

Cabinet Meeting: Monday, 01 September 2025

Question from: Andrew Dobson

Question to: Councillor Patient, Deputy Leader and Cabinet Member with responsibility for Climate Action and Housing

QUESTION

Considering the answers given to Mr Pickles on 30 June 2025 and to me on 4 August 2025 that "local planning authorities have a discretion to take enforcement action when they consider it expedient to do so" and "LPAs are under a duty to act in a manner which is proportionate to the breach having regard to the impact the breach has on the local area and the Local Plan, so the steps taken will depend on the precise circumstances of the case."

If the LPA is not going to enforce the conditions it specified on a planning approval why specify them in the first place?

Response

The answer provided previously does not state that the Council will not take enforcement action. As explained previously, the national legal and policy basis for planning enforcement is that local planning authorities have a discretion to take enforcement action when they consider it expedient to do so and LPAs are under a duty to act in a manner which is proportionate to the breach having regard to the impact the breach has on the local area and the Local Plan, so the steps taken will depend on the precise circumstances of the case.