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**Sent:** 12 June 2017 17:14

**To:** \_All Parish Councils <[AllParishCouncils@chichester.gov.uk](mailto:AllParishCouncils@chichester.gov.uk)>

**Cc:** Andrew Shaxson <[AShaxson@chichester.gov.uk](mailto:AShaxson@chichester.gov.uk)>; Andrew Frost <[afrost@chichester.gov.uk](mailto:afrost@chichester.gov.uk)>; Planning Enforcement <[Planning\\_Enforcement@chichester.gov.uk](mailto:Planning_Enforcement@chichester.gov.uk)>

**Subject:** Planning Enforcement Procedures and Communication

Dear All

I would like to take this opportunity to highlight the work of the planning enforcement service and to remind you of our procedures and notification process relating to ongoing cases.

In the first instance, whether an investigation proceeds beyond the initial inspection and assessment stage is based on an assessment of the circumstances of the case; secondly, a determination by the council about whether to take formal action will be informed by any significant adverse effects arising from the unauthorised development or use. If no material planning harm is identified, enforcement action will not be taken solely to regularise a development that does not benefit from planning permission.

Every attempt is made to keep complainants informed of the progress of investigations and of the eventual outcomes. However the identity of complainants is kept confidential unless subsequent court action warrants their evidence being made public. Therefore a wider circulation of information concerning on-going cases, to persons otherwise unaffected by the works reported, is considered to be inappropriate.

Parish Councils are notified of progress in relation to current cases, in which they are the complainant, in accordance with the Enforcement Strategy (see link below), following a site visit. Further communication is also carried out at key stages of the investigation particularly as a case progresses towards formal enforcement action. At the point of issuing a Notice, a copy is sent to the Parish Clerk regardless of whether it is the complainant. At other times, the case officer can, if requested provide an update on any current case.

It must be borne in mind that the Council's power to take enforcement action is discretionary and will only be taken where it is both expedient on planning grounds to remedy harm and in the public interest to do so. With this in mind, officers will normally seek to remedy breaches through negotiation which may result in the submission of a planning application for the Council's consideration. When formal enforcement action is taken, it must be proportionate to the breach of planning control but it is important to note that such action may be held in abeyance whilst related planning applications or appeals are determined.

On average we receive some 600 enforcement complaints each year and will give priority to those cases where greatest planning harm appears to be caused. Complaints are therefore prioritised, depending on their urgency and potential environmental/amenity harm. To assist the planning enforcement service it is now requested that complaints about alleged breaches of control are made using the on-line e-form which can be found at:  
<http://www.chichester.gov.uk/planningenforcement#enforcement>

Telephone calls are exceptionally accepted for the most serious breaches of planning control. More information on the prioritisation of new cases and the type of action that can be taken, is available via the Enforcement Strategy  
<http://www.chichester.gov.uk/CHttpHandler.ashx?id=27975&p=0>

Those cases that are subject to formal enforcement action are reported to the Planning Committee on a quarterly basis via a Contraventions List. Included in the reported information is a statistical update on the number of cases open, performance figures and the number of notices issued. It is NOT a full list of all cases; it reports on matters that have reached authority to take formal action, a notice has been issued and any related appeal or prosecution. At this time, consideration is being given to making access for parishes to this report more convenient but for now you can view the most recent (April) report using the following link to the Council's website:  
<http://chichester.moderngov.co.uk/documents/g745/Public%20reports%20pack%20Wednesday%2026-Apr-2017%2009.30%20Planning%20Committee.pdf?T=10>

We wish to continue to work closely with parish councils in relation to enforcement matters and I hope therefore that this information is helpful but please let me know if you have any queries.

Kind regards

**Shona Archer**

Enforcement Manager

Planning Enforcement

Chichester District Council

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