housing White Paper

“Fixing our Broken Housing Market”

- Published 7 February 2017
- Sets out how the Government intends to boost housing supply and create a more efficient housing market
- Consultation closes on 2 May 2017
- The Government intends to publish a revised NPPF later this year

Proposals: local plans

- Intervene to ensure that local plans are in place and up to date (reviewed every five years)
- Introduce a national methodology for calculating housing need.
- Amend the NPPF so that ‘great weight’ is given to using suitable brownfield land and small undeveloped sites within settlements for residential development
- Introduce a requirement for policies to support ‘windfall’ housing sites
- Introduce a ‘housing delivery test’ where penalties are applied in the event of increasing under-supply.
- Strengthen local policy to address particular needs, such as older people
- Clarify national policy about the restriction on development in certain areas, like National Parks.

Proposals: development management

- Consult on charging fees for planning appeals e.g. a maximum of £2,000 for the most expensive route (full inquiry)
- Permit consideration of 'realistic' delivery when assessing sites with unimplemented consent
- Ensure that pre-commencement conditions can only be used with the agreement of the applicant
- Shorten the timescale for developers to implement permission from three years to two years

Proposals: affordable housing

- Open up the Affordable Homes Programme (£7 billion) to include grant for affordable rented housing
- Bring affordable private rental (i.e. not available through a Housing Association) and starter homes within the definition of affordable housing.
- Clarify that starter homes, with appropriate local connection tests, can be acceptable on rural exception sites.
- Set out a policy expectation that 10% of housing on larger sites (ten or more) should be starter homes.

Conclusions

- Our Local Plan is generally in accordance with the White Paper proposals. It is
 - recently adopted
 - has an up to date assessment of housing demand
 - supports brownfield development and windfall sites
- The test will be in term of whether it can deliver 55 new dwellings a year. The current year is likely to miss the target by about 10.

‘Ashtag’ project

The problem:

Chalara ash dieback

- The ash (*fraxinus excelsior*) is an iconic tree species in the Dales, and significantly important within the National Park landscape
- Ash Dieback fungi (*Hymenoscyphus fraxineus*) has now spread across the British Isles and has been confirmed in the National Park. It is already quite prevalent, for example, in Kelco Wood in Giggleswick





The Living Ash Project



- A five-year project funded by Defra
- A citizen's science project that aims to monitor the ash dieback disease
- The project aims to track the welfare of all ash trees, particularly those that are healthy, as they may be resistant to ash dieback
- All trees are recorded using the ASHTAG App <http://www.ashtag.org/>



The National Park Authority's involvement in the Living Ash Project

- The ASHTAG project was launched last year and the YDNPA has written to parish councils to encourage people to take part
- To achieve an even spread of recorded trees across the park, our aim is that one ash tree in each parish is tagged as part of the project
- The Yorkshire Dales National Park Authority (YDNPA) can provide the tags and nails, along with step-by-step instructions and any other help and advice



Your involvement

- Identify an ash tree (ideally healthy) and fix an AshTag
- Log in to the tree alert app and create a profile <http://www.ashtag.org/>
- Record your tree with the unique ashtag number- include photos and comments
- Visit your tree at least once a year and update your profile with its progress, including any signs of the fungi



- For more information contact the Trees and Woodlands Team at trees@yorkshiredales.org.uk
- Useful websites www.ashtag.org www.livingashproject.org.uk

Symptoms



Any Questions?

Any other Business