

Procedure: Route Map/guidance for NPG Chair and or NPG members

RE: Involvement of NPG via request from APC for addressing any *resident concern or concern from an NPG member* submitted to APC for the following categorised situations:

- A. Element(s) of build by another whatever the setting – Domestic build
- B1. Element(s) of agricultural land with build (such as for ‘keeping horses’ category)

Exclusions: B2. Element(s) of agricultural land with no build, domestic or other, (such as for hedges, footpaths) is for APC only as these do not involve NP or NPG for planning application and planning permissions purposes

For Governance, Accountability, Scrutiny, Audit and Monitoring purposes

- APC will make request to NPG members/chair to be involved in addressing A or B1.
- NPG have no authority to address without APC input, but will be required to lead and set out the route for each situation. This will include identifying and bringing in the necessary planning and enforcement legislation and requirements
- NPG Lead as ‘good practice’ will keep a dated record log* (*see separate record log sheet*) of the situation, interventions, actions and conclusion of the resident concern
 - At completion of the situation this log record and or summary will be forwarded to the parish clerk for parish records
- NPG will record that input to a situation addressing a resident concern was provided, without any details, in the NPG to APC meeting reports
- This procedure once agreed will be subject to review, either situation dependant or yearly

Background materials and knowledge

- National and VWHDC Enforcement Statement and Policy
 - Understanding that should an Enforcement request be submitted either by Parish Council or the Resident, that any investigation taken up by the Enforcement Team is reported only to and for the VWHDC – the team report to VWHDC only. Progress of an investigation, while live can be sourced by anyone from the Vale enforcement register. Once closed the case details are removed from the register. Feedback to or progress on the situation or reporting is NOT provided to those who submitted an enforcement request
 - Enforcement policy lays out what is acceptable as evidence, what is not and why
- Town and Country Order 2015 (Permitted Development Rights and all schedules for Change of Use)
- Differences in planning decisions for Conservation areas and for Registered Protected Trees
- Building Control based at VWHDC may under certain circumstances undertake a build site visit to check safety of build against regulations but not against Planning application build permissions

Actions For A and B1: determine and differentiate the situation to the following categories

Planning permission in place proceed to:

1. Assess situation from resident perspective and any other known sources of data or evidence – **may require direct proceeding by APC to submitting enforcement request**
2. At the same time access any planning applications, supporting application documents and delegated decision reports aligned to the build in question
3. Lay out, as a request to the resident, evidence and data required from them – NOTE: this may require substantial input to help resident provide evidence and data – such as photos (using enforcement process requirements of these not being taken on the land of the build as this is trespassing etc), dates of situation concern commencing, continuing, details of any actual conversations with builder(s), other as appropriate to the situation and maybe an iterative process
4. As appropriate meet with resident to lay out options and possible handling of the concern
 - a. discuss evidence and data and ongoing requirements
 - b. from this any discuss next steps or options
5. It may be appropriate to meet with the build owner/team to gain evidence, clarifying against planning permissions
6. Triangulate all data and evidence to determine, where possible how to proceed, – **a. closure of situation or b. for APC to submit enforcement request or c. for resident to proceed as such or for resident to close situation**
7. **Feedback as to all involved as required, let all parties know of decision reached**

No planning permission in place proceed to:

1. Review type and level of evidence provided by resident(s) with concern(s)
2. Check permitted development rights – space size, build size and height for example
3. External visit to site, where possible (this may not be possible without owner permission)

Halt at this point if build meets permitted rights, feedback to the resident with concern(s)

If not:

4. Establish need for and gain from resident with concern(s) any further evidence/data for the situation, aligned to what is permissible in the Enforcement policy
5. Once gained: Compare evidence against permitted development rights
6. If relevant, make contact with the house/landowner to discuss build and need for planning permission and their rationale for not proceeding this way

Action: Depending on contact with build/land owner, proceed either to agreement with owner to submit planning application – retrospective, or if not proceed to submitting enforcement request

7. **Let all parties know of decision reached as above**