



Planning Enforcement: Customer Charter

August 2023

West Lindsey District Councils core vision is that “West Lindsey is a great place to be where people, businesses and communities can thrive and reach their full potential.”

Part of achieving this involves ensuring the local environment is conserved or enhanced, and that local businesses and communities operate in a sustainable way.

This document aims to help you to understand the role of planning enforcement in achieving this commitment and how the service operates within the West Lindsey.

How is a breach of planning control caused?

A breach of planning control is the carrying out of development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted.

What is the purpose of planning enforcement?

The Council has discretionary powers to take proportionate enforcement action against breaches of planning control where it is deemed expedient, or in the public interest, to do so. It is important to recognise that it is not against the law to build something without the benefit of planning permission.

How are breaches reported?

Around 300 reports of possible planning breaches are reported to the Council each year. Reports are made by email, telephone and via our website. Each report is assessed in terms of its level of impact and severity and is prioritised as high, medium or low risk.

How are breaches investigated?

The Council will fully investigate the circumstances of each report before determining what action, if any, is necessary to resolve the breach or to make it acceptable under planning regulations. This can include contacting landowners, conducting site visits, gathering information, checking for any existing permissions, and whether any previous enforcement action has been taken. The officer's findings will then be assessed against the relevant legislation, policy and regulations.

What approach does the Council take to breaches?

The Council will initially seek to resolve any breaches of planning control voluntarily, except where the breach cannot be rectified, and immediate enforcement action is necessary. The Council's approach will reflect the level of risk to ensure that we focus on issues causing the most harm. The Council has a range of planning enforcement powers but must act in accordance with national policy and guidance.

How long does it take for the Council to respond to a report?

All reports of planning enforcement breaches will be acknowledged by officers within 2 working days, and a customer is informed of the proposed course of action within 20 working days or within 2 working days where a breach is high risk. The response will set out the Council's position or decision and/or any proposed enforcement action. Anonymous complaints will not be investigated.

Will I receive updates about the investigation?

Updates will be given to the enquirer and any other party with a legitimate interest in the issue (such as ward Councillors and Parish Councils). Enforcement can be a very complex process and each case can vary considerably, along with the time taken to resolve it. Planning enforcement action is a legal process which means that officers are often very limited in the level of detail or information that can be provided in an update. This can be frustrating to people who have reported the issue but is necessary to ensure that the investigation is not compromised. Updates will be provided periodically and as required.

What will not be investigated by planning enforcement?

Some issues are regularly reported to the Council but cannot be pursued by planning enforcement. These include:

- Neighbour Disputes
- Clearing of unprotected trees
- Anonymous Complaints
- Landscaping and gardening works
- Breaches of Deeds or Covenants
- Height of hedges and trees
- Trade Complaints
- External security lights fixed to houses
- Boundary Disputes
- Fences and walls in rear gardens

Service standards:

The planning enforcement service is operated in accordance with the Local Enforcement Plan which sets out in full the level of service that the public and businesses can expect. The Local Enforcement Plan aims to deliver a professional and customer-focused service and is regularly reviewed to reflect the views of stakeholders.

To make an enforcement enquiry or report a breach of planning control:

- Email: enforcement@west-lindsey.gov.uk
- Online form: www.west-lindsey.gov.uk/planning-building-control/planning/planning-enforcement
- Write to: West Lindsey District Council, Marshalls Yard, Gainsborough, Lincolnshire, DN21 2NA
- Website: www.west-lindsey.gov.uk for viewing the full planning enforcement procedures, to find out about or view planning permissions

Your local ward councillor(s):

Contact the Council offices or visit the website for full details. Councillors can give advice about how to access Council services and make your views known.

Independent advice:

You can obtain free independent professional advice on planning issues by contacting Planning Aid on 0330 123 9244 or advice@planningaid.rtpi.org.uk.

Planning Portal:

The Planning Portal is the UK Government's online planning and building regulations resource for England and Wales. The portal has an interactive guide for householders; you may wish to use this guide to ascertain if planning permission is required. You can also use the Planning Portal to submit a planning application. www.planningportal.gov.uk

Building Control:

If your plans include an extension or alteration to a dwelling, or if you are concerned about a possible dangerous structure, you can contact our Building Control team at building.control@west-lindsey.gov.uk

Environmental Protection Team:

For issues relating to noise, pollution, odour, or flooding please contact env.protection@west-lindsey.gov.uk

Customer care standards:

West Lindsey District Council has a customer care procedure available on the council's website or by request in writing. This explains the common standards which apply to all of the council's services and our general complaints procedure.

Feedback and/or complaints about the service:

In the first instance please send a letter or email to the Housing & Environmental Enforcement Manager via the contact details shown above. This guidance contains extracts from the separate West Lindsey Planning Enforcement Policy and Local Enforcement Plan which can be viewed in full on the Council's website at www.west-lindsey.gov.uk

If you would like a copy of this in large, clear print, audio, Braille or in another language, please call 01427 676676

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Guildhall,
Marshall's Yard
Gainsborough,
Lincolnshire,
DN21 2NA

Tel: 01427 676676
Fax: 01427 675170
DX 27214 Gainsborough

www.west-lindsey.gov.uk

