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Date as postmarked

To whom it may concern.

Dear Sir or Madam;

RE: Planning Enforcement.

Thank you for your recent complaint or enquiry, which Runnymede Borough Council hereby acknowledges receipt of. Before we can investigate we need some basic information, and I enclose a simple questionnaire for you to fill out and return. This is not a long or difficult process, but it will greatly assist our planning enforcement officers, and at the same time will provide you with some important advice regarding the issue that is concerning you.

Runnymede Borough Council reserves the right not to investigate your complaint or enquiry unless you have fully completed a questionnaire.

The questionnaire is easy to use, please follow these steps:

1. **COMPLETE PART 1 OF THE FORM.**
2. **COMPLETE PART 2 OF THE FORM.**
3. **SELECT FROM PART 3 THE TYPE OF COMPLAINT YOU WISH TO MAKE. ONCE YOU HAVE DECIDED, TICK THE RELEVANT BOX, AND COMPLETE THE PART OF THE FORM THAT APPLIES.**
4. **SEND THE FORM TO US.**

Please take the time to fill in the form as carefully as you can. Providing photographs and/or sketches is not mandatory, but will speed up our work on your complaint.

A list of frequently asked questions, which may help you to understand more about how our enforcement system operates is attached.

I look forward to receiving your completed questionnaire, which will enable us to attend to your concern.

Yours Faithfully,

**Runnymede Borough Council
Planning Enforcement Section**

Frequently Asked Questions:

Who should I send my completed questionnaire to?

The Planning Enforcement Section
Runnymede Borough Council
Technical Services Dept
Civic Offices
Station Road
Addlestone
Surrey
KT15 2AH

What happens after my questionnaire is returned to the Council?

So long as the questionnaire is fully completed, the information you have provided will form the basis of an investigation.

What if the matter concerning me is urgent?

The definition of urgent in planning enforcement terms is: damage is being done that cannot possibly be undone in the future. Unless your concerns relates to a protected tree or a listed building being damaged, it is unlikely to be viewed as urgent. Try to remember that any normal building works (no matter how substantial) can be reversed, and if permission is not obtained for works that ultimately prove to be unacceptable the responsibility rests with the owner of the land, even if they acted in ignorance. Building works being undertaken without the correct planning permission are no more urgent simply because they are in progress at the time of your complaint. Barring exceptional circumstances the Council cannot call an immediate halt to works regardless of whether permission has been obtained.

Will my details become known to others?

No. Runnymede Borough Council is not required to reveal the names of complainants or informants under the terms of the Freedom to Information Act, and does not do so under any circumstances.

What if I want to remain anonymous?

You don't have to give us your details, but if you don't we will obviously not be able to ask you for any further information we may need, which in turn could delay, or even call a halt to our investigations. We also cannot get back to you with the conclusion of our investigations if we don't know who you are.

How can I be sure that my questionnaire has been safely received by the Council?

Assuming we have your contact details, you will receive written acknowledgement from Runnymede Borough Council once your questionnaire is accepted as complete and passed on to an officer for investigation.

Will I be kept up to date regarding the investigation?

Runnymede Borough Council officers will contact you only when they require further information from you, or if they have significant news to pass on. Due to workload and constraints on resources it has become impossible for our enforcement officers to continually update complainants.

Can I contact the Council to find out how an investigation is progressing?

Once an investigation is underway, Runnymede Borough Council will gladly receive further information from you regarding the issue at hand, and may even request it from you, but unless it will benefit the investigation our enforcement officers will not normally respond to requests for progress updates. This is one of many measures we have had to take to make the most of our restricted resources, and whilst we will endeavour to get back to you when there is something significant to tell you, we ask you to understand that our enforcement officer's time is limited, and is better spent investigating and taking action, rather than in communication with complainants.

What will happen if the works I have complained about are found to need planning permission, but do not have it?

Usually the Council will give the developer a chance to apply for planning permission after development has begun (i.e. retrospectively). A retrospective planning application made after development has begun is treated in the same way as a normal application (regardless of whether the building works are finished or not). Local residents will have a chance make their views known as part of any retrospective planning application, though you should note that all objections to a planning application are available for the public to see. The fact that work has begun without permission is not something the Council will consider when deciding whether to grant planning permission. If a developer has carried out works without planning permission, and cannot obtain permission retrospectively, the works (if found to be unacceptable) may be liable to formal enforcement action.

What is formal enforcement action?

The Council has the power to serve an enforcement notice requiring that unauthorised works or uses be removed or stopped if they need planning permission but don't have it, and if the Council is sure it would have refused any application to keep them. An enforcement notice does not usually take immediate effect, and a person receiving one can appeal to the Planning Inspectorate against the serving of the notice. If an appeal is lodged, then the Council's action is effectively frozen until an independent Planning Inspector has decided on the outcome of the appeal. The unauthorised works or use can normally carry on during the appeal process. Clearly it is risky for a developer to carry out works without planning permission, as they may ultimately have to remove those works at their own expense. This applies equally to works being carried out whilst the outcome of an appeal is yet to be decided. Once an enforcement notice comes into effect (assuming the Council wins any appeal) it is an offence not to comply with the requirements of the notice.

What if by completing the questionnaire I become aware that my concern is outside the remit of Runnymede Borough Council's Planning Enforcement section?

If that happens you will be given the contact details of the correct body or department within the text of the questionnaire. Please do not send us the questionnaire back, as whilst we will pass the details onto the relevant body or department, it is far better for you to establish direct contact, as further information may be required, and you are better placed than anyone to provide this.

How long will it take for my complaint to be investigated or for action to be taken?

The following table shows how we prioritise cases. It is not possible to offer any strict timescales as workload varies.

Priority	Type of Development	Investigation Timescale
High	<ul style="list-style-type: none">⊇ Unauthorised demolition or alterations to a Listed Building or other building which it is considered essential to retain⊇ Unauthorised felling or works to a preserved tree, tree in a Conservation Area, or other trees which it is considered essential to retain⊇ Breaches of planning control or conditions which results in serious harm to amenity in a neighbourhood and affects a number of parties⊇ Unauthorised development within a Conservation Area which is likely to have a permanent impact on the Conservation Area⊇ Unauthorised encampments by travellers⊇ Unauthorised development which might be a danger to the public or might be likely to cause accidents	As soon as possible, complaints given priority over medium and low category
Medium	<ul style="list-style-type: none">⊘ Breaches of planning control or conditions that cause demonstrable nuisance to the residential enjoyment of neighbouring properties⊘ Breaches of advert control involving widespread fly-posting⊘ Breaches of planning control or conditions where the time limit for enforcement action will expire within the next six months	As soon as possible, prioritised depending upon merits of the case
Low	<ul style="list-style-type: none">⊘ Advert control not included above⊘ Breaches which are technical in nature and not in significant conflict with planning policy⊘ Breaches which are temporary in nature⊘ Breaches likely to be resolved quickly by negotiation	As soon as possible, with all complaints placed in a queue from date of receipt

Please note that planning applications (including retrospective applications following enforcement investigations) normally take about two or three months from outset to conclusion, whilst planning appeals usually take up to one year from outset to conclusion, sometimes longer depending on the waiting lists for the Planning Inspectorate.

What can the Enforcement Officer do?

The enforcement officer will investigate the possible breach and may recommend to the Planning Committee that an Enforcement Notice is issued. This gives the landowner time to put things right or to appeal to the Planning Inspectorate. If the landowner ignores the notice, he or she can be prosecuted, and, if found guilty, fined.

If the landowner decides to appeal, it might take several months for the appeal to be heard and the decision to be issued. If the breach has a serious impact on amenity, a Stop Notice can also be served. If the work is not done within the agreed time-scale prosecution can follow.

Where a condition on a planning approval has not been complied with, a Breach of Condition Notice may be served. There is no right of appeal and defying the notice can result in prosecution and a subsequent fine.

Can the enforcement officer call an immediate stop to building works or land uses?

Only if the harm being caused is very severe, affects a lot of people, or cannot be undone in the future. The vast majority of complaints do not warrant such action.