

Planning Enforcement Customer Charter

A guide to the aims, service standards, and procedures of the planning enforcement service.

South Gloucestershire Council has a commitment to protect and enhance the environment for the benefit of all residents and businesses in the area. The Council can give effect to this commitment through the exercising of its powers as a Local Planning Authority to take action to remedy breaches of Planning Control.

This guide sets out how the Council aims to operate its Planning Enforcement Service in an equitable, timely, consistent and open manner so that South Gloucestershire can be properly protected and enhanced as a place to live and work. The aims and standards of the service are explained and a guide to the procedures is set out on the following pages, together with contact details. Separate guides and advice are available relating to Consultation and Decision making procedures and the Council's Planning Development Management Service. If you have any queries we encourage you to consult the on-line planning service, or contact the service or your Ward Councillor(s) for advice (see back page).

Service Aims

Standards

To operate the Planning Enforcement service standards in accordance with the published service standards, which set out the level of service and performance the public and businesses can expect. We will regularly review these standards taking account of the views of stakeholders.

Openness

To provide information and advice in plain language on the policies and procedures of the service, and to communicate this mainly by electronic means whilst giving access for all. Confidentiality will be maintained for complainants.

Partnership

To work with the community on compliance with planning controls on the basis that prevention is better than cure, and to ensure that our efforts are co-ordinated with other enforcement agencies within and outside the Council.

Helpfulness

To provide a courteous and efficient service with appropriate publicised contact points.

Feedback about the service

To operate the Council's compliments, suggestions and complaints procedure in an accessible, effective and timely manner.

Proportionality

To exercise the planning enforcement powers of the Council having clear regard to an assessment in each case of the expediency and public interest in taking action.

The Council has a wide range of planning enforcement powers, but must act in accordance with national policy and guidance. If the Council considers that a breach of planning control has occurred, officers must then decide whether or not this is sufficiently harmful as to require action to be taken in the public interest, having regard to the facts of the case. At one end of the scale, if no or little harm is identified, the matter could be treated as a 'technical breach' with no further action to be taken, or a planning application might be invited to 'regularise' the situation: At the other end of the scale, where it is assessed that serious harm has occurred (or might occur) a formal notice might be served and other formal steps considered.

Consistency

To exercise the planning enforcement powers of the Council in a fair, and consistent manner.

Effectiveness

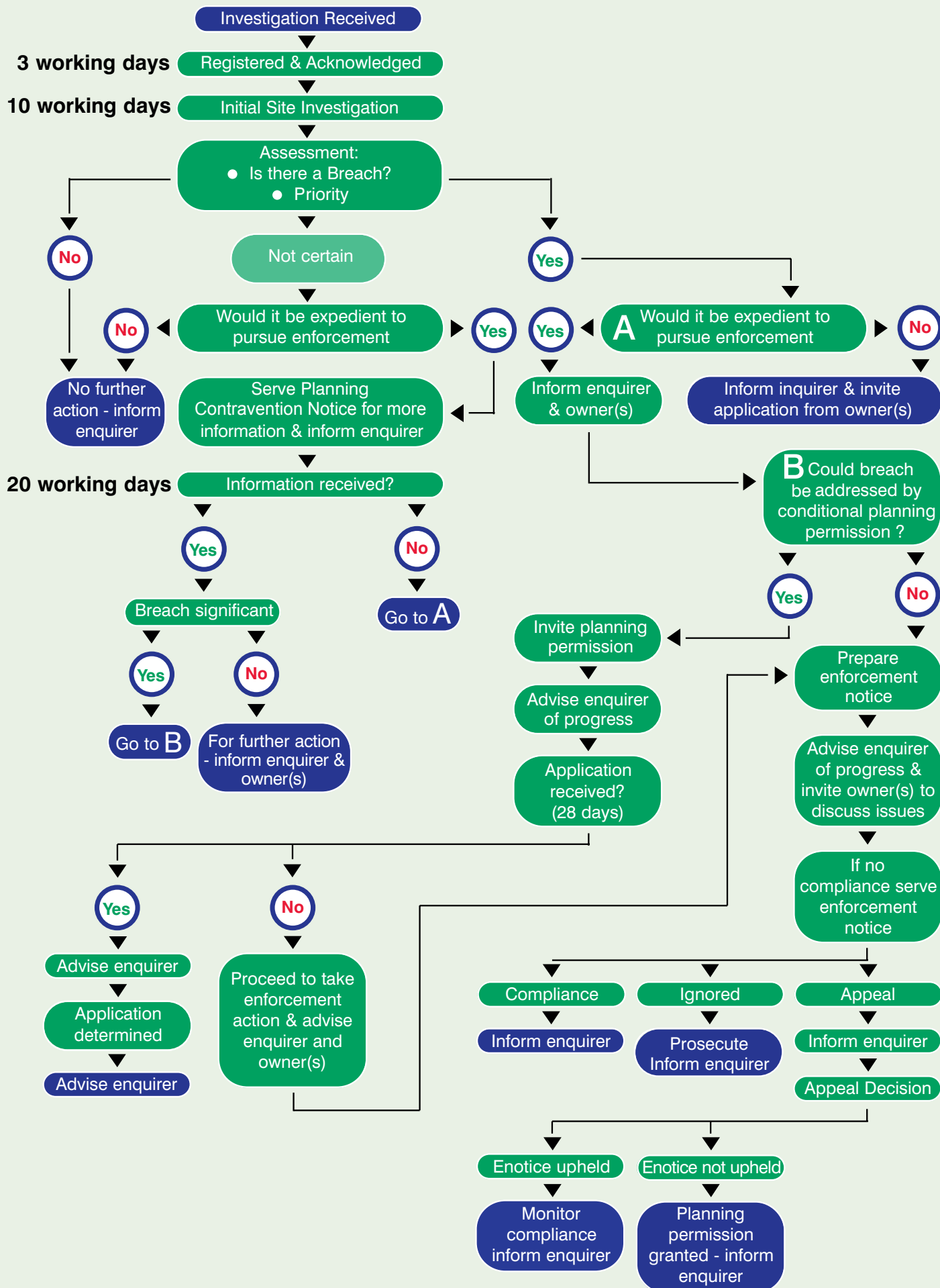
To protect and enhance the environment of South Gloucestershire by active and responsible use of the full range of enforcement powers available to the Authority.

Service Standards and Targets

These are the standards that the service seeks to achieve in the handling of all enforcement cases.

- 1 All properly made enquiries for enforcement investigation will be registered and acknowledged in writing within 3 working days of receipt and the enquirers details held confidentially. The Local Ward Councillor(s) will be informed of the complaint.
- 2 An initial site inspection will be carried out within 10 working days of receipt of the enforcement enquiry, and the case will be assessed against the Council's risk-based criteria for establishing enforcement priorities.
- 3 A substantive response will be made both to the enquirer and the owner(s) of the site under investigation, within 20 working days of receipt of the enforcement enquiry setting out the Council's decision and proposed further action if a breach has been found to have occurred.
- 4 Where it is considered that a breach may be made acceptable by the grant of conditional planning permission an application will be invited by letter, allowing 2 months for submission in normal circumstances. Any submitted application will be subject to normal consultation procedures but the enquirer will be notified whether or not they would have been notified under these procedures.
- 5 Where further information is required before a decision can be made on the case, details will be requested from all owners of the site allowing 28 days for submission.
- 6 Where formal enforcement action is deemed necessary the appropriate documentation will be forwarded to the Council's Solicitor or a formal notice served within 20 working days of the decision. The enquirer and the owner(s) of the site under investigation will be informed in writing at the same time as the information is forwarded to the Council's Solicitor.
- 7 Access to progress up-dates will be given to the enquirer and any other party with a legitimate interest in the issue (such as Ward Councillors and Parish Councils), at not less than 6 weekly intervals on longer cases.
- 8 Prior to the serving of a formal notice the Council will normally allow the owner(s) of the site under investigation an opportunity to discuss by telephone, letter, site or office meeting, as may be mutually agreed, the implications of the Notice, the steps which can be taken to avoid formal action by the Council and the right of appeal of the owner(s).
- 9 Appeals will be processed in accordance with the Government's timescales.
- 10 The service will be operated in a courteous and customer-focused manner. In cases of dispute, rights of complaint or appeal will be clearly explained.

Planning Enforcement Process



To make an enforcement enquiry & for general enforcement advice

How to get in touch

Phone:

01454 868004 (Standard rate applies)
8.45am – 5.00pm
(4.30pm on Fridays)

Letter:

Write to:

**South Gloucestershire Council
Planning Enforcement
PO Box 2081
Bristol
BS35 9BP**

Email: planningenforcement@southglos.gov.uk

Website:

Visit our on-line planning service at www.southglos.gov.uk for viewing applications, on-line advice and on-line subscription service.

In person:

General advice can be obtained from any of the Council's one-stop-shops. If you require detailed advice please contact us.

Your Local Ward Councillor(s):

Contact the Council offices or visit the website for full details. Councillors can give advice about how to best access Council Services and make your views known. You are encouraged to make early contact so that the benefit of any advice can be maximised.

Planning Aid Service

If you need free independent professional advice on planning issues, consider contacting the Planning Aid Service on **0870 850 9807** or swcw1@planning.aid.rtpi.org.uk

General Customer Care Standards

Please consult the South Gloucestershire Council Corporate Customer Care Charter to see the common standards which apply to all of the council's services.

Cover photo

Distant view across South Gloucestershire towards the River Severn.

Feedback about the service:

In the first instance please, send a letter or email to the Planning Enforcement Manager at the address shown.

If dissatisfied contact:

Head of Development Services at the address shown.

Council's Compliments, Suggestions, and Complaints service

See the Council's website for details or write to:

The Departmental Complaints Officer

**South Gloucestershire Council
Planning, Transportation & Strategic
Environment
PO Box 2081
Bristol
BS35 9BP**



This information can be made available in other languages, in large print, Braille or on audio tape.

Please phone 01454 868004 if you need any of these or any other help to access Council services.

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This leaflet was approved in September 2004 (revised in May 2010) by the Executive Member for Planning, Transportation and Strategic Environment after consultation with all Ward Councillors, Parish and Town Councils in South Gloucestershire together with agents and customers involved in the Planning Enforcement process.