

The Council's enforcement officers investigate a wide range of complaints and allegations of unauthorised works, and monitor the progress of works that have received planning permission.

Many works that are undertaken by private householders are "permitted development" and as such do not require planning permission.

If a matter does not require planning permission or is not in breach of a planning condition or planning controls then the enforcement officers cannot investigate the matter or take any action.

## Role and responsibilities

The Council's enforcement officers:

- Investigate allegations of unauthorised works including new buildings and changes of use,
- Investigate allegations of unauthorised works to listed buildings,
- Investigate allegations of unauthorised advertisements and flyposting,
- Investigate allegations of unauthorised traveller encampments,
- Monitor the compliance with planning conditions,
- Monitor and inspect approved developments and building works etc,
- Monitor some aspects of planning related legal agreements,
- Take any appropriate enforcement or other action, and monitor compliance with any formal notices issued,

- Assist other officers (e.g. trees and landscapes, building control) to investigate matters in breach of their legislative areas.

The following matters cannot be dealt with by the Enforcement team:

- Land ownership or boundary disputes,
- Matters concerning the Party Wall Act,
- Breaches of leases or property deeds,
- Planning matters that fall within the remit of the County Council,
- Allegations of wrongful Council actions in approving/refusing an application.

Where any allegation or investigation shows matters that could be of interest to other District Council officers, then those officers will be informed.

The Enforcement team does not inform external agencies (e.g. the Environment Agency, County Council etc) where the complainant is able to advise these parties themselves.

## How we investigate

All complaints are treated as confidential.

Enforcement officers will visit all sites that are subject to a valid complaint. The matter will be looked into, and any persons in breach of planning controls will be advised what steps they need to take to resolve or address the matter.

If the matter is not subsequently resolved then the officers will consider formal action, such as the service of an enforcement notice.

Any persons who are served with a formal notice will be advised of their rights of appeal or other legal challenge.

All persons who advise the Council of a breach will be kept informed of the progress of the matter, including receipt of any relevant application and the service of any Notice.

Any persons may request a full explanation of the relevant legislation and officer's actions.

## Formal action

The context for taking any enforcement action is set out and explained in Government Guidance Notes and Circulars.

The relevant legislation, which can be found via the internet, includes:

- The Town & Country Planning Act 1990,
- The Planning (Listed Buildings & Conservation Areas) Act 1990
- PPG 18
- Circular 10/97

Government guidance is that the use of planning enforcement power is a discretionary power of the LPA. This power should be used with some flexibility, and only where they consider it expedient, and necessary in the public interest of their area.

In considering any enforcement action, the decisive issue for the LPA should be whether the breach of control unacceptably affects public amenity. Any enforcement action should be commensurate with the breach of planning control to which it relates.

## How to contact us

You can contact the enforcement officers via the Council's postal address and switchboard (address and numbers at the end of this leaflet) or alternately email the enforcement team direct on [enforcement@eastcambs.gov.uk](mailto:enforcement@eastcambs.gov.uk)

Further information on planning, enforcement and related matters such as permitted development can be found on the Council's website [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk)

## Complaint details

If you are dissatisfied with the service provided and the Council's response, you may submit a formal complaint to the Council or to the Local Government Ombudsman.

The Council's complaints leaflet can be provided on request, and the contact details for the Ombudsman appear below:

Local Government Ombudsman  
The Oaks No 2  
Westwood Way  
Westwood Business Park  
Coventry CV4 8JB  
Phone: 024 7682 0000  
Fax: 024 7682 0001  
[www.lgo.org.uk](http://www.lgo.org.uk)

**If you require this document in different formats (e.g. Braille, large print, audiotape/CD or other languages please contact the council's main reception or email [translate@eastcambs.gov.uk](mailto:translate@eastcambs.gov.uk)**



East Cambridgeshire District Council  
Development Services  
The Grange, Nutholt Lane,  
Ely, Cambridgeshire,  
CB7 4PL

Tel: 01353 665555  
Fax: 01353 665240  
[www.eastcambs.gov.uk](http://www.eastcambs.gov.uk)

Reprographic Services – East Cambridgeshire DC



# Planning Enforcement – A Guide to the Service

This leaflet is intended to give you a brief guide to the role and responsibility of the Council's planning enforcement team, and the service that should be provided to you.

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East Cambridgeshire District Council