

Cabinet Meeting: Monday, 30 June 2025

Question from: George Pickles

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

QUESTION

Government Inspector Jenkins imposed detailed conditions for the Planning Appeal Decisions 17/00114/VAR and 17/00113/WAM. Can the Council please confirm that they will instruct their officers to ensure that all the conditions will be fully complied with and exactly in accordance with the wording shown by the Government Inspector?'

Response

Once an alleged breach of planning control has been brought to the attention of the Local Planning Authority (LPA), there are a number of options available to the Council as to how they may respond to the alleged breach.

The first step would be for the Council to investigate the claim and if a breach is found to exist, resolve the issue voluntarily with the landowner/operator.

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. If a breach cannot be resolved voluntarily and the harm is not reduced and all avenues to resolve the matter have been considered, local planning authorities have a discretion to take enforcement action when they consider it expedient to do so.

In such instances, there would a number of options available including the service of a breach of condition notice,

Ultimately, it is for the operator/landowner to ensure that conditions on a planning permission are complied with. Notwithstanding this, the relevant planning conditions with regard to Calder Valley Skip Hire will be monitored in liaison with the operator on a regular basis.