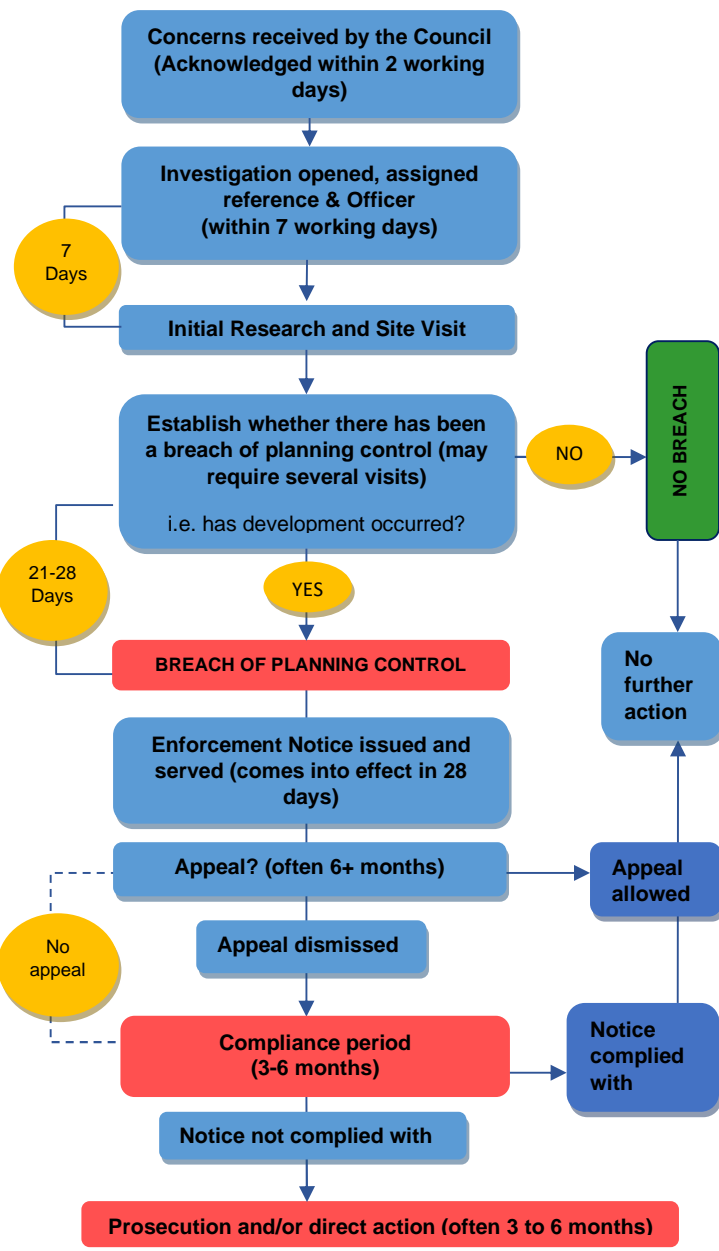


Timescales for investigation of complaints¹



¹ The timescale provided is indicative and can be subject to changes based on the course of the investigation.

Contact us

Planning Enforcement

St Albans City and District Council
St Peters Street
St Albans, Hertfordshire AL1 3JE

Council Office Opening hours

Monday to Thursday: 8:45 am - 5:15 pm
Friday: 8:45 am - 4:45 pm

Telephone: 01727 819346

Email: planningenforcement@stalbans.gov.uk

Website: www.stalbans.gov.uk

Other Helpful Contacts

- [Hertfordshire Highways](#) website - Damage to grass verges and pavements, roads, footpaths or other highway matters such as street lighting and dropped kerbs (Tel: 0300 123 4047)
- [Parking Services SADC](#) - On street parking problems or Police for parking causing a hazard (Tel: 01727866100)
- [Regulatory Services SADC](#) - Noise and disturbances, problems with high hedges, pollution and builders working unusual or unsocial hours (Tel: 01727866100)
- [HSE](#) - Health and Safety concerns on Building Sites
- [Citizens Advice \(or independent legal advice\)](#) - Neighbourhood, land boundary or ownership disputes (Tel: 03444 111 444 / 01727811118)
- [Party Wall Act 1996](#) - Any works to party walls
- [Building Control for Dangerous Structures](#)
- [VOSA](#) - Goods Vehicle Operators Licenses (Tel: 0300 1239000)
- [Hertfordshire County Council](#) - Works relating to minerals and waste (Tel:0300 123 4040)

Privacy Notice

Please note that we may pass your details to other departments and organisations that may be better suited to investigating your complaint. We use the information to deal with your query. We may share the information with other departments at the Council, or other external partner organisations as listed above to enable us to deal with your request and we will tell you when we do. We will only share the information to enable us to deal with this matter. Please refer to our [privacy policy](#) and the full [privacy notice](#) on the website for further details on how we use your personal data.

Planning Enforcement Advisory Leaflet

How to report a breach of planning control



What is planning enforcement?

Planning enforcement is the process of investigating and resolving possible breaches of planning law.

“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.” – National Planning Policy Framework (NPPF) DCLG 2019

The Council is committed to providing an effective planning and building enforcement regime by ensuring all development within the District is properly controlled and authorised in line with planning policies.

What is a breach of planning control?

A breach of planning control is defined as one of the following:

- The carrying out of development without the required planning permission (e.g. house extensions, building garden fences, change of use); or
- Failing to comply with any condition or limitation subject to which planning permission has been granted.

Please note that contravention of the limitations on, or conditions of, permitted development rights, under the Town and Country Planning (General Permitted Development) Order 2015 constitutes a breach of planning control against which enforcement action may be taken.

What we investigate

- ✓ Unauthorised building works, uses of land and buildings
- ✓ Breaches of planning permission/ approved plans
- ✓ Breaches of the General Permitted Development Order (GPDO)
- ✓ Unauthorised works to a tree in a conservation area or covered by a Tree Preservation Order
- ✓ Unauthorised works to a listed building
- ✓ Unauthorised advertisement displays and flyposting
- ✓ Untidy land
- ✓ Gypsy and traveller incursions.

Matters Investigated by others

- ✗ Complaints that fall within another council's jurisdiction
- ✗ Complaints that would be most effectively dealt with under another statutory regime

Please refer to the back of the leaflet for more information on other helpful contacts and the types of matters they deal with.

How to make a complaint

Please note that we do not accept anonymous complaints unless they relate to criminal activity in connection with Listed Buildings, Tree Preservation Orders or trees in conservation areas.

Please contact your ward councillor should you wish to raise an enforcement issue anonymously. Information can be found on our website.

You could raise a complaint in one of the following ways:

- by email to planningenforcement@stalbans.gov.uk
- by telephone - 01727 866100
- online by using our online [complaint form](#).

To process your complaint we require the following information:

- The address of the site of the alleged breach (and photos if necessary).
- The nature of your concerns, including any planning reference numbers if known
- Your full name, address, telephone and/or e-mail address (if you have one) so that we can keep you informed about progress.
- When the alleged breach started
- How the breach impacts on you and any other information which may assist an investigation.

We treat all complaints in confidence and we will only release your details if instructed to do so by a Court.

What happens after I make a complaint?

An investigation is opened and an initial research (including site visit) will be carried out to establish whether an unauthorised development has taken place.

Please refer to the diagram on this leaflet which sets out an indicative timescale and process of planning investigations.

Planning enforcement action is discretionary and will depend on the level of planning harm.

Any works carried out without the relevant planning permission are done so at the risk that enforcement action may be taken. This could require the works to be reversed fully.

Please note that after set periods of time breaches may be immune from enforcement action. The breach will have become lawful, and/or planning permission is not required. The time limits are:

- Four years from the substantial completion of operational development (when the works were finished)
- Four years from when the change of use of a building to a single dwelling began
- Ten years for all other breaches including change of use of land or breaches of conditions (except dwelling houses)

These limits do not apply where the Council considers that the unauthorised development was deliberately concealed.

What are the possible outcomes following my complaint?

If a material breach of planning control has occurred, the Council:

- May invite a retrospective planning application to remedy the breach to regularise the unauthorised development where there is a reasonable prospect that planning permission would be granted, subject to conditions and/or a S106 legal agreement.
- May resolve the breach informally by negotiation/remedial works or will give the transgressor the opportunity to regularise the breach if planning permission is likely to be granted on application with no restrictive conditions
- After consultation with District Ward Councillors, may commence enforcement action where it is expedient to do so and there is no other appropriate alternative.

Please note the Council will not take formal enforcement action against a trivial or technical breach of planning control that causes little or no harm to the amenity of the local area, or if planning permission is likely to be granted.

Is it expedient to take formal enforcement action?

The Council will try and resolve breaches of planning control by negotiation. Where it is not possible or appropriate, we will take formal enforcement action when it is expedient to do so.

Any action taken must:

- be proportionate to the breach,
- be in the public interest,
- consider any implications of the Human Rights Act 1998 and the Equalities Act 2010, and
- be appropriate to the stage reached in the planning process.

Each case is considered on its own merits and will be dealt with accordingly.