



Local Planning Enforcement Plan

2023

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Introduction

This Plan sets out how Worcester City Council, hereafter referred to as the City Council, aims to provide an efficient planning enforcement service in a clear, consistent, proportionate and open manner. It is recognised that establishing effective controls over development that breaches planning control assists in conserving the natural and built environment whilst helping to protect the quality of people’s lives.

The City Council as the Local Planning Authority for Worcester has discretion to take enforcement action, when it is expedient to do so, having regard to the development plan and any other material considerations.

Paragraph 59 of The National Planning Policy Framework (2021) states that:-

“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate”

In addition to the statement made in National Planning Policy Framework, the Town and Country Planning Act 1990 (as amended) s.171A defines a breach of planning control.

The purpose of planning enforcement

The City Council is committed to providing an effective planning enforcement service.

Planning laws and policies are designed to control development and use of land and buildings in the public interest. They are not intended to protect the private interests of one person against the activities of another.

The City Council does not condone wilful breaches of planning control and will exercise discretion to take enforcement action if it is considered expedient to do so. The City Council will investigate all alleged breaches of planning control, to determine whether a breach has occurred as a matter of fact, and if it has, will then determine the most appropriate course of action.

What is a breach of planning control?

This could involve such matters as the unauthorised erection of a building or an extension to a building, a material change of use of land or a building, or the display of unauthorised advertisements.

Other breaches of planning control may consist of the following: -

Unauthorised works to Listed Buildings;

Most works to Listed Buildings require consent, and it is a criminal offence to carry out works without such consent. Prosecution proceedings can be instigated under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Alternatively, the Act gives local planning authorities power to serve a Listed Building Enforcement Notice

Unauthorised works to trees subject of a tree preservation order (TPO) or in a Conservation Area;

It is a criminal offence to carry out unauthorised work to trees protected by a Tree Preservation Order. Where works are proposed to trees in a conservation area, the City Council should be notified, and will evaluate the contribution the tree(s) make to the area. In both instances the City Council has the power to prosecute offenders and require the planting of replacement trees.

Failure to comply with a Section 106 agreement;

As part of the planning process, the City Council and a developer and other affected parties may enter into a legal agreement called a Section 106 agreement(s106). This agreement is a delivery mechanism for the matters that are necessary to make a development acceptable in planning terms, that cannot be dealt with by putting conditions on a planning permission.

If the obligations within a s106 agreement is not complied with, it is enforceable against the person that entered into the agreement and any subsequent owner of the land on which the development has taken place. The s106 agreement can be enforced by injunction. In the case of a breach of the agreement obligation the City Council can where appropriate take direct action and recover expenses. If planning obligations under a section 106 agreement are not met then the LPA has powers to take enforcement action by way of:

- invoking an injunction (section 106(5) TCPA 1990). This can be for both the fulfilment of a requirement or restriction under the agreement.
- entering onto the land to carry out the works and recover the City Council's reasonable expenses for so doing. To do so the City Council must first give 21 days notice to any person against whom the obligation is enforceable (sections 106(6) and 106(7), TCPA 1990)

Breaches of Planning Conditions;

A breach of condition notice can be served where there is a failure to comply with any condition imposed on the grant of planning permission. The exception is when the condition has been breached for 10 or more years in line with statutory limits for taking action. There is no right of appeal against a breach of condition notice.

Untidy land where it affects the amenity of the area;

Where land or premises have become derelict or untidy to the extent that it adversely affects the amenity of the area, the Local Planning Authority has the power to serve a notice under section 215 of the Town and Country Planning Act, requiring steps to be taken to remedy the untidy condition of land. There is a right of appeal to the Magistrates Court.

Alternatively the use of a Community Protection notice (CPN) may be considered by the City Council.

Community protection notices (CPNs) are designed to stop a person aged 16 or over, business or organisation committing antisocial behaviour (ASB) which spoils the community's quality of life. This can include offences such as noise nuisance, eyesore rubbish on private land and antisocial behaviour. The notice puts in place steps to ensure it will not reoccur. It would be adapted to the situation and can include any or all of the following:

- A requirement to stop doing specific things
- A requirement to do specific things
- A requirement to take reasonable steps to achieve specific results within the set timescales.

A person who fails, without reasonable excuse, to comply with any requirement of this notice will be guilty of a criminal offence and there can be an associated fine issued on conviction from the Magistrates Court if the requirements of the CPN are not complied with.

Deliberate concealment of unauthorised building works or changes of use;

Where a person deliberately conceals unauthorised development, the concealment may not come to light until after the normal time limits for taking enforcement action (Section 171B of the Town and Country Planning Act 1990) have expired. A Planning Enforcement Order enables the council to take action in relation to an apparent breach of planning control notwithstanding that the time limits may have expired.

The application for an Enforcement Order is to be made within 6 months, starting with the date on which sufficient evidence of the apparent breach came to the local planning authority's knowledge. This application is made to the magistrates court and a copy served on anyone with an interest in the land who

in turn have a right to appear before, and be heard by, the court hearing the application.

Removal of protected hedgerows – Hedgerow Regulations 1997

Under the Hedgerow Regulations 1997, it is an offence to remove certain hedgerows if the owner has not served a Hedgerow Removal Notice on the City Council or where the City Council has served a 'Hedgerow Retention Notice'.

Section 97 of the Environment Act 1995 forms the basis for the above Regulations which introduce a prohibition on the removal of certain hedgerows unless certain procedures are followed. The Regulations apply to any hedgerow growing in, or adjacent to, any common land, protected land, or land used for agriculture, forestry or the breeding or keeping of horses, ponies or donkeys if it has a continuous length of or exceeding 20m or if less, it meets or intersects with another hedgerow. Any hedgerow within the curtilage of a dwelling is excluded. Protected land refers to land managed as a nature reserve or land designated under sec.28 of the Wildlife and Countryside Act. Enforcement of the Regulations may involve prosecution, requiring the planting of a replacement hedgerow or the service of an injunction to restrain an actual or apprehended offence.

Not building in accordance with the approved plans that form part of a planning permission;

In some cases this can result in the whole development being deemed as unauthorised and the demolition of the entire building may be required. In other cases the developer may need to apply retrospectively for what they have built, if an enforcement notice has not already been issued by the City Council.

Unauthorised engineering operations

Matters such as raising of ground levels or earth bunds; this might relate to significant amounts of earth being moved onto or within a site. This may involve engagement with both Worcestershire County Council (Minerals & Waste) and the Environment Agency.

Unauthorised demolition within Conservation Areas;

If you live in a conservation area, you will need planning permission for some demolition activities, such as:

- i. Demolishing a building with a volume of more than 115 cubic metres. There are a few exceptions - you can get further information from the Planning team or visit the following link [Conservation Areas - Other permissions you may require - Planning Portal](#)
- ii. Demolishing a gate, fence, wall or railing that is over 1 metre in height next to a highway (including a public footpath or bridleway) or public open space; or over 2 metres high elsewhere.

Matters that are not breaches of planning control

- Internal works to a non-listed building that do not result in a change the use;
- Obstruction of a highway or public right of way (PROW);
- Parking caravans on residential driveways or within the curtilage of domestic properties if they are incidental to the enjoyment of the property;
- Land ownership disputes or trespass issues;
- Covenants imposed on property Deeds
- Any works that are deemed to be 'permitted development' under The Town and Country Planning (General Permitted Development) (England) Order 2015 and or substituted or amended;
- Advertisements that are to subject to deemed or express consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and as such are excluded from direct control
- Dangerous structures or other health and safety issues such as those that fall within the remit of the Health and Safety Executive (HSE); this may also be reviewed by South Worcestershire Building Control who consider structural safety.
- High hedge disputes (evergreen hedges) – however, these are dealt with by Planning Services and are investigated under Part 8 of the Anti-Social Behaviour Act 2003.

In the case of high hedges, the Anti-Social Behaviour Act 2003 does not specify a fixed height that a hedge should be maintained at. Instead, in response to a formal complaint and following payment by the complainant of the appropriate fee, the City Council will assess the hedge in relation to its surroundings to determine what is called the 'action height'.

If appropriate, the City Council will specify what height the hedge should be cut to and then maintained at. The City Council's decision is legally binding. Information on high hedge issues can be found on the City Council's website at:

[High Hedges Complaints - Worcester City Council](#)

Discretionary Enforcement Action

It is important to note if a breach of planning control is established, it is at the City Council's discretion to take enforcement action. The City Council must first decide, having regard to relevant planning policies contained within the Development Plan (currently the South Worcestershire Development Plan 2016), guidance contained in the National Planning Policy Framework (NPPF), the

National Planning Practice Guidance and all other material planning considerations whether or not it is 'expedient' to take formal action.

The Test of Expediency is used when assessing whether to instigate enforcement action. The following will be considered:

- i. the proposed action must be in the public interest;
- ii. the breach must be sufficiently harmful to justify taking action;
- iii. the proposed action must be reasonable and commensurate with the breach in planning control to which it relates;
- iv. the action undertaken should be cost effective;
- v. whether or not the development is in accordance with planning policies.

Guidance from Central Government is that enforcement action should be a last resort and that councils are expected to give those responsible for a breach of planning control the opportunity to put matters right or to seek to regularise the breach before resorting to serving a formal notice, this must be a proportionate and commensurate response to the breach of planning control.

Immunity from enforcement action

An enforcement investigation will not be taken further if information received, at the time of the initial case, indicates that the alleged breach occurred prior to the commencement of the period necessary for the development to become immune from enforcement action. Relevant time periods are normally:

- Four years in respect of operational development (building or ground works) or the change of use of a building to a single dwelling house.
- Ten years in respect of any other change of use or the breach of a planning condition.

Where there is evidence that operational development occurred more than 4 years ago but has been deliberately concealed an investigation may still be carried out and action taken.

Decision making and complaints

It is part of the normal duties/responsibilities of the Investigating Enforcement Officer and the Service Manager- Development Management to decide not to pursue formal enforcement action. This is justified having regard to the Local Enforcement Plan and the Development Plan (SWDP). If anyone is dissatisfied with the decision made, they can proceed to follow the Council's Corporate Complaints Procedure, link provided as follows:

[Compliments, Comments and Complaints - Worcester City Council](#)

If anyone is not satisfied with the response they receive, they can take their complaint to the Local Government and Social Care Ombudsman. The Ombudsman is unlikely to consider a complaint unless it has already been fully investigated by the City Council.

What can you expect if you report an alleged breach of planning control?

We will: -

- Investigate all alleged breaches of planning control received by the City Council, either in writing, by e mail, by telephone or in person. These details are given at the end of this document;
- Always keep your personal details confidential, unless required to be disclosed as part of court proceedings;
- Register your complaint where possible within 5 working days of receipt and provide you with an acknowledgement and reference number with a named officer as the main point of contact;
- Keep you informed of the progress of the case and of any significant decisions made regarding whether the City Council is to take action and if any, what action will be taken, and the likely timescales involved;
- Actively pursue your complaint where there has been an identified breach of planning control and it is considered to be in the public interest to do so;
- In cases where there may be a technical breach of planning control, but the harm caused is not sufficient to warrant formal action we will notify you of the reason for not taking formal action and close the case;
- Where appropriate we will negotiate with those responsible for any breach of planning control, allowing them the opportunity to resolve the matters of concern before serving a formal notice. This is unless the breach is so serious it would warrant immediate action or where negotiations become protracted with no realistic prospect of successful resolution with a reasonable timeframe, having regard to the nature of breach.

How to report an alleged breach of planning control

The City Council considers in the region of 250-300 planning enforcement related complaints each year of alleged breaches of planning control.

In order that your complaint can be dealt with as soon as possible it is important that you provide us with as much information as you can. Below is a list of the type of information that would assist us in dealing with your complaint: -

- An accurate description of the location or address for the particular site;
- A detailed description of the activities taking place that are cause for concern; and identification of the harm being caused.

- Names, addresses and phone numbers of those persons responsible for the alleged breach or the land owners (if known);
- The date and times of when the alleged breach first took place and details of any subsequent times;
- Your name and postal address and an e mail address if you have one;
- Complaints about alleged breaches of planning control will be accepted by either e-mail, letter, telephone, or personal caller provided the complainant provides their name, address and telephone number.
- If possible, photographs or video evidence showing the alleged breach.

The action we will take about your complaint

Your complaint will be: -

- Given a priority based on the City Council's published priority table which is contained in this plan;
- Investigated and a site inspection undertaken in line with the published timescales, where possible, contained in this plan;
- Pursued until such a time that the matter is satisfactorily resolved, either by regularising the breach until the development is found to be lawful or until a decision is taken that it is no longer expedient to pursue the matter further;
- In the event that a formal notice is served and not complied with, the case to which your complaint relates may be pursued through to the Magistrates Court or higher court where necessary.

Anonymous complaints

Anonymous complaints will not normally be investigated unless clearly relating to a matter of public interest. The City Council determines whether the alleged breach merits investigation. Complainants who do not wish to give their personal details will be advised to contact either Local Ward Member or their Parish Council (where there is one) to see if they may be prepared to raise concerns on behalf of an individual. Personal details provided by a complainant will be kept confidential and will not be disclosed unless required to do so as a result of any formal legal proceedings.

Vexatious or malicious complaints

The City Council recognises that, on occasion, a complainant may feel that a complaint has not been resolved to his/her satisfaction. However, in a minority of cases members of the public pursue their complaints in a way that is unreasonable. The City Council has addressed such matters in Section 7 of the Feedback and Complaints Policy. Found at the link provided. Complaints-Policy.pdf (worcester.gov.uk)

This policy is designed to help manage unreasonable complainant behaviour, prevent duplication and abortive work by employees, and protect the City Council's employees from harassment and harm.

Complaint Categories

	Initial assessment of harm caused	Examples of types of case	Time for investigations to commence
Category A Serious breaches that may lead to irreparable harm	Severe, irreversible and usually ongoing/progressive	1. Unauthorised works to a listed building or scheduled ancient monument	Within 1 – 2 working days
		2. Removal of hedgerows/works to trees which are protected by Tree Preservation Orders/within Conservation Areas	
		3. Damaging works to Sites of Special Scientific Interest (SSSI)	
		4. Interest (or other nationally or locally designated sites of nature conservation)	
		5. Unauthorised encampments causing harm to the environment	
		6. Unauthorised development / advertisements which gives rise to a potential risk to public safety including pollution or environmental harm	
Category B Breaches causing significant harm	Ongoing work which may cause significant and progressive harm. Operations or uses that causes local harm or loss of amenity	1. Excavations which could have a nature conservation or landscape impact	Within 5 working days
		2. Large scale building works causing significant loss of amenity.	
		3. Noise and odour issues causing loss of amenity, resulting from development or a change of use	
		4. Ongoing building works, including extensions	
		5. Unauthorised development which would adversely affect the character/appearance of a conservation area or the setting of a listed building	
		6. Serial breaches where there is a history of non-compliance with planning legislation, including such matters as unauthorised signage/advertisements	
		7. Untidy land and buildings (S215)	
Category C Breaches of Planning Control that do not cause significant harm	No significant harm or impact limited to adjacent properties. Completed works and operations.	1. Unauthorised signage/advertisements (unless the sign/advertisement seriously affects public safety).	Within 10 working days

What are the possible outcomes of an investigation?

Formal Action

The City Council has a range of formal powers under the Town and Country Planning Act that it can use to remedy breaches of planning control. The more common forms of enforcement action are set out in appendix one.

There is a right of appeal against an Enforcement Notice, the process for which is undertaken by the Planning Inspectorate. The details regarding this process are provided when a notice is issued.

Retrospective Planning Applications

In accordance with Government advice the City Council will firstly seek to negotiate a solution to any confirmed breach of planning control. By entering into negotiations with the landowner and/or person responsible for the breach of planning control, a solution may be found which could involve the cessation of any unauthorised change of use or building operations, the removal of any unauthorised building works or items constituting a material change of use of land, or the remedy for a breach may be best achieved by the submission of a retrospective planning application.

The submission of a retrospective application may be appropriate where it is considered that there is a reasonable likelihood that planning permission may be granted in line with local and national planning policies or where a development may be made acceptable by way of the imposition of conditions.

Minor or technical breaches of planning control may not be pursued in the event that a retrospective application has been requested and not submitted or where it is not considered expedient to do so.

Negotiations take place to find a solution

In accordance with Government guidance, the first priority is to try and resolve any breaches of planning control through negotiation. Only when such negotiations fail to secure a solution should formal action be considered. The City Council will however try to avoid negotiations becoming protracted where there is a need to make the development acceptable or where there is a requirement for a particular use to cease.

Under Enforcement

The City Council may decide not to require action be taken to remedy the whole of a breach of planning control. This is known as "under enforcement".

Where an enforcement notice identifies a breach of planning control which could have required any buildings or works to be removed, or an activity to stop, but has stipulated some lesser requirements, and all the requirements of the notice have been complied with, then planning permission is deemed to be granted for

those remaining operations or use (Section 173(11) of the Town and Country Planning Act 1990).

Whether a particular notice "could have" required something is contingent upon the terms of the alleged breach of planning control set out in the notice.

There is a breach of planning control but not considered expedient to pursue

Just because a breach is established, this does not automatically result in formal action being taken. Enforcement powers are discretionary and minor technical breaches may not be considered expedient to pursue. Some cases may be considered to be de minimis for example (too minor to warrant the time and expense involved in pursuing them).

The development is immune from enforcement action and thus lawful

This is when the unauthorised development or unauthorised change of use has occurred over a long period of time without being brought to the attention of the City Council. There are certain time limits involved in relation to operational development (4 years) and changes of use (10 years), however for further details please contact the enforcement team who will be happy to advise you if you think this may apply to you.

No breach established

Following a site inspection, it may be established that there is no breach of planning control because for example the unauthorised use has ceased, or the development is permitted development.

What happens if a breach of planning control is alleged, relating to land or buildings you own? allegation is made against you?

If a complaint is received that affects land/buildings that you have an interest in, you will be contacted (if the City Council is able to obtain your details) and/or the enforcement officer will undertake a site visit. The purpose of this visit is to establish the facts of the case and whether there is any basis to the allegations made. The officer will, where necessary take measurements and photographs of the development or activity taking place. This site inspection may be undertaken without any prior notification.

If a breach of planning control is established, you will be advised of the details of the breach and what steps need to be taken to either rectify the breach or regularise the situation.

You will be given a reasonable period of time (subject to the nature of the breach) to resolve the breach(es) of planning control. If compliance is not secured through negotiations or the submission of a retrospective planning application formal action may be instigated.

Voluntary Compliance

In addition to the service's role in reacting to complaints regarding alleged unauthorised developments or breaches of condition, the City Council carries out some proactive monitoring of developments to ensure compliance with conditions, planning permissions and other consents. It should be noted that it is the responsibility of individual developers to comply with the conditions imposed on any planning permission or consent or with any terms identified in legal agreements, such as Section 106 agreements. However, failure to comply can affect not only the quality of the environment or the amenity of neighbouring properties but also undermine the reasons and justification for granting planning permission or other consents in the first instance.

Proactive monitoring of some planning permissions will encourage and enable compliance with conditions to ensure that development remains acceptable in planning policy terms whilst maintaining an attractive, high-quality environment. By carrying out proactive compliance monitoring in this way the number of retrospective enforcement complaints received can be managed.

Where necessary:

Problematic sites such as those involving significant level changes, or contamination will be monitored. In these cases, decisions will be taken on a case by case basis and the decision to pursue any breaches found during inspections will be informed by the overarching framework for decision making as set out in this Plan. Any other developments may be inspected from time to time to ensure compliance.

Benefits of Proactive Compliance

The benefits of proactive compliance can be felt by the City Council, community and the development industry. By being proactive, the City Council can be aware of identified sites and can try and prevent major problems occurring. For the community this means that the City Council can be confident that requirements and conditions within agreements and permissions or consent will be complied with ensuring a high quality of built development, while being efficient with our resources and reducing any potential harm caused as a result of the development.

For the development industry, there are benefits in raising the profile and need to comply with requirements and conditions to ensure future conveyance requests and solicitors queries can be dealt with. A clear process of compliance can only aid these future requests.

Voluntary Start Notices

A developer is not required by law to notify the City Council before development for which planning permission has been granted is commenced. As such there is no comprehensive method of checking if conditions, especially pre-commencement conditions, have been complied with.

Whilst it may be possible to cross reference Building Control commencement reports this is time consuming and relies on the report being accurate; where a private building inspector is used then this may not show up on any report.

The City Council sends voluntary start notices to applicants/ their agent where planning permission has been granted and where that permission contains conditions that control the development whilst it is being carried out.

Power of entry onto land

Section 196(a) of the Town and Country Planning Act (as amended), the Planning (Listed Buildings and Conservation Area) Act 1990 and Part 8 of the Anti-Social Behaviour Order Act 2003 gives planning officers working for the City Council, the power to enter land and/or premises at all reasonable hours in order to undertake his/her official duties. Wilful obstruction of a person exercising a right of entry is an offence.

The above does not allow the admission to any building used as a dwelling house to be demanded as a right by virtue of the legislations unless twenty-four hours prior notice of the intended entry has been given to the occupier of the building.

Reporting of Enforcement Cases

A case will be considered resolved/closed when:

- A decision is made that it is not expedient to pursue enforcement action.
- The matter is being regularised through the application process. Further investigation may be necessary on refusal of permission if development remains in breach
- The breach of development control has ceased.
- Planning permission has been granted or is being considered.
- A formal notice is served and has been complied with.
- No breach is established

We do not intend to publicise details of individual enforcement cases under investigation, as, until our investigations are complete, it is not possible to confirm the status of an alleged breach of planning control. It would therefore be inappropriate and potentially unfair to publicise the details of an individual, business, site or operation which ultimately may be found not to have breached planning controls. However, any formal notice served on a property will be revealed in a Land Charges Search and, if a specific question is asked for example as part of a request for information under the Freedom of Information Act or Environmental Information Regulations, we may have to reveal that there is an on- going investigation.

Periodically we will report the number of enforcement complaints received, the number of cases closed and the number of outstanding cases to elected members of the City Council. Additionally, we will report the outcome of all enforcement appeals to elected members of the City Council.

Other Contacts and Sources of Advice

Councillors are an important source of local knowledge and advice and may be contacted and lobbied. However, it is important to bear in mind that they operate under a formal Code of Conduct and they will not be able to express an opinion on any development that they intend to consider formally at a later stage.

You may also find that your local Parish Council have information or knowledge of development that has taken place. Other sources of advice and guidance include private planning consultants and Planning Aid who may be able to provide you with free, professional and independent planning advice.

Finally, Planning Services at Worcester City Council only has powers to enforce breaches of planning regulations. It may be that other organisations, such as the Environment Agency, Worcestershire County Council, Worcestershire Regulatory Services or the Health and Safety Executive have additional or more appropriate powers to enforce against any alleged unauthorised development or activity. Where appropriate we will refer reported breaches to the appropriate organisation.

Complaints about the service

If you are unhappy about the level of service, you have received from the Planning Enforcement Team or how the process has been managed then you may firstly write to the Head of Planning, or take your concerns further through the Council's Corporate Complaints Procedure. If you remain unhappy, then you may write to the Local Government Ombudsman who may investigate your concerns however please note that the Local Government Ombudsman will only investigate to establish if the City Council are guilty of maladministration. The Local Government Ombudsman does not have powers to require the City Council take formal enforcement action when it has previously decided not to.

Contact Details

Planning Enforcement can be contacted in the following ways:

By Letter to:

Planning Enforcement
Worcester City Council
Worcester
WR1 2EY

By e-mail to: planning.enforcement@worcester.gov.uk

By telephone (via Customer Services): 01905 722333, or in person at the Customer Service Centre in the Guildhall.

If you report a suspected breach of planning control to the City Council, you will be provided with direct contact details for the allocated case officer.

Appendix 1 Types of formal enforcement action

Planning Contravention Notice (PCN) – Section 171(c) of the Town and Country Planning Act 1990 (the Act) enables the service of a notice requiring persons to provide information in relation to land or activities on land where a breach of planning control is suspected

Request for Information (RFI) – Section 330 of the Act enables a notice to be served requesting details to be provided of any owners, occupiers or any other persons with an interest in the land

Enforcement Notice – Section 172 of the Act enables the service of a notice which requires specific steps to be undertaken to remedy the breach of planning control

Breach of Condition Notice (BCN)– Section 187(a) of the Act enables the service of a notice to secure compliance with conditions imposed on a planning permission

Stop Notice (SN) or a Temporary Stop Notice (TSN) - Section 183 and Section 171(e) of the Act enables the service of a notice requiring the cessation of unauthorised activities. A Stop Notice may only be referred to above

Section 215 Notice – Section 215 (s215) of the Act provides a local planning authority (LPA) with the power, in certain circumstances, to take steps requiring land to be cleaned up when its condition adversely affects the amenity of the area. If it appears that the amenity of part of their area is being adversely affected by the condition of neighbouring land and buildings, they may serve a notice on the owner requiring that the situation be remedied. These notices set out the steps that need to be taken, and the time within which they must be carried out. LPAs also have powers under s219 to undertake the clean-up works themselves and to recover the costs from the landowner.

The use of s215 by LPAs is discretionary and it is therefore up to the LPA to decide whether a notice under these provisions would be appropriate in a particular case, taking into account all the local circumstances. LPAs will need to consider, for example, the condition of the site, the impact on the surrounding area and the scope of their powers.

In addition to the above **further action** is available by way of the service of injunctions, the taking of direct action to remedy a breach or to instigate prosecution proceedings for non-compliance where it is deemed necessary to do so.

Worcester City Council will comply with the provisions of the Police and Criminal Evidence Act 1984 when interviewing persons suspected of a criminal offence and with the Criminal Procedures and Investigations Act 1996 and Section 222 of the Local Government Act 1972, when carrying out prosecutions.