

Scrutiny (Community and Regeneration) Committee

Wednesday 12 October 2016 at 6.00pm

Key Questions for Enforcement and Monitoring of Planning Conditions

Planning Processes

- Q1. How are planning applications allocated to officers?
- Q2. Once a condition has been applied what process, if any, is in place to remind officers that they need to be implemented?

Application of Planning Conditions

- Q3. Why hasn't the planning department imposed mandatory condition for a section 38 where a road is being built?
- Q4. Explain what is 'reasonable' and 'enforceable' for planning conditions?

Resourcing Enforcement

- Q5. How many planning enforcement officers does the council have, how many should it have and how many does it need?
- Q6. Is a lack of resources affecting the enforcement of planning conditions?

Enforcement Performance

- Q7. How long does the average planning enforcement case take to reach conclusion?
- Q8. Is there a backlog of planning enforcement cases and if so, how many and what is being done to clear it?
- Q9. Are Kent Highways and Highways England responsible for delaying enforcement action in some cases and if so, what can be done to resolve this?

Prioritising Enforcement

- Q10. Who in the department decides exactly what is in the public interest, because this is a very regularly used phrase to councillors and to the general public when the enforcement team state that it is not in the public interest to pursue this matter. With the greatest respect I would suggest that the public have a very different perception of what is in their interest.

- Q11. Why is the planning enforcement team willing to tackle with all its powers the soft targets, such as elderly couples who paint their door the wrong shade, but they ignore big developers who ignore planning conditions?
- Q12. Why is the Sandwich Conservation area not consistently enforced given that Velux Windows appear to be allowed in some streets but not others?
- Q13. Is there a time limit within which action must be taken in respect of a breach of planning conditions, particularly in respect of Lydden?

'Stop Notices'

- Q14. How many "stop notices" has the Council issued in the last 3 years?
- Q15. What are the criteria for issuing "stop notices"?

Communication with Elected Members

- Q16. In the planning enforcement departments dictionary what please is the definition of the word regular?

The background behind this question being that approximately 3 years ago all councillors were invited to the first of a regular series of presentations by the enforcement team on their work, and we were given an up to date list of the 300 plus active cases, and promised regular updates, is regular once a century or once a millennium.

Communicating Variations on Major Developments

- Q17. What is the process for advertising variations to large planning applications and what is done to ensure that the detail of the variation is communicated in such a way that the ordinary person can understand it?
- Q18. What are the guidelines that officers use when determining whether to accept a request from a developer for a variation to planning conditions? Please could a copy of these guidelines be provided to councillors.