



Fy Nghyf / My Ref: CM35079

Dyddiad / Date: 19th October 2016

Councillor Paul Mitchell  
Cardiff Council  
County Hall  
Atlantic Wharf  
Butetown  
Cardiff  
CF10 4UW

Annwyl/Dear Councillor Mitchell

### **Environmental Scrutiny Committee - 17th May 2016**

I refer to your letter of the 24th June and our response of the 26th August. It has been brought to our attention that the points regarding planning applications and enforcement was not answered and omitted from the final correspondence that was sent out due to an oversight for which we sincerely apologise. We would respond as follows.

The comments regarding Q4 for 2015/16 performance are noted in terms of the percentage of major applications determined was shown as "red" and householder applications being "amber". Officers at all levels within the Planning Service are aware of these statistics and have introduced improved monitoring and mitigation measures within both the Planning Service Business Plan and within PPDR Objectives for all relevant officers. It should be noted that the out-turn for Q1 in 2016/17 has shown a marked increase in performance where determination of majors is now 37.5% ("Green" (Target 25%)) and for Householder applications 80.8% ("Green" (Target 80%)). This statistic is expected to be maintained/improved throughout 2016/17 as new working practices and improvement actions are being rolled out across the Service.

#### **ATEBWCH I / PLEASE REPLY TO :**

Swyddfa Cymorth Y Cabinet / Cabinet Support Office, Ystafell / Room 518, Neuadd y Sir / County Hall  
Glanfa'r Iwerydd / Atlantic Wharf , Caerdydd/Cardiff, CF10 4UW  
Ffon / Tel: (029) 2087 2598

*Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.*

*The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.*



Planning Enforcement is a discretionary function that is undertaken by the Planning Service. Investigations into breaches and alleged breaches of planning control are undertaken on a proactive and reactive basis. It should be noted that it is not a criminal offence to undertake works without the required planning permission and that in accordance with Government advice Enforcement action is only undertaken as a last resort. It is often the case that development can be made acceptable by amendments and by the grant of a retrospective planning consent. Where such action is considered inappropriate Enforcement action will be pursued but it is not always the case that such action will require the total demolition of a structure or the termination of a use. It is often the case that negotiations will result which may see alterations being undertaken. It should be noted that where the recipient of an Enforcement Notice does not comply with its requirements the procedure that is followed will result in action through the Magistrates Court. The Court can impose a fine and subsequent fines for continued non-compliance, but this is at the discretion of the Court. Officers do not undertake direct action to secure the demolition of unauthorised structures. It should also be noted that the recipient of an Enforcement Notice can appeal to the Planning Inspectorate in an attempt to have the requirements of the Notice amended or quashed.

Planning applications are a public record and all documents are available to view on line. The service has public access PC's available in County Hall for members of the public who do not have access to a computer and members of staff are at hand to help. Where requests are made from members of the public who are unable to visit County Hall or who do not have access to the internet, the Service ensures that they are provided with the information they need to make representations. All forms of communication are accepted from members of the public (email, letter or on line comments) and these are then uploaded to the various applications and passed onto the Case Officer.

I trust the above is of assistance.

Yn gywir  
Yours sincerely

A handwritten signature in black ink, appearing to read 'Ramesh Patel', written over a light blue horizontal line.

**Y Cyngorydd/Councillor Ramesh Patel**  
**Aelod Cabinet dros Drafnidiaeth, Cynllunio a Chynladwyedd**  
**Cabinet Member for Transport, Planning & Sustainability**