

Service Standards

The Planning Enforcement Service

This document tells you about the standard of service we aim to provide when dealing with planning enforcement matters. We hope you find this document helpful but if you need further information or other documents, details of how to obtain these are given at the end.

OUR SERVICE AIMS

The Development Management Service enforces the provisions of the Town and Country Planning Act 1990 and associated legislation. In doing so we aim to enforce in an equitable, practical and consistent manner, in accordance with the Concordat on Good Enforcement published by the Cabinet Office and the Local Government Association in March 1998. These notes have been prepared in response to that publication.

Our enforcement officers deal with the investigation and resolution of breaches of planning control across the whole Borough. These are drawn to our attention either from complaints made by telephone or in writing, and by the monitoring of building works.

The aim of the service is to provide a courteous, responsive and efficient service where there is a clearly identified breach of planning control. Complainants will be expected to provide their details, so they can be kept updated on progress with the investigation and to avoid vexatious complaints. Officers will investigate all alleged breaches of planning control where such information is provided by a complainant. Anonymous complaints, however, will be given a low priority.

When making a complaint your identity will be kept confidential. Your name and address will not be revealed to the person or organisation involved in the possible breach. In certain serious cases, you may be asked to assist the Council by providing evidence at an appeal or in Court. Before this happens, we will ask for your consent. If an appeal is lodged, any representations received become public documents that are available for public inspection, including the appellant and their legal representative's.

We believe you have a right to know what you can expect to receive and so in this guide we have set out the details of our key planning enforcement services and the standards we aim to achieve.

SERVICE AIMS FOR PROVIDING ADVICE AND INFORMATION

Enforcement of planning control covers a wide area and includes the investigation of unauthorised building works and changes of use, breaches of conditions attached to planning permissions, works to listed buildings and demolition in conservation areas, the felling or lopping of trees protected by a tree preservation order and unauthorised advertisement displays.

Enforcement officers work to a protocol that has been adopted by the Council. You can obtain a copy of this and other information on planning controls via the Duty Planning Officer (phone 020 8496 6876, or call into our reception between 10am and 4pm Monday to Friday). All our publications can be viewed on our website.

Our aim is to be courteous and efficient and give clear advice and information about the application and enforcement of planning law.

For more information, please see the advice notes titled 'What Planning Approvals Do I Need For My Proposals?', 'What Non-Planning Approvals Do I Need For My Proposals?',

'How Are The Planning Regulations Enforced?' and the 'Enforcement Protocol'. These are available from our reception or website (addresses at bottom of page).

SERVICE AIMS FOR INVESTIGATING BREACHES OF PLANNING CONTROL

Enforcement officers will investigate alleged breaches of planning control where the complainant clearly identifies the location of the alleged contravention and gives a description of the works and when they began. If a change of use has occurred that is causing a nuisance the nature of the harm should be identified, eg noise, noxious fumes, cooking odours, etc. To assist the investigation process we aim to:

- register and acknowledge a complaint and advise on the priority for investigation within five working days of receipt;
- investigate a complaint within the time scales set out under the prioritisation system;
- advise the complainant of our findings within five working days of investigation;
- report progress to the complainant at critical stages of the enforcement process;
- notify the complainant of the final outcome of the investigation or enforcement action taken; and
- when enforcement action is not necessary or possible, explain the reason to the complainant as soon as is reasonably practical.

Our prioritisation system

Complaints will be categorised according to the level of harm that is likely to be caused to neighbours and the area generally. We aim to investigate the most serious breaches that cause immediate, serious and irreparable harm to a neighbourhood or severe disturbance to neighbours within one working day. Those that cause less harm will be investigated in either 10 or 20 working days depending on the nature of the breach. We will inform you of the time within which we aim to investigate a breach when we acknowledge the receipt of your complaint.

Officers will not investigate complaints relating to:

- Neighbour disputes, land ownership or boundary disputes (these are not covered by planning law)
- Highway matters (they are dealt with by the Public Realm Service)
- Environmental Health matters (they are dealt with by the Consumer Protection Service)

SERVICE AIMS FOR TAKING ACTION AGAINST CONTRAVENTIONS

Our aim is to protect the local area, safeguard the environment generally and uphold local planning policy in the speediest and most effective way.

Where development takes place without planning permission, but may be acceptable: we will inform the owner or occupier of this fact and will ask for a retrospective planning application to be made. We may grant this with or without conditions. An application submitted under this process will still be subject to the Council's policies for public consultation with decisions being taken either under delegated powers or by Committee. For more information please see the advice note titled 'How Does The Council Decide Planning Applications?'. This is available from reception or our website (addresses at bottom of page).

If planning permission is not granted, we will take enforcement action.

Where development takes place without planning permission, but is unlikely to be unacceptable: we will inform the owner or occupier and will try to negotiate an acceptable solution. This may involve stopping the unauthorised activity or reducing it to an

acceptable level. Where negotiations are not successful, we will take enforcement action. There is a right to appeal against this action. If we succeed but the action is not complied with, we will normally pursue the matter and the offender will be taken to court and prosecuted.

Where development takes place with planning permission, but in contravention of a planning condition: we will seek to negotiate for compliance. Where negotiations are not successful, we may serve a Breach of Condition Notice that will require compliance with the condition. Where the notice is not complied with, we will normally pursue the matter and the offender will be taken to court and prosecuted.

For more information, please see the advice note titled 'How Are The Planning Regulations Enforced?' This is available from our reception or website (addresses at bottom of page).

SERVICE AIMS FOR CUSTOMER SERVICE

The work of the Development Management Group in Waltham Forest is important to ensure that the main corporate aims of the Council can be achieved. It is therefore desirable that the service develops continuously in response to its customer's needs. To assist this we aim to:

- offer advice on planning matters and to encourage pre-application discussions;
- provide a wide range of publications to assist people in formulating proposals and understanding the planning process;
- consult service users regularly to enable us to make improvements to the Planning Service; and
- investigate all complaints fully and promptly and advise the complainant of what action is to be taken. If no action is to be taken, the reasons will be explained fully.

A leaflet setting out the Council's complaints, compliments and comments procedure is available from reception or our website (addresses at bottom of page).

TELL US WHAT YOU THINK

Please let us know your views on the service that we provide, both where you think we have done well and where there may be scope for improvement. We particularly welcome your suggestions for improving the service. Please let us know your views by writing to us at dc@lbwf.gov.uk or the address below.

FOR FURTHER INFORMATION OR HELP

We hope you find this document helpful. Other documents are available from our reception or our website (addresses at bottom of page). If you need further information please phone Waltham Forest Direct on (020) 8496 3000 or call into our reception at Sycamore House between 9am and 5.15pm Monday to Thursday or 9am and 5pm Fridays (the offices are closed on Bank and Public Holidays). A Duty Planning Officer is available for general planning advice between 10am and 4pm Monday to Friday on (020) 8496 6876 or in our reception.

Interpreting and translation assistance

The Council has prepared this document to assist users of its Development Management Service. If you have any difficulty reading or understanding it because English is not your first language, we will try to help you. Please tick the box, which shows which language you speak, write your name, address and telephone number and return this form, together with the document, to the address given below.

<p>Kansilli e ka pregaditur këtë dokument për tui ndihmuar përdorësve të Shërbimeve të Kontrollit të Zhvillimit. Po patët vështirësi për ta lexuar apo kuptuar sepse Anglishtja nuk është gjuha juaj e parë, ne do të mundohemi t'ju ndihmojmë. Ju lusim shenoni katorrin që tregon se cilën gjuhë e folni, shkruani emrin, adresën dhe numrin e telefonit dhe ktheni këtë formë, së bashku me dokumentin, në adresën e dhënë më poshtë.</p> <p style="text-align: right;">Albanian <input type="checkbox"/></p>	<p>A Junta de Freguesia preparou este documento para assistir os utentes do seu Serviço de Controlo de Desenvolvimento. Se tiver dificuldades em ler ou compreender este documento devido ao inglês não ser o seu idioma principal, nós tentaremos ajudá-lo(a). Assinale o quadrado junto ao idioma que fala, escreva o seu nome, morada e número de telefone e devolva esta folha, juntamente com o documento, para a morada em baixo.</p> <p style="text-align: right;">Portuguese <input type="checkbox"/></p>
<p>لقد أعد المجلس هذه الوثيقة لمساعدة مستخدمي خدمة سيطرة التنمية. وإذا واجهت صعوبة في قراءتها أو فهمها لأن الإنجليزية ليست لغتك الأولى فسنحاول أن نساعدك. الرجاء وضع علامة بالصندوق الذي يبين لغتك وأكمل اسمك وعنوانك ورقم الهاتف وأرسل كامل النموذج مع هذه الوثيقة للعنوان أدناه.</p> <p style="text-align: right;">Arabic <input type="checkbox"/></p>	<p>Dagmada ayaa diyaarisay dukumantigaan si ay ugu caawiso dadka ubbaahan Adeegga Koontaroolka Qorshaynta Dhismaha Magaalada. Haddii aad wax dhib ah kala kulanto in aad fahamto qoraalkaan waayo Ingiriisku maahan luuqaddaada koowaad, waxaan isku dayaynaa in an ku fahamno. Fadlan calaamadi sanduuqa muujinaya luuqadda aad ku hadasho, qor magacaaga, ciwaankaaga, taleefoonkaaga, dabadeedna ku soo celi foomka, oo uu lasocdo qoraalkaan, ciwaanka hoos ku qoran.</p> <p style="text-align: right;">Somali <input type="checkbox"/></p>
<p>কাউন্সিল এ ডকুমেন্টটি তৈরী করেছে এর ডেভেলপমেন্ট কন্ট্রোল সার্ভিসের ব্যবহারকারীদেরকে সহায়তা করার জন্য। ইংরেজী আপনার প্রধান ভাষা না হওয়ায় এটি পড়তে অথবা বুঝতে যদি আপনার কোন অসুবিধা হয়, তাহলে আমরা আপনাকে সাহায্য করতে চেষ্টা করবো। দয়াকরে আপনি যে ভাষায় কথা বলেন সেই বাস্তব টিক চিহ্ন দিন, আপনার নাম, ঠিকানা ও টেলিফোন নম্বর লিখুন এবং এ ফরমটি ডকুমেন্টটির সাথে নীচের ঠিকানায় ফেরৎ পাঠান।</p> <p style="text-align: right;">Bengali <input type="checkbox"/></p>	<p>El Ayuntamiento ha redactado este documento para ayudar a los usuarios del "Development Control Service [Servicio de Control del Desarrollo]. Si le resulta difícil leer o entenderlo porque el inglés no es su idioma materno, intentaremos ayudarle. Marque la casilla que indica el idioma que habla, rellene el formulario con su nombre, dirección y número de teléfono y devuélvalo, junto con el documento, a la dirección abajo reseñada.</p> <p style="text-align: right;">Spanish <input type="checkbox"/></p>
<p>区议会政府准备了这份文件来介绍我们的发展控制服务。如果因为英文不是您的母语，您不能读懂这篇文章，我们可以帮您忙。请选择中文，填写您的姓名及地址以及电话号码，并将此文件寄回以下给出的地址。</p> <p style="text-align: right;">Chinese <input type="checkbox"/></p>	<p>Belediyemiz bu belgeyi lymar Kontrol Hizmetlerinden yararlanana kimselere yardymcy olmak amacyyla hazırlamys,tyr. Asyl diliniz lnyngilizce olmadyg y iyn bunu okumakta veya anlamakta gcllyk cekiorysanyz, size yardymcy olmak isteriz. Lutfen hangi dili konus,tugc unuzu belirten kutuyu is,aretleyip adynyz,soyadynyz, adresinizi ve telefon numaranyz yazdyktan sonra, bu formu belgeyle birlikte as,agc ydaki adrese gnderin.</p> <p style="text-align: right;">Turkish <input type="checkbox"/></p>
<p>La Municipalité a publié ce document afin d'aider les utilisateurs de son service de contrôle de développement. Si vous avez des difficultés à le lire ou à le comprendre parce que l'anglais n'est pas votre langue maternelle, nous nous efforcerons de vous aider. Veuillez cocher la case correspondant à la langue que vous parlez, indiquer votre nom, votre adresse et votre numéro de téléphone et renvoyer ce formulaire ainsi que le document à l'adresse figurant ci-après.</p> <p style="text-align: right;">French <input type="checkbox"/></p>	<p>کونسل نے یہ دستاویز اپنی ڈویلپمنٹ کنٹرول سروس استعمال کرنے والوں کی مدد کے لئے تیار کیا ہے۔ اگر آپ کو اسے پڑھنے یا سمجھنے میں کوئی مشکل درپیش ہے کیونکہ انگریزی آپ کی پہلی زبان نہیں ہے تو ہم آپ کی مدد کرنے کی کوشش کریں گے۔ براؤکرم اس خانے پر نشان لگائیے جو آپ کی زبان کی نشاندہی کرتا ہے اور اپنا نام پتہ اور ٹیلیفون نمبر لکھیں اور اس فارم اور دستاویز کو نیچے دئے گئے ایڈریس پر واپس بھیج دیجئے۔</p> <p style="text-align: right;">Urdu <input type="checkbox"/></p>
<p>Name _____ Address _____ _____ _____ Telephone number _____</p>	<p>Return to: Development Management London Borough of Waltham Forest Sycamore House Town Hall Complex Forest Road Walthamstow E4 6PS</p>

Translated by the London Borough of Waltham Forest Interpreting and Translation Service

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