



# RUNNYMEDE BOROUGH COUNCIL

## PLANNING ENFORCEMENT QUESTIONNAIRE

You may wish to refer to the attached covering letter before completing this questionnaire.

We reserve the right not to investigate your complaint if we do not receive a fully completed questionnaire.

Please complete parts 1, 2, 3, and further sections as required (section 3 will tell you which further sections you need to fill out).

### *Part 1.*

Your name:

Your address:

Postcode:

Your telephone number:

Your e-mail address:

You are welcome to remain anonymous, but we reserve the right not to investigate your complaint if we feel that you have provided us with insufficient information, and we cannot get back to you and ask you for further information if we do not know who you are!



**Part 3. Please tick the appropriate box (or boxes), then complete the relevant part (or parts) of the questionnaire**

For example:

If you wished to complain about a **satellite dish** at a **business address**, you would start by looking in the box headed '(My Complaint Relates to) A **Business or Commercial Address**', then scan down the list of possible causes for complaint until you find the sub heading '**A satellite dish / TV aerial or antenna has been placed on business premises**'. Alongside the sub heading you will see a box to tick (this is so that when we get your form we know what you are complaining about), then alongside the box you will see which part of the questionnaire to turn to next. **Once you have filled in that part of the questionnaire, you have finished, please return the questionnaire to the Council.**

MY COMPLAINT RELATES TO...	TICK BOX ↓	PLEASE COMPLETE PART...
<b>A RESIDENTIAL ADDRESS (I.E. A HOUSE OR FLAT)...</b>	<b>TICK:</b>	<b>GO TO PART:</b>
An extension to the property (including roof dormers, a porch, rear, side additions, and conservatories) has been / is being carried out	<input type="checkbox"/>	4
A Satellite dish / TV aerial or antenna has been installed	<input type="checkbox"/>	5
New works next door to me overhang my boundary or are built partly on my land / builders are accessing my land in order to build next door / builders have damaged my property	<input type="checkbox"/>	6
A detached outbuilding (i.e. a garage, summerhouse, shed or other freestanding building), is being / has been erected	<input type="checkbox"/>	7
A carport, or other open structure is being / has been erected	<input type="checkbox"/>	8
A business is being run (including Car Sales and Bed & Breakfast) / commercial vehicles are being parked from a residential address	<input type="checkbox"/>	9
A new vehicular access has been / is being constructed	<input type="checkbox"/>	10
A new home or place of residence has been created	<input type="checkbox"/>	11
Internal works have been / are being carried out to a house but there are no external alterations	<input type="checkbox"/>	12
A parking space, hard surface or patio is being installed (where grass used to be for example)	<input type="checkbox"/>	13
A fence, wall or gate is being / has been erected, with or without barbed wire	<input type="checkbox"/>	14
An air conditioning unit has been installed	<input type="checkbox"/>	15
A flat roof is being or will be used as a balcony	<input type="checkbox"/>	16
New windows, doors, or 'velux' style rooflights have been or are being installed	<input type="checkbox"/>	17
A swimming pool is being or has been installed	<input type="checkbox"/>	18
A house is being let to numerous unrelated individuals (i.e. as a house share or for student accommodation)	<input type="checkbox"/>	19
The owner of a house has placed fences / walls on land not in their ownership, and enclosed it as if it were their own	<input type="checkbox"/>	20

A BUSINESS OR COMMERCIAL ADDRESS...	TICK:	GO TO PART:
The use of a business premises has changed	<input type="checkbox"/>	21
A fence, wall or gate has been erected on business premises, with or without barbed wire or other security measures	<input type="checkbox"/>	22
A new building or extension has been erected on business premises	<input type="checkbox"/>	23
A satellite dish / TV aerial or antenna has been placed on business premises	<input type="checkbox"/>	24
People are living at a business premises	<input type="checkbox"/>	25
A business is open outside of agreed hours of operation / delivery	<input type="checkbox"/>	26
New shop façade has been installed	<input type="checkbox"/>	27
Alterations have been made to the inside of a business premises	<input type="checkbox"/>	28
Alterations have been made to the outside of a business premises	<input type="checkbox"/>	29
Vehicles from a business are blocking the road / causing an obstruction / driving dangerously	<input type="checkbox"/>	30
Car sales are taking place from the highway / other land	<input type="checkbox"/>	31
Storage containers have been placed at a business premises	<input type="checkbox"/>	32
Disturbing noise, fumes, dust, light pollution or vibration is coming from a business premises	<input type="checkbox"/>	33

<b>A CURRENT OR RECENTLY COMPLETED BUILDING SITE...</b>	<b>TICK:</b>	<b>GO TO PART:</b>
The development has been built in a way that is not in accordance with (i.e. not exactly like) the plans that were passed	<input type="checkbox"/>	34
One or more of the conditions attached to the planning permission for the building works has been breached	<input type="checkbox"/>	35
A legal agreement attached to a planning permission has not been complied with	<input type="checkbox"/>	36
The builders or contractors are causing parking problems in the area by parking vehicles outside of the building site	<input type="checkbox"/>	37
The pavement or highway grass verges are being damaged by builders	<input type="checkbox"/>	38
Boards or hoarding have been erected around a building site	<input type="checkbox"/>	39
The builders are starting earlier / finishing later than they should be	<input type="checkbox"/>	40
The materials used in construction do not match the materials on the original building	<input type="checkbox"/>	41
Windows that are supposed to be made up using obscured glazing are in fact made up using clear glass	<input type="checkbox"/>	42
The builders or contractors are parking or driving in a dangerous manner	<input type="checkbox"/>	43
My property has been damaged by builders working on a nearby building site	<input type="checkbox"/>	44
The building site is unsafe	<input type="checkbox"/>	45
Builders are living on a building site	<input type="checkbox"/>	46
Disturbing noise, fumes, dust, light pollution or vibration is coming from the building site	<input type="checkbox"/>	47
The quality of workmanship appears to be of a poor standard	<input type="checkbox"/>	48
Now that building works have begun, I can see the impact that the new development will have on me, and I am unhappy	<input type="checkbox"/>	49

<b>MESSY LAND OR BUILDINGS...</b>	<b>TICK:</b>	<b>GO TO PART:</b>
A piece of land, property or a building is a mess / an eyesore	<input type="checkbox"/>	50
Waste has been / is being tipped or dumped	<input type="checkbox"/>	51

<b>AN ADVERTISEMENT...</b>	<b>TICK:</b>	<b>GO TO PART:</b>
Advertisements (including banners) have been placed upon private land or property (including fences or rails)	<input type="checkbox"/>	52
Advertisements (including banners) have been placed upon the highway (e.g. on road signs, street furniture, lampposts etc)	<input type="checkbox"/>	53
'For Sale' or 'To Let' estate agents signs are causing concern	<input type="checkbox"/>	54

<b>WORKS AFFECTING TREES OR HEDGES</b>	<b>TICK:</b>	<b>GO TO PART:</b>
Trees have been felled or cut back	<input type="checkbox"/>	55
Works are being carried out which affect the roots of a nearby tree	<input type="checkbox"/>	56
Someone else's tree is overhanging my boundary	<input type="checkbox"/>	57
Someone else's high tree or hedge is affecting me	<input type="checkbox"/>	58

<b>OPEN LAND / FARM LAND</b>	<b>TICK:</b>	<b>GO TO PART:</b>
A Caravan or mobile home has been placed upon land	<input type="checkbox"/>	59
A Gypsy traveller site has been or will be created on open land	<input type="checkbox"/>	60
A new building has been erected on agricultural or open land	<input type="checkbox"/>	61
Open land has been sub-divided	<input type="checkbox"/>	62
The use of open land has changed	<input type="checkbox"/>	63
A telephone mast has been erected on open land	<input type="checkbox"/>	64
Earthworks (i.e. the moving of earth or building of earth banks / bunds) is underway on open land	<input type="checkbox"/>	65
Storage containers have been placed upon open land	<input type="checkbox"/>	66
Materials have been imported onto open land	<input type="checkbox"/>	67

**OTHER (PLEASE EXPLAIN):**

*Continue on a separate sheet if necessary*

Part 4 – An extension to the property (including roof dormers, a porch, rear / side extensions, and conservatories) has been / is being carried out.

1) Please state the address at which the development has taken / is taking place:

Is the property:

Within a Conservation Area? YES / NO UNSURE

A Listed Building? YES / NO UNSURE

2) When did the building work start?

When did the building work finish?

3) What type of property is the development site?

A terraced house

semi-detached house

A detached house

A flat or maisonette

Other (please explain):

4) Has the property ever been extended in the past, or does it seem to be exactly as it was when it was built? (you can usually tell if a house has been extended by comparing it to neighbouring homes of the same design, if there are any) Please provide brief details:

Example: The house has a single storey rear extension which I think was built in the mid 1990's.

5) Have any detached outbuildings ever been built within 5 metres of the house? Please provide brief details:

Example: There is a garage alongside the house, about two metres from the side wall, which I think was built in the mid 1990's. It is about 3 metres (or ten feet) high, and runs the length of the house.

6) What type of development has taken place?

*tick*

An alteration to the roof of the house (including dormer extensions) (Go to Part 4, Question 7)

A porch around a door (Go to Part 4, Question 8)

A side or rear extension (including a conservatory) (Go to Part 4, Question 9)

A front extension (Go to Part 4, Question 10)

Other (please explain):

Have you included a sketch or photo of the development? YES / NO

**Part 4, Question 7:**

Is the alteration to the roof of the house (including dormer extensions):

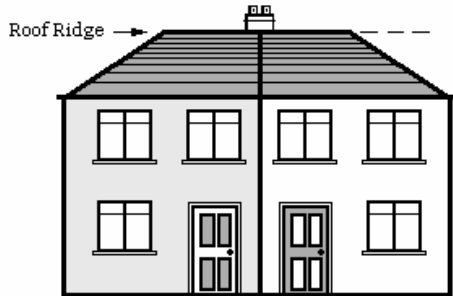
*tick*

On the front part of the roof?

On the side part of the roof?

On the back part of the roof?

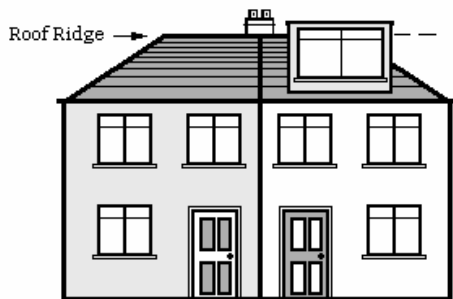
Has the work made the ridge of the roof any higher than it originally was (please tick the correct box, based on the diagrams below)?



The original roof ridge, before the works took place



No, the roof ridge has not been made any higher by the works



Yes, the roof ridge has been made higher by the works



I can't tell yet, as the roof is obscured by scaffolding.

NOTE: scaffolding is normally much higher than the finished roof will be

Ordinarily, you only need planning permission for roof extensions and alterations if:

- The height of the roof ridge is increased as a result of the works.
- You build onto a part of the roof which faces directly out onto the highway.
- You add more than 40 cubic metres to the volume of a terraced house, or 50 cubic metres to the volume of any other type of house. If there have been previous extensions on a house, this will reduce the size of the extension that the owner can erect on the roof without needing planning permission.

*Note: we do not expect you to calculate the cubic volume of the extension! If you can provide us with sketches or photos, and answer questions 1 – 6 of this section to the best of your ability, we can often form an initial conclusion without contacting the developing homeowner.*

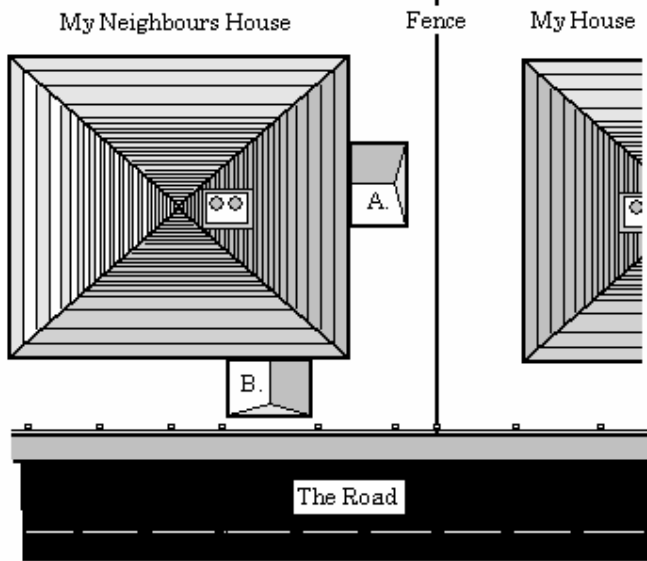
In light of the above, do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

Part 4, Question 8:

Planning permission is not required for the erection of a porch around any external door of a house, as long as:

- The porch is no higher than 3 metres (about 10 feet) measured from ground level.
- There is at least a 2 metre (about 6½ feet) gap between the porch and any boundary with a road outside it:

EXAMPLE:



The gaps between both Porch A and the boundary, and Porch B and the boundary are less than two metres.

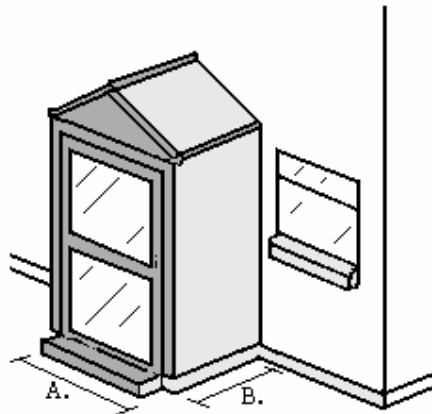
However...

Porch A would not need planning permission, as the boundary it faces does not have a highway alongside it...

Porch B would need planning permission, as the boundary it faces does have a highway alongside it.

- The 'footprint' of the porch (i.e. the area of ground it takes up) is no greater than 3 square metres:

EXAMPLE:



A. How wide is the porch?

B. How deep is the porch?

I think the porch is two metres (about six foot six inches) wide and one and a half metres (just under five feet) deep.

Two times one and a half makes three, so the porch has a three square metre footprint, and doesn't need planning permission.

In light of the above, do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

**Part 4, Question 9:**

A side / rear extension or conservatory has been added.

Planning law treats conservatories just the same as brick built extensions. **If the development you are complaining about does not require planning permission, then there is nothing we can do to control its impact, regardless of how you are affected by it.** To help us investigate your complaint, and to help you understand what does and does not require planning permission, please follow this step by step exercise.

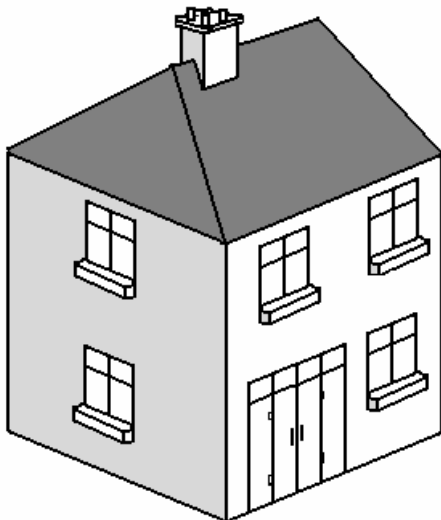
*If you do not complete all of the steps, we will still try to investigate your complaint as long as we are happy that you have provided us with all the information that you can, but it will mean that we have to approach the developer and explain that we have had a complaint. We will not tell the developer your name or address, but even so many people are happier working with us to determine whether an extension needs planning permission or not at the outset, so that if it turns out that we don't have any power to control the works, the matter is closed without the developer ever becoming aware of the complaint.*

Completing the steps in full saves us valuable time which we can spend resolving your complaint, and gives you valuable information at the outset as to the likelihood of the Council being able to take action. **We reserve the right not to investigate your complaint if we feel that you have not provided us with enough of the information that we might reasonably expect of you.**

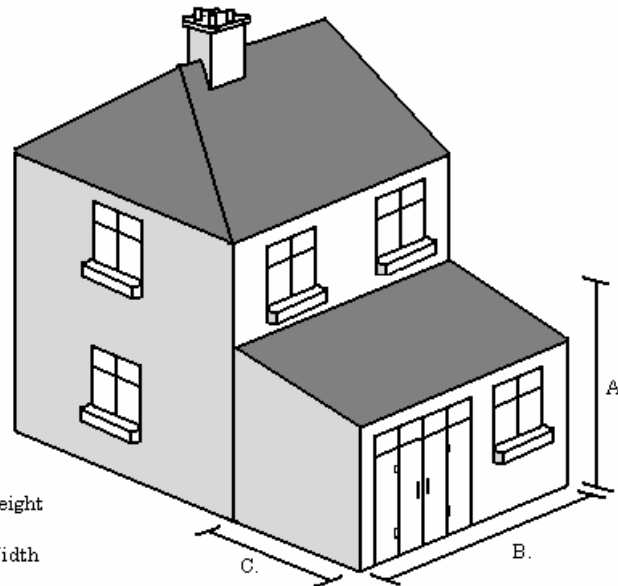
**FIRST STEP:**

Please estimate the size of the extension. This can be hard to do accurately, so a photograph will often enable us to estimate the size of the extension for you. Nevertheless, many people find that they can work out sizes by running a tape measure alongside their own side of the fence, or by measuring their own house as a comparison:

The house before the extension was built



The house after the extension was built



- A. Height
- B. Width
- C. Depth

Height: (metres)

Width: (metres)

Depth: (metres)

If you have entered the dimensions in feet, that's fine, but please say so clearly.

*SECOND STEP:*

Please calculate the cubic volume of the extension (its overall size in other words). To do this you must multiply height by width by depth. **That's not as hard to do as it might sound!**, please follow these instructions:

On a calculator, just enter the number of metres high you think the extension is, press the X button, then enter the number of metres wide you think the extension is, then press the X button again, then enter the number of metres deep you think the extension is. Press the = key, and you will get the figure we need. Please enter that figure here:

Example: The extension is about 3 metres high, about 4 metres deep, and about 4 metres wide. If we multiply  $3 \times 4 \times 4$  we get an overall figure of **48**. This means that the volume of the extension is **48** metres cubed.

*THIRD STEP:*

To which part of the house has the extension been added?

*tick*

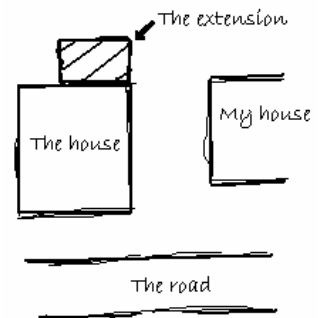
The side of the house

The rear of the house

Both the side and rear of the house

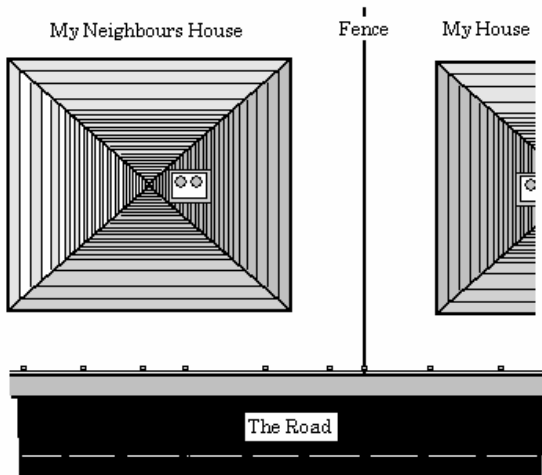
Please provide a sketch here of the house and the extension:

EXAMPLE:

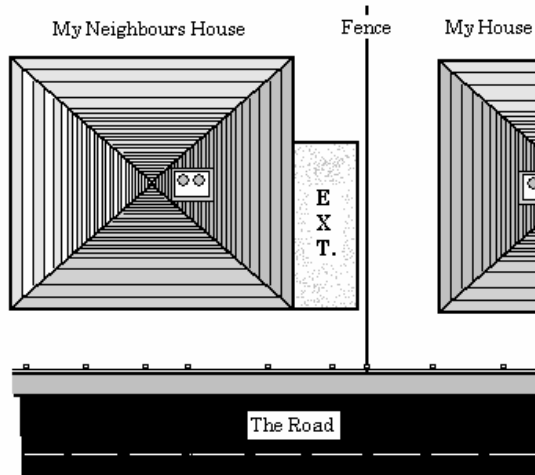


*FOURTH STEP:*

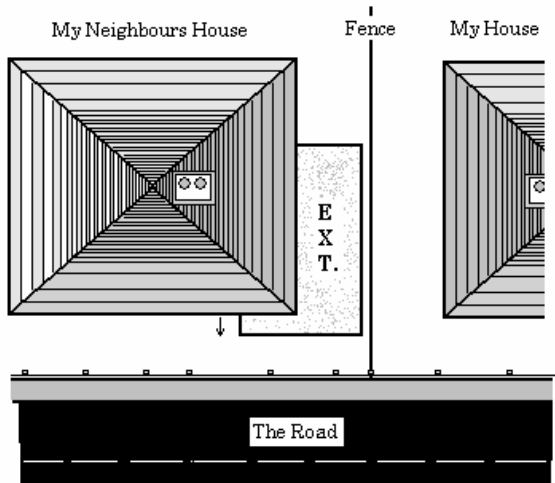
Has the work brought the house any closer to the road than it originally was? (please tick the correct box, based on the diagrams below, which show a house viewed from above):



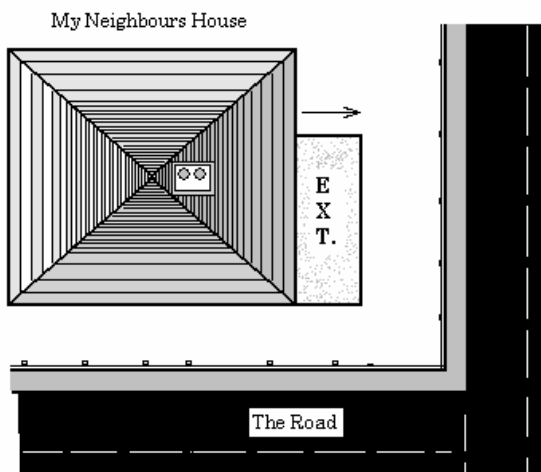
The house before the extension was added



No, the extension does not bring the house any closer to the road.



Yes, the extension does bring the house closer to the road.



Yes, the extension does bring the house closer to the road.

*FIFTH STEP:*

How far is the gap (if there is one) between the new extension and the nearest boundary (i.e. the wall, fence or hedge that goes around the outside of the property)?

If you do not know the precise distance, do you think it is greater than two metres (about 6'6")?

*SIXTH STEP:*

You should already have answered questions 1-6 of this section, so we will know what type of house we are dealing with, and have an idea if the house has been extended before. Now we can try to work out if planning permission is required for the extension.

It is possible to build an extension (onto a house only) without needing planning permission. You can add the following without needing the Council's consent:

- In a terraced house:** 10% of the volume of the house, or **50** cubic metres (whichever is the greater).
- In a semi detached house:** 15% of the volume of the house, or **70** cubic metres, (whichever is the greater).
- In a detached house:** 15% of the volume of the house, or **70** cubic metres, (whichever is the greater).

**Look at the figure you came up with for the SECOND STEP. You can start to tell now if the extension will require planning permission. If it's smaller than 50 cubic metres, or 70 for a semi or detached house, normally planning permission is not required and we can't control the works. However, there are some circumstances where planning permission will still be required. Please finish the next steps to be sure.**

*SEVENTH STEP:*

Any of the circumstances listed below would mean that planning permission is required for the extension. Please tick the box that you think is applicable, if any:

*tick*

The extension is within 2 metres of a boundary, and is over four metres tall.

The house is a listed building.

The house is in a conservation area, and the extension is bigger than 50 cubic metres

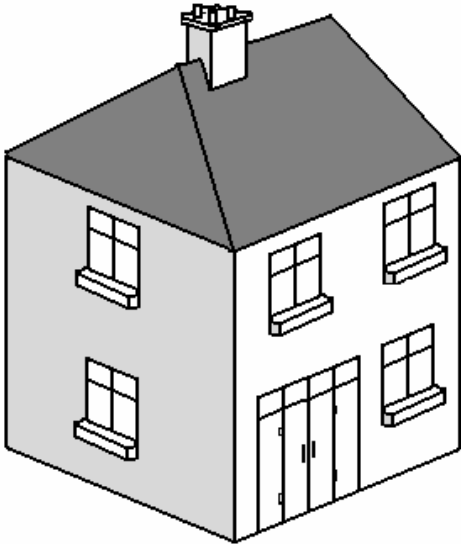
When the house was built, it was on the condition that there would be no extensions.

*If you have ticked the last box, please explain what makes you believe that this is the case:*

*EIGHTH STEP:*

Planning permission would normally be required if the house has already been extended, and the new extension, plus the old extension together add up to more than 50 cubic metres for a terraced house, or 70 for a semi or detached house. Please consider the following examples:

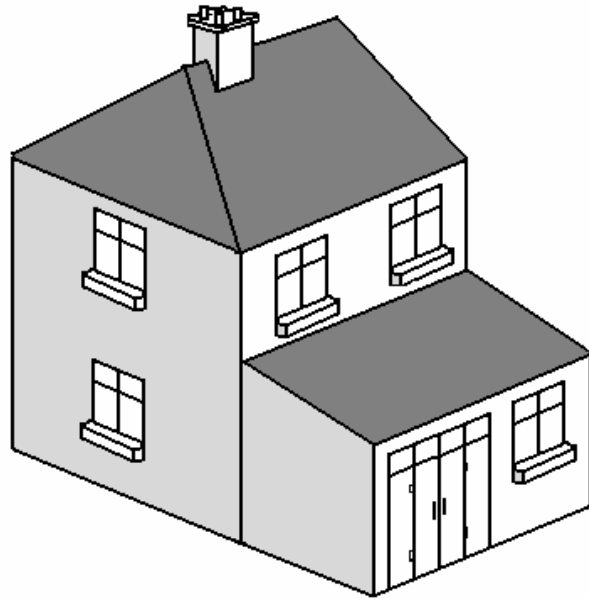
The house before the extension was built



The house has never been extended before.

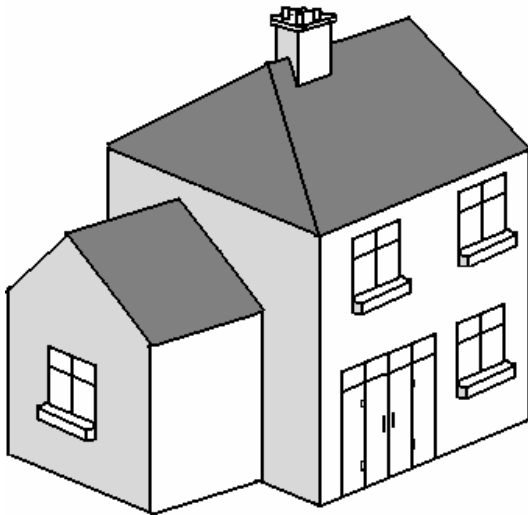
*Example A:*

The house after the extension was built



The house is detached, and the extension has a volume of less than 70 cubic metres. No previous extensions exist, and so planning permission is not required.

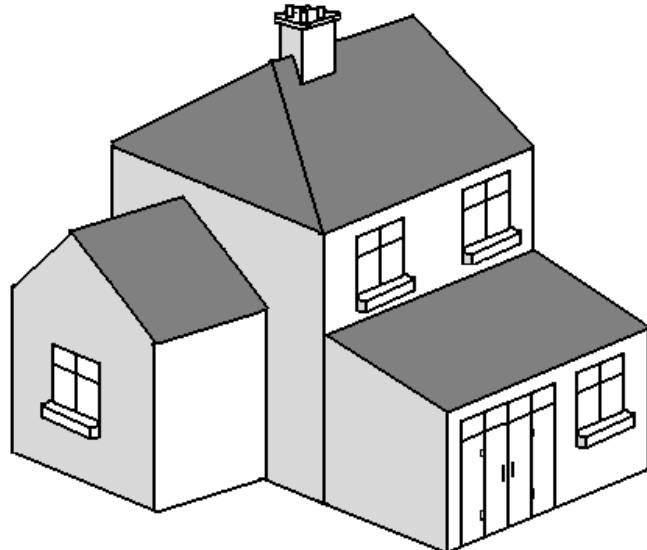
The house before the extension was built



The house already had an extension before the new one was built.

*Example B:*

The house after the extension was built

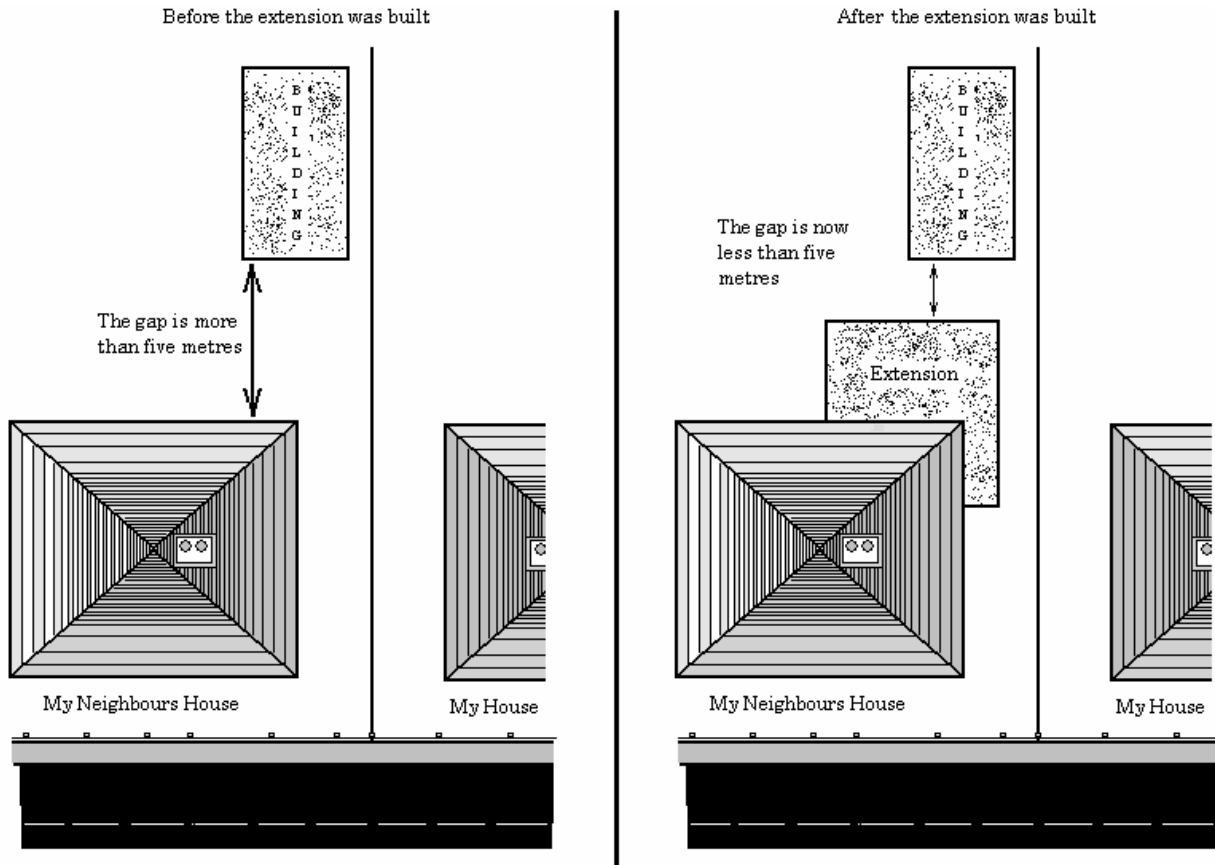


The new extension on its own is less than 70 cubic metres, but adding the old extension and the new one together shows that the house overall has been extended by more than 70 cubic metres.

Planning permission is required for the new extension.

NINTH (AND FINAL) STEP:

Finally, planning law treats larger outbuildings (i.e. bigger than 10 cubic metres) that are closer to the house than five metres as if they were extensions. If, by building an extension, a developer closes the gap between the house and an outbuilding to less than five metres, you should treat it as an existing extension, and repeat the process outlined in the EIGHTH STEP. Please consider the following example:



Does the extension come within five metres (about 16½ feet) of an existing building in the garden of the developers' house? If so, please provide brief details:

When do you think the outbuilding was built? Do you know if it was built with the house, or at a later date?

In light of the above, do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

Part 4, Question 10:

An extension has been added to the front of the house.

Planning permission is required for any extension to the front of a house, unless:

- It is a porch (in which case see question 8);
- The front of the house, even with an extension on it, is further than 20 metres (about 65 feet) from the road. If this is the case, please just tell us roughly how big you think the extension is:

In light of the above, do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

**Part 5 – A satellite dish or antenna has been erected at a residential property.**

Under planning law, we can only take action against a dish or antenna if it requires planning permission, and it is in the public interest to do so. We cannot take action against a dish or antenna on the basis that it overhangs your boundary, that it interferes with your television reception, or that you are concerned it may damage your health. Problems such as these are private, and you should take your own legal action to protect your position if you are affected by a dish or antenna in such ways.

1) Please state the address at which the satellite dish or antenna has been erected:

2) When was the dish or antenna installed?

3) Do you think the building to which the dish / antenna has been attached is taller than 15 metres (about 50 feet)?

*Note: to be taller than 15 metres, a building normally needs to have at least four storeys.*

*tick*

Yes, it is taller than 15 metres (Please complete question 4)

No, it's not taller than 15 metres (Please complete question 5)

4) On a building taller than 15 metres, any of the circumstances listed below would mean that planning permission is required for the dish / antenna. *Please tick the box that you think is applicable, if any:*

*tick*

- There are more than four dishes / antennas on the building overall:
- The dish / antenna is bigger than 130cm (about 4 feet) across / deep:
- The dish / antenna is bigger than 60cm (about 2 feet) across / deep and is attached to a chimney stack:
- The dish / antenna is on the roof of the property and sticks out above the roof by more than 3 metres (about 10 feet):
- The dish or antenna faces out onto a road within a conservation area:
- The building is a listed building:

Other than in the above instances, planning permission is not required. In light of the above, do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

5) On a building shorter than 15 metres, any of the circumstances listed below would mean that planning permission is required for the dish / antenna. *Please tick the box that you think is applicable, if any:*

*tick*

- There are more than two dishes / antennas on the building overall:
- The dish / antenna is bigger than 100cm (about 3 feet) across / deep:
- There are two dishes / antennae, and one is bigger than 100 cm across, or the other is bigger than 60cm (about 2 feet) across / deep:
- The dish / antenna is on the chimney of the property and is more than 60cm (about 2 feet) across / deep:
- The dish is on the roof of the property, and is more than 60cm higher than the roof, or is above the height of the chimney stack, whichever is higher:
- The dish or antenna faces out onto a road within a conservation area:
- The building is a listed building:

Other than in the above instances, planning permission is not required. In light of the above, do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

Please note that some antenna aerials are too visually insignificant to require planning permission.

**Part 6 - New works next door to me overhang my boundary or are built partly on my land / builders are accessing my land in order to build next door / builders have damaged my property.**

Please answer the following questions to the best of your ability and knowledge.

1) Please state the address at which the development affecting you has taken place:

2) Please state the type of development that is being undertaken (i.e. single storey rear extension, repair work, roof dormer being inserted etc):

**Please read the following information:**

*Boundary Disputes*

Any disputes over the precise whereabouts of a boundary, over whether neighbouring building work overhangs a boundary, or over rights of access over neighbouring land to carry out building / maintenance work **are private, and can only be settled by the parties involved** (normally this means you and your neighbour). Runnymede Borough Council has no power in law to become involved in such disputes.

Runnymede Borough Council does not possess any record of the precise whereabouts of boundaries, nor does it enforce their retention. Again, this is a private legal matter between the parties involved.

If a neighbouring extension or other development has been constructed in such a way as to overhang your boundary or impinge upon your land, Runnymede Borough Council will gladly investigate whether the *works themselves* need planning permission. If you would like us to do this, please return to Part 3 of this form, select and then complete the relevant section that applies to the building works themselves. **Boundary disputes / overhanging is not a consideration in deciding if planning permission is required.**

*Rights of Access for Building Works*

The fact that planning permission was either not needed or has already been granted for building work **does not give builders or developers any legal rights to enter land they do not own**. If your neighbour is building a development that comes right up to the boundary with your property, they still need **your permission** to enter your land, even if it is to carry out the works, to erect scaffolding, or to maintain the development afterwards. If you do not want builders / your neighbour to enter your land, then you must prevent that from happening, the Council cannot do it for you.

*Damage to Your Property*

If your neighbours builders have damaged your property as a result of building works, that is a private matter for the two of you to settle. The Council cannot under law become involved.

Having read the above, do you still feel that the Council should investigate your complaint? If so, why?

**Part 7 - A detached outbuilding (including a garage, summerhouse, shed or other freestanding building) is being / has been erected at a residential property.**

It is especially useful to us if you can provide a sketch and / or photo to show what has been built and where. We will also be able to deal with the complaint much quicker if you can provide us with the measurements we ask for. When judging the size of a building, or the distance from a house to a new building many people have found that they can be fairly accurate by measuring the gap on their own side of the fence.

1) Please state the address at which the building has been erected:

2) Is the address a house or a flat? (if the property is a bungalow please consider it as a house):

**House** (Go to question 3)

**Flat** (Go to question 4)

3) Is the outbuilding...

*tick*

Alongside the house?

In front of the house?

Behind the back wall of the house? (including any extensions).

Please state the distance from the nearest wall of the house (as extended) to the nearest part of the building you are complaining about. Do you think this distance is greater than five metres (16 and a half feet)?

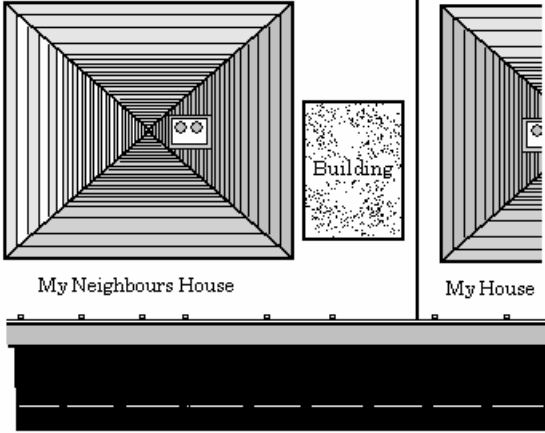
If you have estimated that the new building is **less than** 5 metres away from the house, please tell us if you think the house itself has ever had any extensions added to it (i.e. '*It has had a rear dormer added*' or '*It has had a single storey side extension added*':

4) When was the building erected? (if it is not complete yet, please tell us when the work started):

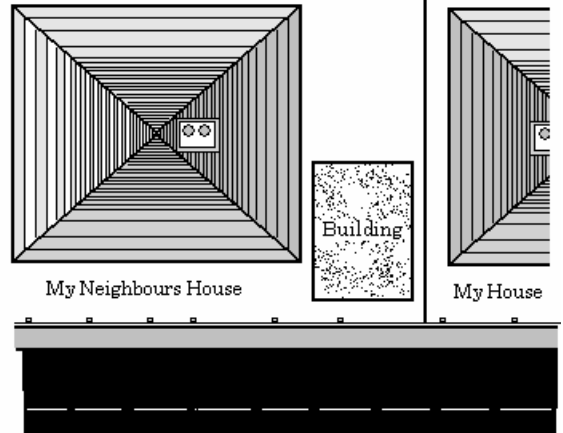
5) What is the building used for? How do you know?

6) Is there is a road directly outside the boundary of the property? YES / NO

If you have answered 'YES' is the building closer to that road than the house?



No, the building is not closer to the road than the house

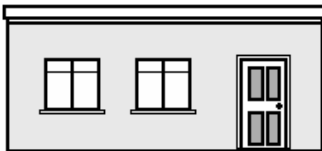


Yes, the building is closer to the road than the house

7) Is the building within a conservation area or within the curtilage of a listed building?

8) How tall is the building from natural ground level to its highest point? A standard fence panel for a back garden is 1.8 metres high (6ft). This may help you to estimate the height of the building.

9) Does the building have a flat roof or a pitched/ridged roof?



The building has a flat roof



The building has a pitched or ridged roof



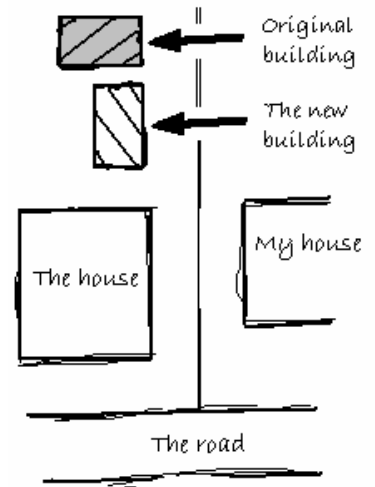
The building has a pitched or ridged roof

10) How wide is the building?

11) How deep is the building?

12) Are there any other outbuildings on the site already? If so, please provide a sketch to show their whereabouts in relation to both the house and the new outbuilding.

**EXAMPLE:**



Planning permission **is** required for an outbuilding if one or more of the following is true (please tick any boxes which apply in this case):

The outbuilding is...

*tick*

- In the garden of a house that is a listed building or within a conservation area
- Within five metres of the rear of the house
- Nearer to the highway than the part of the original dwellinghouse nearest to that highway  
(or within twenty metres of that highway, whichever is nearest)
- Has a pitched or ridged roof, but is greater in height than four metres
- Has a flat roof but is greater in height than three metres
- Covers more than fifty percent of the total plot space (excluding that already covered by the original dwellinghouse);
- Used for a purpose that is not incidental to the enjoyment of the dwellinghouse  
(i.e. as a new dwelling, as a business premises etc)

If none of the above are true, the landowner **doesn't need to apply for planning permission, no matter what the impact of the works are on nearby homes**. In light of the above, do you still feel that your complaint should be investigated by Runnymede Borough Council's planning enforcement section? If so, why?

**Part 8 – A carport, or other ‘open’ structure is being / has been erected at a residential property.**

Please start by completing **Part 7** of this questionnaire. Although Part 7 relates to garages or outbuildings, the questions are equally relevant to concerns over car ports and open sided structures. It is especially useful to us if you can provide a sketch and/or photo to illustrate what has been built and where. We will also be able to deal with the complaint much quicker if you can provide us with the measurements we ask for. When judging the distance from a house to a new structure many people have found that they can be fairly accurate by measuring the gap on their own side of the fence.

1) Please state the address at which the structure has been erected:

2) Have you completed Part 7 of this questionnaire? (You are required to do so): YES / NO

In line with planning law, the Council tends to treat most carports and other open-sided structures as a ‘means of enclosure’, and act therefore as if they were whole buildings, which is why you have been asked to fill out Part 8 of this questionnaire. The only exception would be if something was too insignificant to be viewed this way.

**END OF PART 8**

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**Part 9 – A business is being run (including Car Sales or Bed & Breakfast) from a residential address.  
Commercial vehicles are being parked at a residential address.**

1) Please state the address at which you believe the business is being run:

2) Please explain the type or nature of business you believe is being run:

**Please read the following information:**

*Paying the Correct Tax*

The Planning Enforcement Section does not attend to concerns over whether correct **Council Tax / Business Rates** are being paid. Concerns of this nature should be addressed to the Council Tax Dept on 01932 838383.

*Your Title Deeds*

In some neighbourhoods the **title deeds to a property** may state that residents cannot run a business, or park a commercial vehicle on their land. Deeds are a private document between the parties involved, much like a contract. If you feel your deeds are being breached, it is up to you to enforce against that breach, the Council cannot do it for you.

*Running a Business Without Planning Permission*

Generally, the Council would not wish to stop anyone working from home, unless it can be shown that the use of the land has changed (i.e. from residential to commercial) **in a harmful way**.

If, for instance, a person ran a business from home, converting their spare room or garage into an office, with computers, a fax machine and a phone line, but from the outside there were no obvious changes to the character and appearance of the property, or the way in which its use affected neighbouring residents, the Planning Enforcement Section would not be concerned. If however the same business resulted in large numbers of vehicles visiting or parking at the address which would not otherwise be there (i.e. parked by staff, customers or delivery drivers), or there was some other way in which the appearance and character of the property had been changed by the business (advertising for instance), the Council would take enforcement action against the business, **if we could prove that harm was being caused to surrounding residents**.



(car sales cont...)

If there are cars parked on the highway which are for sale, we need to prove that they are linked to a particular address, so that we can say *as a matter of fact* that the address is the base for a business.

The best approach is for residents to record makes and models of cars that are for sale, along with the registration number. We will trace the cars and see who the registered owner is, though often we need to dig a little deeper, and find proof of advertising. The internet, local newspapers and shop windows are traditional sites of advertising for car salesmen, but unfortunately we don't always have enough time to search for evidence. **If you are serious about preventing a person from selling cars as a business in your street, please try to help us by looking for the evidence we need.**

If we cannot show that cars parked at a residential address are for sale as part of a business, we cannot take any action.

#### Untaxed Cars

If the vehicle is being used but is not taxed, you should report it to the DVLA via their hot line on 0800 325202 or via their website [www.dvla.gov.uk](http://www.dvla.gov.uk).

#### Abandoned Cars

Runnymede Borough Council Abandoned Vehicle Department is responsible for identifying and dealing with any vehicle that has been abandoned on the public highway. You can contact the Abandoned Vehicle Dept on 01932 425146, or through the internet at [www.runnymede.gov.uk](http://www.runnymede.gov.uk). Go to 'Reporting Anti-Social Behavior' then 'Abandoned and/or Burnt Out Vehicles'.

The Planning Enforcement Section does not attend to abandoned or untaxed cars.

### END OF PART 9

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#### Part 10 – A new vehicular access is being / has been installed at a residential property.

Please note that if you are concerned about a hard surface or parking area being installed in a garden (front or back), you may also wish to complete Part 13 of this form.

1) Please state the address at which the vehicular access has been installed:

2) When was the vehicular access installed?

3) Is the property a listed building, or within a conservation area?

4) Has the access been formerly installed (i.e. with a dropped kerb), or is the person responsible driving over the pavement to get to their land without a proper dropped kerb?

Please tell us about the road that the access leads onto:

Is the road a trunk road?	YES	/	NO
Is the road a classified road (A, B or C road)?	YES	/	NO
Is the road a private road?	YES	/	NO
Is the road an unclassified road (D road)?	YES	/	NO

Planning permission is not usually required for a vehicular access onto an unclassified or private road, and the Council therefore cannot restrict or control any such works regardless of the visual impact or any concerns that you may have over highway safety.

Surrey County Council are the highway authority, and have a responsibility to manage all work on the local highway network, so if you are concerned that the workmanship is not of a high standard (perhaps because the owner of the property has carried out the work themselves / used unauthorised contractors), or if you feel that a proper dropped kerb should have been installed, please contact the Surrey County Council Highways Dept on 08456 009 009, or use their website to register your concerns at: [www.surreycc.gov.uk](http://www.surreycc.gov.uk). In light of the above information, do you still feel that Runnymede Borough Council should investigate the works? If so, why?

Part 11 – A new home or place of residence has been created.

1) Please state the address at which the new home or place of residence has been created:

2) Has the new residence been created following...

Internal alterations within an existing building?    YES    /    NO

The creation of a new building?    YES    /    NO

Please briefly explain the building works that have been undertaken to create a new residence:

**If a new building has been created, please also complete part 7 of this questionnaire.**

3) How is the new dwelling accessed (i.e. through the original house, or a new entrance)?

4) Do you know what facilities the new residence has (i.e. kitchen, bathroom, bedrooms etc)?

5) Who do you believe is occupying the new residence? How do you know?

6) Who do you believe occupies the original / main residence? How do you know?

7) What do you think is the relationship between the occupiers of the new residence and the occupiers of the main / original residence? How do you know?

8) Have you seen, or are you aware of, any evidence that rent is being paid to the owner of the land by the occupiers of the new residence? Please provide details:

9) Have you seen any attempts to advertise the availability of the new residence for sale or rent? If so, please provide details:

10) Is the new residence occupied on a permanent basis? How do you know?

11) When was the new residence created? How do you know?

**Please read the following information:**

Planning permission is required for the creation of any new dwelling. If action is to be taken, the Council must prove that what has been built is an independent dwelling, and is not simply a summerhouse, guest accommodation, extra bedrooms for the existing family or something of that nature.

The physical layout of a supposed new dwelling is important, but the way in which it is used (i.e. who is in there, how often, what relationship the occupiers have to the occupiers of the main / original dwelling) tends to be the most important consideration for the planning system.

Without evidence that the development is being used *as a matter of fact* as an independent residential dwelling separate to the main house, no action can be taken regardless of the facilities contained within the development. Whilst we will investigate your complaint, please be mindful of the fact that without evidence of the use of the land / building, we cannot take formal action. It is often the case that local residents are best placed to collect such evidence, and we ask for your cooperation in this regard.

Part 12 – Internal works have been / are being carried out at a residential property, but there are no external alterations.

1) Please state the address at which the internal works have been carried out:

2) Is the building a listed building? YES / NO

*If you have answered 'NO', please go to the next question.*

*If you have answered 'YES' please provide details of the works that you believe have been undertaken. It is an offence to carry out works to a listed building without consent, and as such we ask that you provide as much information as you can, with evidence if at all possible:*

*Please continue on a separate sheet if required*

3) Have any external alterations (i.e. works that affect the outside of the building) been carried out?

YES / NO

*If external alterations have been undertaken please refer to Part 3 of this form, then select and complete the relevant section.*

**Planning permission is not required for internal works**, though consent is needed to alter any part (inside or outside) of a Listed Building. Therefore, unless the building in question is a Listed Building, the Planning Enforcement Section cannot take any action over internal works, regardless of their scale and impact.

The Council has a Building Control Section who may be able to assist you if you feel that the **internal works undertaken are not to the required standard**. The role of the Building Control Dept is to assess the adequacy of building works, though they work in conjunction with builders and developers and do not report back to any complainants as to their findings. If building works have been in place for more than one year, the Building Control Section cannot take any formal action, regardless of the standard of workmanship. You can contact the Building Control Dept on 01932 425135.

If you feel that a property is **unsafe for those around it**, rather than within it, please contact the Building Control Dept on 01932 425135.

If the works are causing **noise, dust or vibration** the Council's Environmental Protection Division may be able to assist. You can contact them on 01932 838383.

If the works carried out to another property have affected, or perhaps could affect, your own property (i.e. your neighbours work has caused cracks or suchlike in your home) that is a **private legal matter between you and the owner of the other property**. The Council cannot resolve any disputes. You may wish to consult the widely available information regarding the Party Wall Act if your concern is of this nature. Leaflets are available at the Civic Offices reception desk, though for more detailed advice contact:

PartyWallAct.info (c/o Wilson Leppard)  
Oak House, 1 Oakwood Road  
LINCOLN, LN6 3LH  
Telephone: 0845 124 9685  
E-mail: [partywallact@wilsonleppard.co.uk](mailto:partywallact@wilsonleppard.co.uk)  
Website: [www.partywallact.info](http://www.partywallact.info)

**Part 13 - A parking space, hard surface or patio is being installed (where grass used to be for example) at a residential property.**

Please note that if your complaint relates to the installation of a parking space, you may wish to also complete part 10 of this form, entitled 'A new vehicular access is being / has been installed at a residential property'.

1) Please state the address at which the hard surface or patio is being installed:

2) Is the address a house or a flat? (if the property is a bungalow please consider it as a house):

*tick*

It is a house

It is a flat

3) Please tick the boxes that are applicable to the development in question:

It is a rear patio

It is a front parking space

It is hard landscaping

Other (please explain):

4) Is the patio or hard surface raised above ground level? If so, by how much approximately?

5) Have you included a sketch or photograph of the development?      YES      /      NO

6) When was the development installed?

**Under national law planning permission is not required for a hard surface at a house, though it is required in the garden of a flat, or if a hard surface has been raised significantly above ground level (perhaps to compensate for sloping land).**

In light of the above, do you feel that the Council should investigate your concern? If so, why?

**Part 14 - A fence, wall or gate is being / has been erected, with or without barbed wire.**

Though people mostly use fences or walls to mark the edge of their boundary, this section should also be filled out if you are concerned about any other means of securing a boundary, such as a set of railings, mesh fencing, picket fencing, post and rail fencing, bollards etc. **If you feel that land not belonging to the developer has been enclosed within their own land, please turn to part 20.**

1) Please state the address at which the fence, wall or gate has been erected:

2) Is the building around which the fence, wall or gate has been erected a listed building or within a conservation area?

3) Does the fence, wall or gate face out onto a road? If so, which road?

4) How tall is the fence, wall or gate from ground level (i.e. the ground at the foot of the fence, wall or gate)?

*If there is barbed wire or similar on top of the fence or wall, you should treat it as part of the fence / wall and include it in your measurements.*

Is there barbed wire or equivalent on top of the fence or wall? YES / NO

**The Council cannot prevent a person from placing barbed wire on top of a fence, wall or gate**, as long as the overall structure is in line with the law as outlined below. It is the owner's responsibility if anyone is injured as a result of the barbed wire.

5) Was there previously a fence, wall, gate or a well-established hedge where the new fence, wall or gate has been erected? If so, was the original fence, wall, gate or established hedge **taller** or **shorter** than the new replacement?

Planning law states that as long as a fence, gate, wall or other means of enclosure is **not taller than**:

- 1 metre (3' 3") where it faces a highway, or;
- 2 metres (6' 6") anywhere else, or;
- the fence, wall, gate or other means of enclosure (including well established hedge rows which acted as a boundary) **that was previously in that position...**

Planning permission **is not required**, regardless of the visual impact of the works, materials used etc.

In light of the above, do you still feel the Council should investigate your concern? If so, why?

*Note: If you feel that the fence or wall is taller than the one it has replaced, we will need to prove this fact. Please provide any evidence you have to this effect (old photos etc).*

**Part 15 – An air conditioning unit has been installed at a residential property.**

It is especially useful to us if you can provide a photograph to show what has been installed and where. We will also be able to deal with the complaint much quicker if you can provide us with the measurements we ask for.

1) Please state the address at which the air conditioning unit has been installed:

2) When was the unit installed?

3) Please give as accurate an estimate as possible of the size and dimensions of the unit:

Though there is no specific allowance made for an air conditioning unit to be installed without planning permission, it is sometimes felt that the unit itself is not significant enough within the context of the building it is placed upon to need permission or to warrant action. It is vital therefore for us to understand not only the size of the unit, but its impact visually. The best way to achieve this is to submit photographs of the unit if you can.

Please tell us how the unit affects you:

**END OF PART 15**

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**Part 16 – A flat roof is being or will be used as a balcony.**

1) Please state the address of the property in question (the one with the flat roof):

2) Is the address a house or a flat? (if the property is a bungalow please consider it as a house):

It is a house                      It is a flat

3) Is the flat roof in question part of the original house/flat, or is it the result of a later extension?

4) Has the owner of the property in question made any changes to the outside of the property to enable the use of the flat roof as a balcony (e.g. a door or handrails etc)? If so, please provide details:

Please consider the following:

- Planning permission **is not normally required** for a person to sit out on a flat roof, even if it causes overlooking.
- The only exception to the above rule occurs when a planning condition controls the flat roof. *This tends to only be true of newer additions, i.e. if the Council gives planning permission for a single storey rear extension, it might perhaps be on the condition that the roof is not used as a balcony. If the flat roof in question is part of the original house, or has been there for a very long time, it is unlikely that such controls exist, as conditions of this type are relatively modern.*
- The insertion of a door or handrails may need planning permission, though if a person is simply climbing out of a window to access a flat roof, and no new building work has taken place, planning permission is not required.
- If the use of a flat roof does not require permission, the Council cannot insist upon rails or other safety measures being placed around a flat roof.

In light of the above, do you still feel that the Council should investigate your complaint, If so, why?

END OF PART 16

#### Part 17 – New windows, doors, or ‘velux’ style rooflights are being installed.

It assists us, and reduces the time it takes to reach a conclusion regarding your complaint if you submit a photograph of the development in question.

1) Please state the address of the property in question (the one where the window, door or rooflight has been installed):

2) Is the address a house or a flat? (if the property is a bungalow please consider it as a house):

It is a house      it is a flat

3) When were the works carried out?

4) Which of the following does your complaint relate to?

A new door                      (Please go to question 5)

A new window                (Please go to question 6)

A new rooflight                (Please go to question 7)

5) Please explain where on the property the new door has been installed:

*Planning permission is sometimes required for the insertion of a door, if it significantly changes the house. The Council will have to be sure that harm is caused by its presence to pursue any enforcement action. Please ensure you have completed Part 2 of this questionnaire fully, as it asks you to explain why the development you are complaining about causes you harm.*

6) Has the window been inserted into an original wall of the house (i.e. one that was always there since the house was built), or into the wall of a more recent extension to the house?

An original wall of the house

The wall of an extension

Please consider the following:

Planning permission **is not required** for the insertion of a window into the wall of a house, even if it causes overlooking. Sometimes however, when planning permission is granted for an extension to a house, it is on the condition that no further windows be added into the walls of that extension.

Planning permission **is required** for the insertion of a window into the wall of **a flat**, or a listed building.

In light of the above, do you feel the Council should investigate your complaint? If so, why?

7) Has the rooflight been inserted into an original part of the property's roof (i.e. one that was always there since the property was built), or into the roof of a more recent extension to the property?

The original roof of the property

The roof of a subsequent extension

Please consider the following:

Planning permission **is not normally required** for the insertion of a rooflight into the roof of a property, so long as the rooflight is flush with the roof slope when closed, even if it causes overlooking.

There are three exceptions to the above:

1. If the rooflight has been installed into a listed building.
2. Sometimes, when planning permission is granted for an extension to a house, it is on the condition that no further rooflights be added into the roof of that extension.
3. If the installation of the rooflights make such a dramatic difference to the appearance of the property that it looks totally different as a result. One, two or even three normal rooflights are not normally felt to be enough for this to be the case.

In light of the above, do you feel the Council should investigate your complaint? If so, why?

END OF PART 17

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Part 18 – A swimming pool is being or has been installed at a residential property.

1) Please state the address at which the swimming pool has been installed:

2) When was the pool installed?

3) Does the pool have a cover/roof built over it, or is it open to the elements:

It has a cover                      It is open

Planning permission is **not normally required** for domestic swimming pools, even if they protrude above ground level. Exceptions to this are when a building has been built over or around the pool (in which case you should complete **Part 7** of this form), or if substantial decking, steps or other building works have been inserted along with the pool.

If you are concerned about noise emanating from a domestic swimming pool, you might wish to report the matter to the Council's Borough Environmental Services Officer on 01932 838383, who will consider taking action if the noise is felt to be a statutory nuisance.

Some useful information regarding noise issues can be found on the Runnymede Borough Council website at [www.runnymede.gov.uk](http://www.runnymede.gov.uk). Go to Environmental Protection, then Pollution, then Noise.

In light of the above information, do you still feel that the planning enforcement section should investigate your complaint? If so, why?

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#### END OF PART 18

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#### Part 19 – A house is being let to numerous unrelated individuals (i.e. as a house share or for student accommodation).

Before answering the questions at the end of this section, please be aware of the following information: You only need planning permission to share a house (i.e. have unrelated people living under the same roof, all making use of the same facilities) if **more than six people are sharing it**. To have seven residents or more in a house turns that property into a House in Multiple Occupation (HMO), and requires planning permission.

Complaints about HMO's should be forwarded to the correct body or department if a meaningful investigation is to be undertaken:

- *'More than six people are resident, and an HMO has been created without planning permission':*  
To be investigated by the Council's Planning Enforcement Department.  
**Please complete this form and return it.**
- *'The garage of the house has been converted into another habitable room':*  
To be investigated by the Council's Planning Enforcement Department.  
**Please complete this form and return it.**
- *'The house is split into flats or bedsits, which are independent of each other':*  
To be investigated by the Council's Planning Enforcement Department.  
**Please complete this form (including part 11) and return it.**
- *'The occupants of the property are causing too much noise':*  
To be investigated by the Council's Environmental Health Department, tel: 01932 425716.
- *'The accommodation created is of a low standard':*  
To be investigated by the Council's Private Sector Housing Department, tel: 01932 425886.
- *'The occupants of the property are acting in an anti-social manner':* To be reported to the Police.
- *'The occupants of the house are parking in a manner that is dangerous or causes an obstruction':*  
To be reported to the Police.

If your concern is within the remit of the Planning Enforcement Section, we will investigate the property in question once you have filled in this form and returned it to us.

It is important to note that if we find evidence of an unauthorised HMO, we are only able to force the owner to reduce the number of occupants **back down to the legal limit for a dwellinghouse** (no more than six sharing). This action may or may not affect the way in which the use of the property impacts upon you, but is nevertheless the limit of the Council's powers under planning law.

Our investigations usually involve contacting the owners/occupants and agents of the property. We will visit the property if we feel it is useful to do so, but when an HMO has been created, it is rare to find more than six people all at home at the same time. As an evidence gathering exercise, site visits therefore are not always helpful or necessary.

We will look at estate agents' advertisements in newspapers or on the Internet, but in themselves these are not evidence of the number of people that are occupying a house. **Obtaining evidence of a breach can be difficult, but without it we have no justification for taking action.**

If, in light of the above information, you feel that your complaint should be dealt with by the Planning Enforcement Section, please answer the following questions to the best of your ability and knowledge. The more information you can provide us with, the quicker we will be able to reach a meaningful conclusion regarding your complaint:

1) Please state the address that you wish to complain about:

2) Please describe the way in which the property is being let / used:

3) Please describe the way in which the use of the property affects you:

4) Please tell us how you can be sure that more than six people are resident at the address on a permanent basis:

5) Have you seen any advertising that might support your allegation? If so, please provide details:

**Part 20 – The owner of a house has placed fences / walls on land not in their ownership, and enclosed it as if it were their own.**

*Disputes over land ownership / boundaries*

Runnymede Borough Council cannot defend boundaries or resolve disputes over land ownership. The Council does not possess any record of the precise whereabouts of boundaries, nor does it enforce their retention. Any dispute over the precise whereabouts of a boundary is **private, and can only be settled by the parties involved**. It is for the owners of the land affected therefore to defend their interests if a neighbour has placed fencing or walls across their land.

Runnymede Borough Council would, however, seek to resolve any instances where a fence or wall had been erected without planning permission. Please see part 14 of this form for details. You should be aware however that if planning permission is required for the fence or wall, the law only allows the Council to hold the owner of that land responsible for the breach of planning control, rather than the person who has erected the fence.

*Grass verges owned by the Council*

Surrey County Council should be contacted on 01932 794151 if you feel that the land that has been enclosed is publicly owned / maintained (highway verges for example). The County Council is the highways authority for all of Surrey including Runnymede Borough, and it is for them to defend verges and other highway land.

*Private grass verges*

Neither Surrey County Council or Runnymede Borough Council can assist in instances where an individual has incorporated a private highway verge (i.e. one on a private road or estate) into their own curtilage. Planning enforcement notices can only be served on the owner of the land upon which the breach of planning control has occurred, and on private streets highway verges are normally within communal ownership in much the same way that the road itself is communally owned. It is for those who have some stake in the land to defend it, which normally means that the residents must combine (perhaps through a management committee if there is one) to attend to the issue.

In light of the above, do you still feel that the Planning Enforcement Section can assist you? If so, why?

**END OF PART 20**

**Part 21 –The use of a business premises has changed.**

Please answer the following questions to the best of your ability and knowledge. The more information you can provide us with, the quicker we will be able to reach a meaningful conclusion regarding your complaint.

1) Please state the address of the business premises in question:

2) When did the use change?

What did the use change from?

What did the use change to?

3) How does the new use affect you?

Sometimes it is possible to change the way in which land or property is used without needing planning permission. If you have provided us with sufficient information we will check whether planning permission is needed, and contact you to let you know.

**Part 22 – A fence, wall or gate has been erected on business premises, with or without barbed wire or other security measures.**

Please go to Part 14 of this questionnaire. Part 14 is about fences, walls, and gates at residential properties, but the laws are exactly the same for commercial / business premises.

1) Where is the property in question?

2) Have you completed part 14 of this questionnaire?                      YES     /     NO

3) Is there anything else you wish to add regarding your complaint?

END OF PART 22

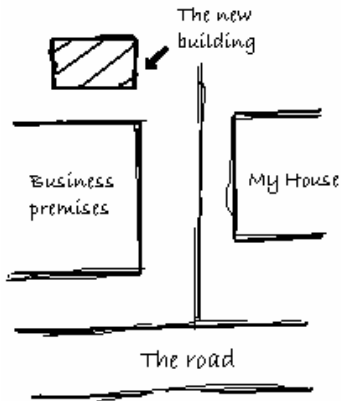
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**Part 23 – A new building or extension has been erected on business premises**

1) Where is the property in question?

2) Please describe the new building or extension that has been built, and provide either a sketch or photo:

Example: The new building is about 20 feet high, ten feet deep, and six feet wide (at a guess), and is in the back yard of the business premises. Here's my sketch:



3) What do you think the building or extension is used for? How do you know?

4) How does the building or extension affect you?

Normally planning permission is required to build an extension or erect a new building at a business premises, although exceptions are sometimes made if the building is temporary or moveable and is used as part of the business. If the building seems to be moveable, please wait a few weeks before contacting us, so that we can have some idea as to whether the situation is temporary.

**Part 24 – A satellite dish / TV aerial or antenna has been placed on business premises**

Please go to Part 5 of this questionnaire. Part 5 is about satellite dishes or antennae at residential properties, but the laws are exactly the same for commercial / business premises.

1) Where is the property in question?

2) Have you completed part 5 of this questionnaire? YES / NO

3) Is there anything else you wish to add regarding your complaint?

**END OF PART 24**

**Part 25 – People are living at a business premises**

1) Where is the property in question?

2) When did people start living at the premises?

3) Who lives at the premises? How do you know?

4) Have any building works taken place to allow the premises to be used as living accommodation (i.e. a new entrance, kitchen or bathroom facilities etc)?

5) How does the use of the premises as living accommodation affect you?

If we are going to take any formal action, we need to prove that the premises are being used as living accommodation. We will visit the site and talk to the owner, but to take action we normally rely on evidence collected by residents. Please try to record times and dates when you think you have witnessed residential activity, such as the lights being on late at night, and people coming and going well past the business closing time.

The records you keep will allow us to confront the land owner with detailed information, and that's usually enough to make the problem stop.

Have you enclosed some kind of record / evidence of the problem? YES / NO

**Part 26 – A business is open outside of agreed hours of operation / delivery**

1) Where is the property in question?

2) What do you believe are the agreed opening hours?

Note: You may not know what the official opening hours are (if indeed they are restricted), but may have noticed that a business which always closed at 11.pm is now staying open past that time. We will confirm if there are any set hours of business at the site once we have received your completed questionnaire.

3) On roughly what date did the late opening of the premises start to occur?

4) Please describe briefly what is occurring outside the agreed hours of operation / delivery?  
 Example: deliveries are taking place to the back yard at 1am about three times a week.

We ask that you keep a record of the instances where the business is operating outside of its agreed hours. Without evidence of this type we cannot take action if agreed hours are being breached. We cannot normally take formal action over 'one-off' instances, so please keep this diary with you until you feel you have shown a regular pattern. Please continue on a separate sheet if necessary.

Date	Time	Occurrence	Harm caused	Evidence?
13 April 2006	1.15 am	Lorry delivered car parts	Woke me up	Photograph enclosed

Once we have received your completed questionnaire we will establish if any formal control exists over opening hours, and contact the business owner if any agreement has been breached.

Part 27 – A new shop façade has been installed

1) Where is the property in question?

2) Please describe the alterations which have taken place:

Planning permission is normally required for a new shopfront, though only if the appearance of the property has changed in a significant way (i.e. you would not need planning permission to simply alter the lettering on the shop front, or to redecorate in the same style).

Items displayed within a shop window are outside of the Councils control, even if they include illuminated lettering or other visually intrusive items.

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

END OF PART 27

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Part 28 – Alterations have been made to the inside of a business premises

1) Where is the property in question?

2) Is the building a listed building?                      YES     /     NO

*If you have answered 'NO', please go to the next question.*

*If you have answered 'YES' please provide details of the works that you believe have been undertaken. It is an offence to carry out works to a listed building without consent, and as such we ask that you provide as much information as you can, with evidence if at all possible:*

*Please continue on a separate sheet if required*

3) Have any external alterations (i.e. works that affect the outside of the building) been carried out?

YES / NO

*If external alterations have been undertaken please refer to Part 3 of this form, then select and complete the relevant section.*

**Planning permission is not required for internal works**, though consent is needed to alter any part (inside or outside) of a Listed Building. Therefore, unless the building in question is a Listed Building, the Planning Enforcement Section cannot take any action over internal works, regardless of their scale and impact.

The Council has a Building Control Section who may be able to assist you if you feel that the **internal works undertaken are not to the required standard**. The role of the Building Control Dept is to assess the adequacy of building works, though they work in conjunction with builders and developers and do not report back to any complainants as to their findings. If building works have been in place for more than one year, the Building Control Section cannot take any formal action, regardless of the standard of workmanship. You can contact the Building Control Dept on 01932 425135.

If you feel that a property or site is **unsafe for those around it**, rather than within it, please contact the Building Control Dept on 01932 425135.

If the works are causing **noise, dust or vibration** the Council's Environmental Protection Division may be able to assist. You can contact them on 01932 838383.

If the works carried out to another property have affected, or perhaps could affect, your own property (i.e. your neighbours work has caused cracks or suchlike in your property) that is a **private legal matter between you and the owner of the other property**. The Council cannot resolve any disputes. You may wish to consult the widely available information regarding the Party Wall Act if your concern is of this nature. Leaflets are available at the Civic Offices reception desk, though for more detailed advice contact:

PartyWallAct.info (c/o Wilson Leppard)  
Oak House, 1 Oakwood Road  
LINCOLN, LN6 3LH  
Telephone: 0845 124 9685  
E-mail: [partywallact@wilsonleppard.co.uk](mailto:partywallact@wilsonleppard.co.uk) (Website: [www.partywallact.info](http://www.partywallact.info))

END OF PART 28

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#### Part 29 – Alterations have been made to the outside of a business premises

1) Where is the property in question?

2) Is the building a listed building? YES / NO

3) Is the building within a conservation area? YES / NO

4) Please describe the exact nature of the alterations that have been made to the outside of the business premises. It assists us greatly and speeds up the investigation if you can provide a photo:

*Note: If you are complaining about the erection of a fence, wall, gate, a new building, an extension, a satellite dish, a TV aerial or a new shop façade you should complete the relevant part of this questionnaire. Please see Part 3 for guidance.*

Planning permission is only required for alterations to the outside of a building if the changes are material (that is to say, they make a real difference to the shape or nature of the building).

Part 30 – Vehicles from a business are blocking the road / causing an obstruction / driving dangerously

Please start by reading the following information:

**If any vehicle is parked or driven in a way that is dangerous or causes obstruction, that is an offence, and should be reported to the Police. Runnymede Borough Council cannot take action against businesses on the basis that a motorist associated with the business, be it a customer or employee has parked or driven illegally.**

**Cars parked on yellow lines should be reported to the Traffic Wardens on the following telephone numbers: (01932) 425144, or 425196 or 425197.**

If, in light of the above, you feel that there may be something the Planning Enforcement Section can do to assist you, please answer the following questions to the best of your ability and knowledge:

1) Where is the property in question?

2) Does the business have it own private car parking spaces? YES / NO

3) If you have answered 'YES' to question 2, are the business' private parking spaces obstructed or closed off in any way? If so, please provide details:

4) If you have answered 'YES' to question 2, and answered question 3, please tell us how often the private parking spaces are unavailable (i.e. are they always closed off, does it happen occasionally, or are you complaining in relation to a 'one-off' incident?):

Planning permission for a business to operate is sometimes given on the condition that private car parking is provided for staff / customers, and is always open and available. Private parking can help to keep on-street parking problems to a minimum, but all we can do is ensure that the facilities are available, we cannot force the business, its staff or its customers to use the private spaces, or prevent them from parking on the street.

If you have indicated in response to questions 2, 3 and 4 that a private parking area is unavailable on a permanent or regular basis, we will check to see whether it was a condition of the planning permission for the business that the parking spaces be kept open, and make contact with the business .

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

END OF PART 30

Part 31 – Car sales are taking place from the highway / other land

Please complete part 9 of this questionnaire, which contains relevant information regarding car sales from the highway, or other land.

1) Have you completed Part 9 of this questionnaire? YES / NO

Please add any information that you have on a separate sheet, and enclose it with this questionnaire.

Part 32 – Storage containers have been placed at a business premises

1) Where is the property in question?

2) When did the storage containers arrive?

3) What does it appear the storage containers are used for? How do you know?

4) How does the presence or use of the storage containers affect you?

If the storage containers are used as a part of the business, then the Council cannot normally take any action to remove them, as the use of the land overall has not changed (it's still the same business), and no permanent building works have taken place (the containers can be moved). If storage containers are used for a purpose that has nothing to do with the official business being run on the site then planning permission is often required, giving the Council the opportunity to take enforcement action against the containers in the longer term.

There may, on occasions, be instances where a seemingly moveable storage container or suchlike can be viewed as if it was a permanent building, and therefore be within our control. This would normally be when the container may as well be a building, judging by the way in which it is fitted out and used, or the fact that it never moves or couldn't easily be moved.

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

END OF PART 32

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Part 33 – Disturbing noise, fumes, light pollution, dust or vibration is coming from a business premises

1) Where is the property in question?

The Council's **Environmental Protection team** have powers to deal with excessive smoke, dust, noise and odour pollution that might arise from domestic, commercial and industrial activities, and any complaints of that nature should be reported to them on Any noise, burning, fumes, dust or vibrations should be reported to them on 01932 838383. Investigation of these complaints can result in formal action being instigated against persistent offenders, where compliance cannot be negotiated. The Planning Enforcement Section cannot deal with such issues, so please do not bring the matter to our attention unless you are suffering from **light pollution** (i.e. you are being affected by intrusive illumination), in which case please complete the rest of this part of the questionnaire.

2) If you are suffering from light pollution, please tell us:

When did the light pollution start?

How often does the light pollution occur?

At what times does the light pollution occur?

3) Please tell us what the cause of the light pollution is?

	<i>tick</i>	<i>tick</i>
Freestanding floodlights	Floodlights or lamps attached to a building	
Illuminated advertising	Other (Please explain)	

4) Have you included a photograph of the cause of the light pollution? YES / NO

Under law, the effect of light pollution is not controllable in the way that other types of pollution are. The Planning Enforcement Section can assist only if the cause of the light pollution (i.e. the actual lamp or light itself) is big enough to need planning permission. If the illumination is caused by a lamp that is concealed or very small, planning permission will probably not be required for the lamp, regardless of the impact of the illumination.

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

#### END OF PART 33

#### Part 34 – The development has been built in a way that is not in accordance with (i.e. not exactly like) the plans that were passed

Once planning permission is granted for building works, all the Council can do is check that the builders are fully in line with the approved plans. We do not do this as a matter of routine, but can check a specific site **if there is good reason** to think that building works are not as they should be.

The first step to establishing whether a development is being built as it should be is clearly to take a look at the approved plans. **We reserve the right not to investigate your complaint unless you have filled in this part of the questionnaire in full**, and you may struggle to do that if you haven't seen the approved plans, which are always available for public viewing at either at the Council offices or on the internet site at [www.runnymede.gov.uk](http://www.runnymede.gov.uk).

If you feel that the building works are in line with the approved plans (or have no reason to doubt that they are), but are unhappy with their impact anyway, please go to Part 49 of this questionnaire.

1) Where is the building site in question?

2) Have you looked at the approved plans? YES / NO

3) Please tell us which planning permission you believe the builders are working to:

Ref no: *(This will normally start with RU.)*

Date:

Description of the works:

4) In what way is the development different from the approved plans? **How do you know?**

*Please be as specific as possible. For example: If you think a building is taller than it should be, tell us how tall you think it is supposed to be, how tall you think it is, and why. We don't expect you to have measured anything, but it's not enough to simply say that a building is taller than you imagined it would be if you haven't seen the plans or attempted to work out how tall it is actually allowed to be.*

The Council has the power to treat very small and insignificant / non-harmful changes to an approved development as a minor amendment to the approved plans, and would not ask for a new planning application or take enforcement action in such circumstances.

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

END OF PART 34

**Part 35 – One or more of the conditions attached to the planning permission for the building works has been breached**

Normally planning permission is granted on the condition that various steps are taken to control the impact of the development in question. An example might be:

*'Runnymede Borough Council GRANTS planning permission for a SIDE EXTENSION at 45 Green Street, Egham on the condition that:*

*1. No new windows are added to the extension at any point in the future.'*

The Council can check that the builders are fully in line with the requirements of the planning conditions. We do not do this as a matter of routine, but can check a specific site **if there is good reason** to think that the conditions are being breached.

The first step to establishing whether planning conditions are being breached is clearly to take a look at the relevant conditions. **We reserve the right not to investigate your complaint unless you have filled in this part of the questionnaire in full**, and you may struggle to do that if you haven't seen the relevant papers, which are always available for public viewing at either at the Council offices or on the internet site at [www.runnymede.gov.uk](http://www.runnymede.gov.uk). Alternatively you can call the Council on 01932 425130 and ask for the reference number of the most recent planning permission on a site, and ask for the conditions to be read out to you over the telephone.

1) Where is the building site in question?

2) Have you looked at the planning permission and conditions? YES / NO

3) Please tell us which planning permission you believe the builders are working to:

Ref no: *(This will normally start with RU.)*

Date:

Description of the works:

4) Which of the planning conditions are being breached? Please provide details:

*Please be as specific as possible. Tell us how you are aware of the breach, and how it affects you:*

**Part 36 – A legal agreement attached to a planning permission has not been complied with**

Sometimes planning permission is granted on the condition that the developer enters into a legal agreement with the Council, whereby the Borough obtains certain benefits as part of the planning permission. If you feel that the terms of any such agreement are being breached, please refer to **Part 35** of this questionnaire, but make it clear in your answer to **Question 4 of Part 35** that you are referring to a legal agreement rather than a planning condition. If you wish to complain about a breach of both a planning condition and a legal agreement, please make that clear in your answer to **Question 4 of Part 35**.

END OF PART 36

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**Part 37 – The builders or contractors are causing parking problems in the area by parking vehicles outside of the building site**

1) Where is the building site in question?

Please read the following information:

**If any vehicle is parked or driven in a way that is dangerous or causes obstruction, that is an offence, and should be reported to the Police. Runnymede Borough Council cannot take action against developers on the basis that a motorist associated with the site, be it a visitor or employee has parked or driven illegally.**

**Cars parked on yellow lines should be reported to the Traffic Wardens on the following telephone numbers: (01932) 425144, or 425196 or 425197.**

Sometimes planning permission is granted on the condition that the developer agrees a location within the building site where vehicles can park, turn and make deliveries. This is in order to reduce the need for vehicles to park on the public highway. If you feel that such a condition has been breached please complete **Part 35** of this questionnaire.

**Even if a planning permission requires the developer to keep a space set aside for parking etc on the site, the Council can only ensure that the space is available. We cannot force a developer to use the space, nor can we prevent vehicles from parking on outside the site.**

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

END OF PART 37

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**Part 38 – The pavement or highway grass verges are being damaged by builders**

Runnymede Borough Council does not have the power or responsibility to protect/repair grass verges or the pavement/highway, even if the damage is being caused by builders working on a development for which we have granted planning permission.

**Any instances of damage to the footpath, highway or highway grass verges should be reported to Surrey County Council Highways Dept on 01932 794151. Please do not report such instances to Runnymede Borough Council.**

It is normal for builders to 'make good' by repairing damage to a highway upon completion of a building project.

END OF PART 38

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**Part 39 – Boards or hoardings have been erected around a building site**

Planning Permission is not required for the erection of hoardings around a building site, as long as the hoardings are temporary and the developer is actually carrying out building works in line with a planning permission (assuming planning permission is needed).

If hoardings have been erected but no building works are taking place (please wait at least a month to see if building works begin following the erection of hoardings, as its is common practise to erect the hoardings in advance of building works beginning), please complete Part 14 of this questionnaire.

If you feel that hoardings have been erected in such a way as to block the footpath or public highway, please contact Surrey County Council Highways Dept on 01932 794151. **Please do not report such instances to Runnymede Borough Council.**

**Part 40 – The builders are starting earlier / finishing later than they should be**

Normally the Planning Enforcement Dept cannot control the hours of work on a building site. The only exception would be if Runnymede Borough Council had granted planning permission for development on the condition that works only took place inside certain hours of the day. If you feel that this is the case, please complete **Part 35** of this questionnaire.

If you are being disturbed by early, late or weekend work on a building site, but there are no planning conditions controlling the hours of work, it may be possible for the **Council's Environmental Protection Dept (tel. 01932 838383)** to assist you. If the disturbances you are experiencing are considered to be a statutory nuisance, then the Environmental Protection team may be able to take some action even if there is no planning condition.

**END OF PART 40**

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**Part 41 – The materials used in construction do not match the materials on the original building**

Normally the Planning Enforcement Dept cannot control the materials used on a new building. The only exception would be if Runnymede Borough Council had granted planning permission for development on the condition that the materials used either had to be agreed by us, or had to match the existing house. If you feel that this is the case, please complete **Part 35** of this questionnaire.

If a building does not need planning permission, then Runnymede Borough Council cannot control the materials used in its construction, regardless of its external appearance.

**END OF PART 41**

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**Part 42 – Windows that are supposed to be made up using obscured glazing are in fact made up using clear glass**

Normally the Planning Enforcement Dept cannot control the type of glass used in a window. The only exception would be if Runnymede Borough Council had granted planning permission for development on the condition that specific windows within a new building were to be made using obscured glass. If you feel that this is the case, please complete **Part 35** of this questionnaire.

If a new window has been inserted into one of the original walls of a building, planning permission is not normally required, and as such the Council cannot force the owner of the property to obscure the glass in that window, regardless if the impact on those around it.

**END OF PART 42**

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**Part 43 – The builders or contractors are parking or driving in a dangerous manner**

Please start by reading the following information:

**If any vehicle is parked or driven in a way that is dangerous or causes obstruction, that is an offence, and should be reported to the Police. Runnymede Borough Council cannot take action against a developer on the basis that a motorist associated with the site, be it a visitor or employee has parked or driven illegally.**

**Cars parked on yellow lines should be reported to the Traffic Wardens on the following telephone numbers: (01932) 425144, or 425196 or 425197.**

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

**END OF PART 43**

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**Part 44 - My property has been damaged by builders working on a nearby building site**

If your property has been damaged in any way by builders working on a nearby site, please complete **Part 6** of this questionnaire. Whilst most reputable builders will 'make good' any damage they cause, the Council **cannot** seek recourse for you in instances where damage is not repaired.

### Part 45 – A building site appears to be unsafe

Runnymede Borough Council does not have the power or responsibility to check or enforce safety measures on building sites. Any safety concerns regarding building sites should be reported to:

The Health and Safety Executive  
Phoenix House,  
23-25 Cantelupe Road,  
EAST GRINSTEAD,  
West Sussex  
RH19 3BE  
Tel: 01342 334200  
Fax: 01342 334222

If you feel that a property (rather than a building site) is unsafe for those around it, please contact the Building Control Dept on 01932 425135.

END OF PART 45

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### Part 46 – Builders are living on a building site

1) Where is the building site in question?

2) Where on the site are the builders living?

3) How do you know that builders are living on the site?

4) When did the builders start living on the site?

The planning enforcement section can seek to enforce against people living on a site, although normally any formal action would take as long, if not longer, than the construction process and may therefore not achieve anything useful. In instances where builders living on a site was causing serious and/or irreparable harm, more immediate action could be considered.

Planning permission is not required for staff to be present overnight at a site for security purposes during the construction of a development.

In light of the above do you still feel that Runnymede Borough Council should investigate your complaint? If so, why?

**Part 47 – Disturbing noise, fumes, dust, light pollution or vibration is coming from the building site**

If you are being disturbed by noise, fumes, dust, light pollution or vibrations coming from a building site, please complete **Part 33** of this questionnaire.

**END OF PART 47**

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**Part 48 – The quality of workmanship on a building site appears to be of a poor standard.**

The Council has a Building Control Section who check that building works are **to the required standard**. The role of the Building Control Dept is to assess the adequacy of building works, though they work in conjunction with builders and developers and do not report back to any complainants as to their findings. You can contact the Building Control Dept on 01932 425135. **The Planning Enforcement section does not check the quality of building work.**

**END OF PART 48**

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**Part 49 - Now that building works have begun, I can see the impact that the new development will have on me, and I am unhappy**

Once the Council has decided to grant planning permission, that decision cannot be reversed or altered. The impact of the works will have been considered when the decision to grant planning permission was made. All the Planning Enforcement Section can do is ensure that development is in accordance with the plans that were approved.

**END OF PART 49**

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**Part 50 - A piece of land, property or a building is a mess / an eyesore**

The Council has the power to take formal enforcement action where the visual appearance of land or buildings is so bad as to affect the amenity of those living and working nearby. A slightly overgrown garden or a house that would benefit from redecoration would not normally be considered so harmful as to warrant formal action, though a front garden stuffed full of burnt mattresses, broken fridges and waste debris, in clear view of passers by and neighbours, normally would warrant action.

It assists us greatly (and speeds up our work) if you can provide photographs to show the appearance of the site.

1) Where is the land or building in question?

Have you included photographs of the land or building?

YES / NO

2) Please describe the condition of the site:

3) How long has the site been in this condition?

4) How does the condition of the site affect you?

If land or buildings are in a messy condition as a result of redecoration, building works or other temporary works, enforcement action will not be taken.

**Part 51 - Waste has been / is being tipped or dumped**

Runnymede Borough Council has the power to take formal enforcement action where the visual appearance of land or buildings is so bad as to affect the amenity of those living and working nearby. If dumping has led to this situation, please complete **Part 50** of this questionnaire, but consider the following: we only have the power to take action against the owner of the land, not the person who has carried out the dumping. Ordinarily a responsible land owner will clear any tipping, given a short time to make the required arrangements, so please allow for three weeks to pass from the date of the dumping before you contact us, unless you feel that the dumping is likely to recur.

If you believe that **a person is allowing or encouraging waste to be dumped on their land, or is doing little to prevent it**, please contact the Surrey County Council Planning Enforcement team on 020 8541 9423. Surrey County Council deal with instances where material (be it waste or otherwise) is being introduced onto some land from another site.

If someone has dumped some rubbish by the roadside, please inform the County Council Highways Dept on 01932 794151. Please do not report such instances to Runnymede Borough Council.

If you feel that the materials dumped are hazardous or toxic, please call the Council's Environmental Protection Division on 01932 838383.

**END OF PART 51**

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**Part 52 - Advertisements (including banners) have been placed upon private land or property (including fences or rails)**

The Council can take action against the owner of any land upon which an unauthorised advertisement is displayed. There are, however, many instances whereby permission is not needed for an advertisement. If you can provide a photograph of the advertisement in question it will speed up our investigation considerably. **If the advertisement is on the highway (e.g. on road signs, street furniture, lampposts etc) please turn to Part 53 of this questionnaire.**

Further information can be obtained by collecting the booklet entitled 'Outdoor Advertisements and Signs - A Guide for Advertisers' from the Civic Offices in Addlestone.

1) Where is the advertisement in question?

Have you included photographs of the advertisement?                      YES     /     NO

2) Please describe the advertisement:

3) How long has the advertisement been in place?

4) How does the presence of the advertisement affect you?

**END OF PART 52**

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**Part 53 - Advertisements (including banners) have been placed upon the highway (e.g. on road signs, street furniture, lampposts etc)**

Any advertisements placed on the highway should be reported to Surrey County Council Highways Dept on 01932 794151. Please do not report such instances to Runnymede Borough Council.

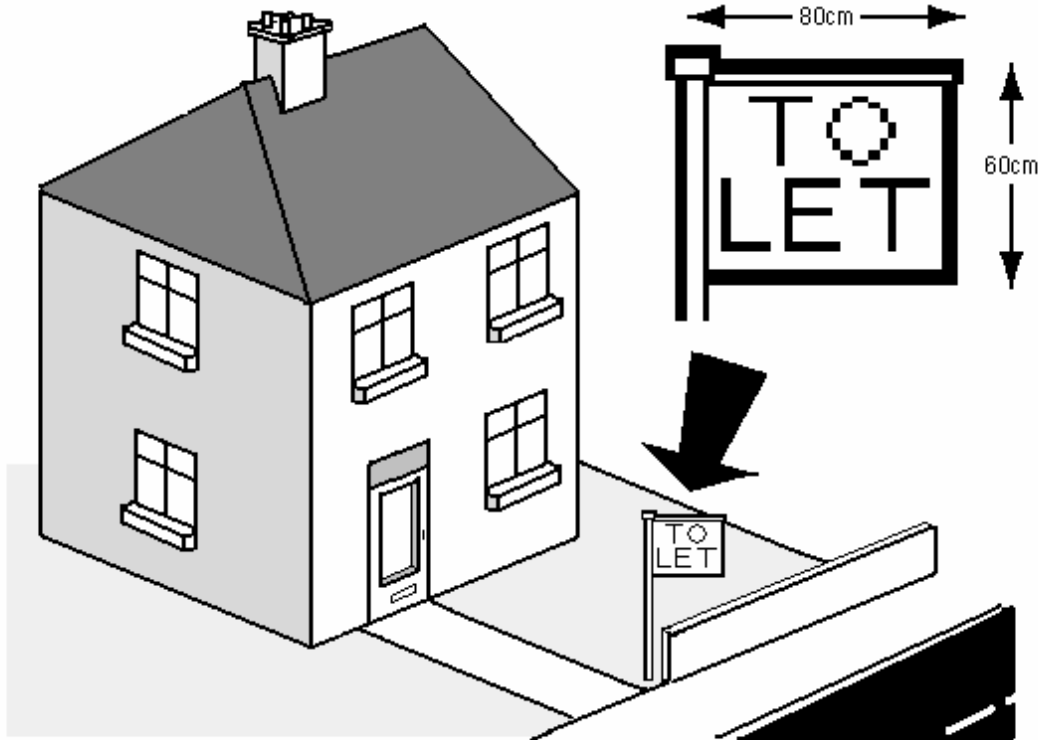
## Part 54 - 'For Sale' or 'To Let' estate agents signs are causing concern

Runnymede Borough Council can only take action against estate agents boards if they do not comply with the requirements of the law governing advertisements. The law says that...

No more than one advertising board shall be displayed on a property that is for sale, unless it consists of two different advertisements joined together as one board. This applies even if the property has two separate frontages.

### Size of Boards:

If the property is for sale or to let for **residential** use or development, then the board must not exceed 0.5 square metres in area, or a total of 0.6 square metres for two joined boards:



Example: The board measures 80cm across and 60cm down. 0.8 times 0.6 is 0.48. 0.48 is less than 0.50, or half a square metre, and so consent is not needed for this board. Most estate agents boards are produced to stay the right side of the law.

If one property is for sale or to let for **non-residential** use or development, then the size of the board must not exceed 2 square metres in area, or 2.3 square metres, if two joined boards.

### Location of Boards:

No board advertising a property for sale or to let can be displayed which exceeds 4.6 metres in height above ground. The only exception being where the building on which the board is displayed exceeds that level anyway, for example, a flat/office at first floor level or above.

Any board displayed on a building must not project from the face of the building by more than 1 metre.

Any board advertising property for sale or to let must be displayed on the property to which it relates. This is quite specific and in the case of a block of flats would mean "on the flat" that is for sale or to let, or in "any part of the grounds that are enjoyed by that flat".

A board positioned on a highway verge advertising an adjacent property would not be automatically allowed by law, and should be reported to Surrey County Council Highways Dept on 01932 794151. Please do not report such instances to Runnymede Borough Council.

### Duration Of Display Of Boards: -

Any board advertising a property for sale or to let must be removed within 14 days of the completion of the sale or granting of tenancy.

1) Where is the advertisement in question?

Have you included photographs of the advertisement?                      YES     /     NO

2) Please explain why the advertisement is contrary to the laws explained above:

3) How long has the advertisement been in place?

4) How does the presence of the advertisement affect you?

**END OF PART 54**

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**Part 55 - Trees have been felled or cut back**

**The Council does not have the power to prevent any trees being felled or cut back unless they are protected by a Tree Preservation Order (TPO).** Please telephone the Council's planning department on 01932 425250 to find out if a tree near you is covered by a TPO. Once a TPO is placed on a tree the owner can only fell it if they have consent from Runnymede Borough Council or if the tree is dead, dying or dangerous.

If a tree has been felled in a conservation area, the owner should have given the Council six weeks notice of their intentions, regardless of whether the tree is protected by a TPO or not.

If the tree you are concerned about is covered by a TPO, or is within a conservation area, then please inform the planning enforcement dept immediately on 01932 425260. Make a note of everything you have seen, including times and dates, as we may need that information for prosecution purposes later.

If the tree being cut down is within your ownership, it is not within the Council's powers to prosecute the person responsible for the damage on your behalf, although as the owner of the land / tree you may be held ultimately responsible for the felling of the tree. If someone else has damaged or felled protected tree(s) on your land, please let us know what action you plan to take.

If you feel that a tree should be preserved, please write to the Runnymede Borough Council Parks and Countryside Dept to ask that a TPO be considered, explaining how the public benefit from the tree. The address is:

Runnymede Borough Council  
Parks and Countryside Dept  
Civic Offices  
Station Road  
Addlestone, Surrey, KT15 2AH

## Part 56 – Works are being carried out which affect the roots of a nearby tree

Please refer to **Part 55** of this questionnaire. The information contained within **Part 55** also applies in instances where damage has been carried out to the roots of a tree.

If someone else has damaged the roots of a tree belonging to you, that is a private matter which the Council cannot become involved in. It is not within the Council's powers to prosecute the person responsible for the damage on your behalf, although as the owner of the land / tree you may be held ultimately responsible for the felling of the tree. If someone else has damaged or felled protected tree(s) on your land, please let us know what action you plan to take.

If you feel that works on the public highway (such as the pavement being dug up) are damaging the roots of a highway tree (i.e. one that is planted into the pavement), please inform Surrey County Council Highways Dept on 01932 794151. Please do not report such instances to Runnymede Borough Council.

**END OF PART 56**

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## Part 57 - Someone else's tree is overhanging my boundary

If the tree is not protected, you are entitled to prune back any overhanging branches to your vertical boundary and by law should return the prunings to the tree owner. Any disputes of this type are private, and not something that the Council has any control over.

**The Council strongly advises you to contact or talk to the tree owner before pruning the tree, as they may wish to make alternative arrangements with you.**

If a tree is protected by a Tree Preservation Order or is within a Conservation Area then you must apply to the Council for permission to prune the tree.

**END OF PART 57**

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## Part 58 – Someone else's high tree or hedge is affecting me

Provided you have tried and exhausted all other avenues for resolving a hedge dispute, you are able to take your complaint regarding a neighbour's tree or hedge to Runnymede Borough Council.

Our role is not to mediate or negotiate between you and the hedge owner but to adjudicate on whether the hedge is adversely affecting the reasonable enjoyment of your property, taking account of all relevant factors and striking a balance between the competing interests of you, the hedge owner, and the wider community.

If we consider the circumstances justify it, Runnymede Borough Council will issue a formal notice to the hedge owner which will set out what they must do to the hedge to remedy the problem, and when by. Failure to carry out the works required by the authority is an offence which, on prosecution, could lead to a fine of up to £1,000.

- The legislation does not require all hedges to be cut down to a height of 2 metres
- You do not have to get permission to grow a hedge above 2 metres
- When a hedge grows over 2 metres Runnymede Borough Council does not automatically take action, unless a justifiable complaint is made
- If you complain, it does not follow automatically that Runnymede Borough Council will order your neighbour to reduce the height of their hedge. We have to weigh up all the issues and consider each case on its merits
- The legislation does not cover single or deciduous trees
- Runnymede Borough Council cannot require the hedge to be removed
- The legislation does not guarantee access to uninterrupted light
- There is no provision to serve an Anti-social Behaviour Order (ASBO) in respect of high hedge complaints.

**You can obtain more information on the law regarding high hedges by visiting [www.communities.gov.uk/treesandhedges](http://www.communities.gov.uk/treesandhedges), or by calling the Department for Communities and Local Government on 020 7944 4400 (08:30-17:30 Mon-Fri).**

**If you wish to pursue a complaint regarding a hedge or tree, please contact Runnymede Borough Council Technical Services Dept on 01932 425131, and ask for the relevant complaint form.**

Part 59 - A Caravan or mobile home has been placed upon land

1) Where is the land in question?

Are you complaining about:

*Tick*

A mobile home:

A caravan:

Other (please explain):

Have you included photographs and / or a sketch of the whereabouts of the caravan or mobile in question to help us understand whereabouts on the land it is?            YES     /     NO

2) Who owns the land in question?

3) What is the land normally used for?

4) When was the mobile home or caravan placed on the land?

5) Is the mobile home or caravan lived in on a temporary or full time basis?

Who lives in the mobile home / caravan?

How do you know?

6) Has anything been built to go with the mobile / caravan (e.g. a concrete base, electricity junction box etc)?

Part 60 - A Gypsy traveller site has been or will be created on open land

1) Where is the land in question?

2) Do you know who owns the land in question?

3) What is the land normally used for?

4) Has a traveller site been set up already, or do you think that one will be set up in the future?

It has already been set up:  *Tick* (Please go to question 5)

It will be set up in the future:  (Please go to question 6)

5) When was the site set up?

Please describe what has happened:

*Please continue on a separate sheet if necessary*

6) How do you know that the site will be set up?

*Please continue on a separate sheet if necessary*

Runnymede Borough Council, like all local planning authorities, can do little to prevent the creation of a traveller site in advance of the event. Once a site is set up, the process of securing its removal is a very lengthy one.

Once we have your complaint, further information can be sent to you if you request it.

Please send me some further information regarding planning law and traveller sites:  *Tick*

Part 61 - A new building has been erected on agricultural or open land

1) Where is the land in question?

Have you included photographs and / or a sketch of the whereabouts of the building in question to help us understand where it is?

YES / NO

2) Who owns the land in question?

3) What is the land normally used for?

4) When was the building erected?

Please describe the building:

*Please continue on a separate sheet if necessary*

6) What do you think the building is used for? How do you know?

*Please continue on a separate sheet if necessary*

Part 62 - Open land has been sub-divided

1) Where is the land in question?

2) Who owns the land in question?

3) What is the land normally used for?

4) When was the land sub divided?

Please describe the way in which the land has been sub divided:

*Please continue on a separate sheet if necessary*

The Council cannot prevent a person from sub-dividing or selling portions of their land, nor can it prevent a person from advertising open land for sale as 'building plots'. Normally, the small print of any such advertisement describes the land as a building plot 'subject to planning permission being obtained'. On what basis a piece of land is bought or sold has no bearing on any planning application that might be received.

It is sometimes possible for the Council to secure the removal of the fencing used to sub-divide land if that fencing is unsightly.

**END OF PART 62**

Part 63 - The use of open land has changed

1) Where is the land in question?

2) Who owns the land in question?

3) What is the land normally used for? How long was it used for that purpose?

4) What do you think the land is now being used for? How do you know?

*Please continue on a separate sheet if necessary*

Part 64 - A telephone mast has been erected on open land

1) Where is the land in question?

2) Who owns the land in question?

3) What is the land normally used for?

4) Please explain what has been constructed on the land:

Have you included photographs and / or a sketch of the mast to help us understand its whereabouts on the land?  
YES / NO

END OF PART 64

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Part 65 - Earthworks (i.e. the moving of earth or building of earth banks / bunds) is underway on open land

1) Where is the land in question?

2) Who owns the land in question?

3) What is the land normally used for?

4) When did the works commence?

5) Please describe the nature of the works, and of any bunds or banks created:

6) Has any material been imported onto the land from outside the site? Please provide brief details:

The creation of a bund or bank made of earth can require planning permission, depending on the scale of the works. **If you have seen diggers or other machinery in operation on the site, but do not know what is being / has been created, please make that fact plain in your response to the above questions.** We will contact the owner of the land to ask what works are underway, but such inquiries are treated as a low priority.

Part 66 - Storage containers have been placed upon open land

1) Where is the land in question?

Have you included photographs and / or a sketch of the storage container to help us understand its whereabouts on the land?  
YES / NO

2) Who owns the land in question?

3) What is the land normally used for?

4) When was the storage container placed on the land?

5) Is the storage container on the land all the time, or from time to time?

What do you think the container is used for?

How do you know?

6) Has anything been built to go with the storage container (e.g. a concrete base, electricity junction box etc)?

**Part 67 - Materials have been imported onto open land**

If materials have been brought onto a site but not used to build or create anything, please report the matter to [Surrey County Council Planning Enforcement Dept](#) on 0208 541 9423.

If something has been built or created using the materials (such as a hard surface on the ground) please fill in the following questions and return the form to Runnymede Borough Council.

1) Where is the land in question?

2) Who owns the land in question?

3) What is the land normally used for?

4) When were the materials placed on the land?

5) What have the materials been used for?

How do you know?

6) What type of materials have been brought onto the land?