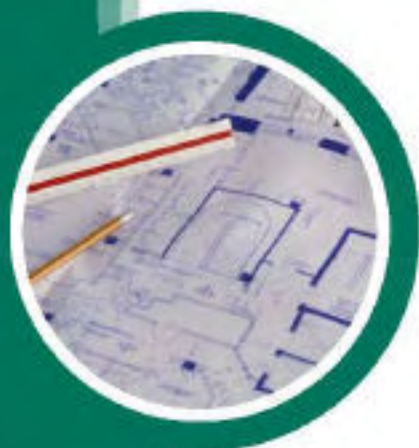


# PLANNING COMPLAINTS



# PLANNING COMPLAINTS AND THE ENFORCEMENT UNIT



## The Service

If you are concerned that there is a development being carried out without the benefit of planning permission or that conditions on a permission are not being complied with, you can make a complaint to the Enforcement Unit of the Planning Service.

The Enforcement Unit is available to investigate alleged breaches of planning control, in an attempt to resolve those breaches by discussion and negotiation or by serving a formal legal notice if necessary. **Make sure you read this note before you make your complaint to the Enforcement Unit.**

## What do we investigate?

Alleged breaches of planning control which include:-

- (i) Building works and uses of land carried out without planning permission
- (ii) Building works and uses carried out not in accordance with planning permission.
- (iii) Untidy land which adversely affects the amenity of an area
- (iv) Unauthorised alterations to listed buildings.
- (v) Unauthorised advertisements on land and buildings and fly-posting
- (vi) Unauthorised works to buildings and trees in Conservation Areas.
- (vii) Unauthorised works to a tree subject to a Tree Preservation Order.
- (viii) Unauthorised quarrying works and waste tipping

Applications submitted in accordance with the relevant guidance for:

- (ix) Investigating a complaint about high hedges.

## What don't we investigate?

- (i) Activities on the public highway and public land
- (ii) Environmental health matters, such as noise disturbance, pollution and hygiene problems
- (iii) Dangerous buildings / structures
- (iv) Disputes concerning ownership of land, including ownership of boundary fences.

## How do I complain?

We welcome electronic communication and you can make a complaint through the Gwynedd Website by completing the relevant electronic form. You can also phone the Contact Centre on 01766 771000 or make a complaint in writing to the Enforcement Manager, Planning Service, Council Office Ffordd y Cob, Pwllheli, LL53 5AA.

Your complaint should contain the following information:-

Address / location of the activities.

Name of person / company if known undertaking the activities

Description of the activities alleged to be unauthorised

Photographs and any other relevant information (for complaints sent through the website or in the post)  
Your name, address and a contact telephone number.

All personal details that you give us will be strictly confidential.

**In order to help the Enforcement Unit to investigate your complaint effectively, please provide as much information as you can at an early stage and be prepared to assist as the investigation progresses.**

## **What if I don't want to give my name?**

Anonymous complaints are discouraged, and any investigation into such complaints will be at the discretion of Officers of the Enforcement Unit.

## **What happens once I have made a complaint?**

Your complaint will be dealt with in accordance with the Gwynedd Planning Enforcement Policy 2006 which is on the Council website at : [www.gwynedd.gov.uk](http://www.gwynedd.gov.uk).

Once we have received your complaint you will receive an acknowledgment within 3 working days by e-mail or 5 working days by letter.

One of our officers will then check any relevant planning history and visit the site to ascertain if a breach of planning control has occurred.

Within 15 days of your complaint you will be advised of any initial findings and of the course of action the authority intends taking. This will normally be one of the following:-

- In cases where planning permission is **likely** to be granted, we will advise the owner/occupier of the land that a breach of planning control has occurred and that they should regularise it by submitting a planning application or complying with conditions as specified.
- In cases where planning permission is **unlikely** to be granted, we will advise the owner/occupier that a breach of planning control has occurred and that they should take the necessary steps to rectify the situation or possibly face the appropriate enforcement action, which would be likely to involve the serving of a legal notice.
- Advise the owner/occupier that a breach of planning control has occurred and that due to the minor nature of the breach, it would not be expedient to take any action.
- Advise the owner/occupier that having investigated the situation it has been found that no breach has occurred.

## **What happens if the problem has not been resolved?**

Due to the nature of many unauthorised developments and the legal procedures which the authority has to follow, some cases can take considerably longer to resolve. If this is the case you will be kept informed of the progress in resolving your complaint.

These cases are normally those where the owner/occupier of the land is in disagreement with the authority and in such cases the only option available is to serve a notice which will specify the steps that the contravener has to take to remedy the breach and the time to comply.

There is however a right of appeal against most notices and it is not unusual for such cases to take in excess of 12 months to resolve.

It is emphasised that taking formal enforcement action by serving a legal notice is discretionary and is a last resort, and should not normally be taken merely to regularise unauthorised development which is acceptable in planning terms, but taken to remedy **serious** harm to amenity.

## **Do we only act on complaints from local residents?**

In addition to responding to alleged breaches of planning control from the general public, the Enforcement Unit also undertakes proactive work such as monitoring of developments and various surveys to try and ensure compliance with planning related regulations.