



# Ipswich Borough Council Local Planning Enforcement Plan



July 2025

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## 1. Introduction

1.1 This document sets out Ipswich Borough Council's policy for the enforcement of planning control within the Borough:

- It sets service standards which people making enforcement complaints can expect.
- It sets the key areas of focus and priorities for enforcement action (any enforcement action must be in the public interest).
- It ensures that the Council's resources are effectively utilized.
- It explains to those who might be subject to enforcement what can happen.

1.2 This document helps Ipswich Borough Council ensure that the enforcement function of the planning department is effective. It is in accordance with the National Planning Policy Framework (NPPF) (latest revision on 12 December 2024) issued by the Department for Levelling-Up, Housing and Communities (DLUC), which states:

*“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. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.”*

1.3 Local Planning Authorities have discretionary powers to take enforcement action where breaches of planning control have taken place. Suspected breaches of planning control will be subject to a thorough investigation, following the principles outlined in the Local Government Concordat and the principles contained within the Regulators Code, ensuring adherence to good enforcement practices.

## 2. What is a breach of planning control?

2.1 A breach of planning control, as defined in the Town and Country Planning Act 1990, refers to -

*“...[T]he carrying out of a development without the required planning permission, or failing to comply with any condition or limitation subject to which planning permission has been granted”.*

2.2 Determining whether a planning control breach has occurred is not always clear-cut. Certain breaches are easily identifiable, such as erecting a new

house without permission, while others may be more difficult to define or less well known.

2.3 Examples of breaches of planning control include (other activities may also be breaches):

- Development that has planning permission but is not carried out in accordance with the approved plans.
- Failure to comply with conditions or the terms of a legal agreement attached to a permission or consent.
- The unauthorised demolition of a building within a Conservation Area.
- Works carried out to a listed building (external as well as internal), which affect its historic character or setting, without listed building consent being granted.
- The unauthorised felling or carrying out of maintenance works to a tree/s which are protected by a Tree Preservation Order or are within a Conservation Area.
- Unauthorised advertisements.
- Failure to properly maintain land so that it affects the amenity of the area.
- Failure to comply with the requirements of Enforcement Notices, Breach of Condition Notices and Stop Notices.
- Erection of fences over 1 metre next door to highways land, which includes public footpaths.

It is important to highlight that a breach of planning control becomes exempt from enforcement measures if no official action has been taken within the specified time limits outlined in the Town and Country Planning Act 1990 (as amended).

2.5 In most cases, development becomes immune from enforcement if no action is taken:

- within 10 years of substantial completion for a breach of planning control consisting of operational development where substantial completion took place on or after 25 April 2024.
- within 10 years for an unauthorised change of use to a single dwellinghouse where the change of use took place on or after 25 April 2024.
- within 4 years of substantial completion for a breach of planning control consisting of operational development where substantial completion took place before 25 April 2024.
- within 4 years for an unauthorised change of use to a single dwellinghouse where the change of use took place before 25 April 2024.
- within 10 years for any other breach of planning control (essentially other changes of use).

### **3. What is not a breach of planning control?**

3.1 Examples of concerns which do not fall within the jurisdiction of the Council as the local planning authority include:

- Internal works to a non-listed building (may require Building Regulations approval).
- Competition from another business.
- Obstruction of a highway or public right of way (the Police or Highways Authority may be able to get involved).
- Boundary disputes are a private matter and cannot be controlled under planning legislation.
- Deeds and covenants which are a private matter between the signatories to the documents.
- Loss of value to a neighbouring property.
- Insertion of windows in houses or bungalows provided there is not a planning condition to prevent the insertion of additional windows.
- Where development is 'permitted development' under the Town and Country Planning (General Permitted Development) Order 2015.

3.2 Please note that the law may differ in Conservation Areas.

3.3 The above matters will not be investigated because they generally do not constitute breaches of planning control.

3.4 Some breaches are controlled by other legislation such as Building Regulations, Public Nuisance, Suffolk County Council Highways, Licencing or the Environment Agency. Building Control, Public Nuisance and Licencing are services provided by Ipswich Borough Council. Planning Enforcement will inform if a reported breach falls under another department or agency.

### **4. How the Planning Enforcement Team will deliver the service**

4.1 If you are concerned that a development or activity is taking place without the benefit of planning permission or does not comply with a planning permission already granted, you can report this to us in the following ways:

- By email to: [development.management@ipswich.gov.uk](mailto:development.management@ipswich.gov.uk)
- By phone to: 01473 432913
- By letter addressed to: Ipswich Borough Council, Development Management, 3W Grafton House, 15-17 Russell Road, Ipswich, IP1 2DE.

4.2 When reporting an alleged breach of planning control, it would be helpful if you could provide the following information, if known:

- The full address and postcode of the site.
- Details of the alleged breach.
- Photographs (only if you already have some).
- An explanation of the adverse effects resulting from the alleged breach, such as noise disturbance, increased traffic, odour or overshadowing.
- What action you have taken if any.

4.3 Please do not do anything which could jeopardise your safety in order to provide this information.

4.4 All personal details are treated confidentially, however in rare circumstances the Council may be required to publish this information (usually in connection with court action). If you are concerned about your details being made public you may wish to consider contacting a local resident's group or your local Councillor, who can draw the matter to our attention on your behalf.

## **5. What happens when a complaint is received?**

5.1 All complaints will be promptly registered and acknowledged by letter or by email within three working days (this will be influenced by the enforcement priorities set out in this policy document).

5.2 The details of an enforcement case will be registered on our internal system but will not be made public on the Council's website.

5.3 Officers will carry out initial checks and prioritise the case in accordance with the severity of each alleged breach (see Section 6 for more detail).

5.4 A site visit will be undertaken to gather information about a breach.

5.5 Following the site visit, complainants will be updated by telephone or formal correspondence with details of the decided a course of action, if appropriate. We will make clear the reasons why the Council has decided to take or not to take enforcement action on a specific case.

5.6 For cases which require on-going monitoring, we will ensure complainants are updated at each significant stage of the process. For instance, complainants will be consulted if a retrospective planning application is submitted and will be notified if an Enforcement Notice is issued and the relevant dates for compliance.

5.7 We will endeavour to resolve all enquiries within six months of their receipt however, should further action be required, such as the issuing of Enforcement Notices, this timescale will not be possible.

5.8 For more detail on the various stages of the enforcement process, prioritisation of cases and the actions open to the Council to remedy a breach, please see below.

## **6. Prioritisation of enforcement cases**

6.1 Investigations into alleged breaches of planning regulations can be complex and require time to resolve.

6.2 To optimise staff resources, it is necessary to prioritise cases based on the level of harm they cause. The severity of each alleged breach is assessed by officers and prioritised according to its seriousness.

6.3 Cases may be re-prioritised as investigations progress and new evidence comes to light.

6.4 In cases, where immediate action is not required, enforcement action will be prioritised according to the resources available. In deciding on the appropriate course of action we will also have regard to whether a planning application should be invited to be made in respect of the unauthorised development.

The scale of priorities is shown below:

<b>Priority 1</b>	<ul style="list-style-type: none"><li>• A serious threat to health and/or safety.</li><li>• Permanent damage to the environment. This includes removal or works to trees and listed buildings.</li></ul>
<b>Priority 2</b>	<ul style="list-style-type: none"><li>• Building work which is unlikely to be given planning permission without substantial modification.</li><li>• An unauthorised use is causing severe harm.</li></ul>
<b>Priority 3</b>	<ul style="list-style-type: none"><li>• A breach is causing problems which may be resolved by limited modification.</li><li>• A property where its condition is adversely affecting the amenity of the surrounding neighbourhood.</li></ul>
<b>Priority 4</b>	<ul style="list-style-type: none"><li>• Breaches of a minor nature raising minimal planning concerns.</li></ul>

<b>Priority 5</b>	<input type="checkbox"/> Unauthorised Advertisements / Flyposting. Other departments and agencies including Suffolk County Council Highways, Environmental Services have powers to deal with unauthorised advertisements and flyposting and wherever possible a referral will be made to the relevant officers in the first instance.
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6.5 Once a potential breach of planning control is reported, and if a site visit is deemed necessary, then visits will be conducted in accordance with the priority rating of the case as follows:

**Priority 1** - Immediate action will be taken to address the breach of control.

**Priority 2** - A site visit will be made within 3 working days where possible.

**Priority 3** - A site visit will be made within 5 working days where possible.

**Priority 4** - A site visit will be made within 10 working days where possible.

**Priority 5** - A site visit will be made within 20 working days where possible.

6.6 On completion of the site visit, interested parties will be notified as to the outcome.

## **7. What happens if you are the subject of an enforcement complaint?**

7.1 If you are contacted about an alleged breach of planning control, you are entitled to know what the allegation is (but not who made it) and to have the opportunity to explain your side of the case. (We are aware that sometimes people make complaints due to neighbour disputes, as such we will always seek to work with you to understand the facts of the case.)

7.2 Initially a council officer will visit the site. Due to time constraints, this is usually without any prior warning to the owner or any tenants / employees at the site unless entry to a residential property is required.

7.3 Officers are authorised to visit a site to investigate and will show identification when they arrive. Council officers also have powers to obtain a warrant of entry where access is refused or refusal is anticipated. Wilful obstruction of a person exercising a right of entry is an offence so you should always seek to work with the Council officer. However, we are required to give 24 hours' notice to insist on entry to a residential property but if you are happy to allow us access then we will usually take up that offer.

7.4 In the event of a breach being established, your co-operation will be sought to correct the breach either by removing or modifying the unauthorised development or by ceasing the unauthorised use or activity prohibited by a planning condition. A reasonable period of time, which will depend on the nature of the breach, will be allowed for you to do this.

7.5 In some circumstances you may be invited to submit a retrospective planning application or other appropriate application if it is considered that consent may be granted or an application for a Certificate of Lawfulness of Use or Development may be invited in the event that you can show that the breach is lawful.

7.6 If you are running a business which is threatened by enforcement action, you may be directed to our Economic Development Team to see whether alternative premises can be found to minimise the possible impact on the business. This does not mean that the enforcement action will be delayed or stopped. If you are issued with an Enforcement Notice you will be given the precise details of the breach, the reasons for the action, the steps required to overcome the problem and the time period for compliance. You will also be advised of your right to appeal any notice issued.

7.7 Officer's aim is to resolve breaches of planning control where appropriate and they will work with you to achieve this in a positive and pragmatic way. Most breaches are resolved through negotiation and discussion, and we encourage you to cooperate positively. It is in the interests of all parties if an identified breach can be addressed and then resolved at an early stage. Occasionally matters cannot be resolved and can result in formal enforcement action or prosecution taking place.

## **8. Investigating enforcement complaints**

8.1 When deciding on whether to take enforcement action we will consider:

- The merits of each case.
- The aims and objectives of the Council's Local Plan relevant to the site and other legislation.
- Whether it is expedient or in the public interest to take enforcement action.

8.2 When considering whether to take enforcement action, the Council will take action appropriate to the harm/potential harm caused by the development.

8.3 We will consider a 'de minimis' level of harm caused when considering whether to take enforcement action. This 'de minimis' level will be different dependent on the merits of each case.

8.4 We do not always take formal enforcement action. If the issue is not considered to be harmful to the environment or community, the investigation may be closed and no further action taken.

8.5 Each case will be assessed on its own individual merits. In assisting officers make decisions a Harm Assessment is sometimes used as a guide. This is included in **Appendix 1** of this report.

## 9. What action can we take?

9.1 The quickest and best way to bring about a resolution is through negotiation. This sometimes may appear that someone is “getting away” with something or that the Council is not being robust enough in the interim period. Our officers are skilled at trying to bring about the best conclusion to all parties wherever possible. In some cases premature formal enforcement action can prolong a case by many months due to appeal processes and other challenges.

9.2 The action that we take must be proportionate to the breach that has occurred. The Council is impartial and will act as such at all times. It will continue to have regard to the public interest and expediency tests at all times.

9.3 In cases where the Council considers that it is expedient to take enforcement action, the Council will select the type of legal enforcement action that is considered most appropriate from the range of powers available. This will be determined by the type of breach, the severity of the impacts, the urgency of the situation and the financial implications (for example, where compensation may be payable or direct action involved). This will be governed by the principle that enforcement action should be proportionate to the breach and its impacts.

9.4 The list below details some of the steps we may choose to take, although this list is not exhaustive:

Step	Purpose
No action	We may decide that enforcement action is not proportionate to the level of harm caused by a breach. This may be for cases where the breach is of a technical nature or where it is judged that unconditional planning permission would have been granted should an application be submitted. We may encourage the submission of a retrospective planning application in these circumstances.

	<p>The Council will only invite retrospective planning applications where there is a reasonable chance that planning permission could be granted, perhaps with the imposition of conditions. It does not mean that it is a foregone conclusion that permission will be granted or remove the right to submit an application irrespective of likely outcome.</p> <p>We reserve the right to await the outcome of the application or any subsequent Appeal before taking further action. By the same token the Council will not invite a planning application where it is likely to be recommended for refusal. This is because it raises false hopes for some and also can prolong the matter unnecessarily.</p>
Planning Contravention Notice (PCN)	<p>Requires persons to provide information in respect of land and activities. This is often the first formal step in resolving a breach of planning control. Failure to provide information requested through a PCN is a criminal offence and can result in a fine of up to £1,000, whilst providing false information can result in a fine of up to £5,000.</p>
Request for Information (RFI)	<p>Similar to a PCN, but cases where the Council has sufficient details about the activities being carried out but requires further information concerning ownership. It is also used in cases involving unauthorised works to a listed building where there is no associated breach of planning control. The penalties attached to an RFI are similar to those for the PCN.</p>
Enforcement Notice	<p>The most common notice used to deal with a breach of planning control. It is served when the Council is satisfied that there has been a breach of planning control and that it is expedient to take action. An Enforcement Notice will specify the breach, the steps that must be taken to remedy the breach and a specified time period for compliance. The Enforcement Notice will come into effect once the time period has past and the required action has not been undertaken.</p> <p>The recipient of an Enforcement Notice has a right of appeal to the Planning Inspectorate and should do so before the notice comes into effect. Failure to comply with an Enforcement Notice is a criminal offence and can result in a fine, the value of which will be set by the Courts.</p>
Tree Replacement	<p>Notwithstanding the offences in relation to carrying out unauthorised works to trees, if a protected tree is removed uprooted or destroyed, the owner of the</p>

Notices Section 207 of the Town and Country Planning Act 1990	land has a duty to replace. If satisfactory replacement is not carried out, a Tree Replacement Notice can be served to require the replacement is planted within a specified timeframe. Failure to comply will give the Council the powers to carry out the works under section 209 of the Act and recover the costs.
Section 215 Notice – Town and Country Planning Act 1990	This Notice is served on owners and occupiers of buildings/land to remedy the existing condition so it no longer adversely affects the local visual amenity. A Section 215 Notice will detail the steps required to remedy the existing condition and the timescale for compliance. Failure to comply with a S215 Notice is a criminal offence and can result in a fine, the value of which will be set by the Courts.
Breach of Condition Notice	To secure compliance with conditions specified within a planning permission. A minimum of 28 days will be given for compliance. There is no right of appeal against a Breach of Condition Notice. Failure to comply with a Breach of Condition Notice is a criminal offence and can result in a fine of up to £1,000.
Stop Notice	Must be accompanied by an Enforcement Notice and served at the same time or afterwards. A Stop Notice will ensure that any activity that may irrevocably harm the amenity, public safety or natural environment ceases.  A Stop Notice can be used to ensure that work/activity does not continue when an Appeal is lodged against an Enforcement Notice.  Failure to comply with a Stop Notice is a criminal offence and can result in a fine, the value of which will be set by the Court.
Temporary Stop Notice	As above, but only valid for 56 days and cannot be re-issued following that period. This will be used when a potential breach requires immediate action and will allow the Council time to investigate the potential breach. Failure to comply with a Temporary Stop Notice is a criminal offence and can result in a fine, the value of which will be set by the Court.

## **10. What happens when an Enforcement Notice is served?**

10.1 Notices are served on all parties understood to have an interest in the land including:

- The owner(s);
- The occupier(s);
- Tenant(s);
- Lessees;
- Mortgagee(s) (the mortgage lender);
- Financial loan companies (if there is a loan against the property); and
- Any other person having an interest in the land which the Council considers is materially affected by the notice.

10.2 The Notice will clearly state what the breach of planning control is and what steps are required to comply with the Notice. It will also set out the compliance period.

10.3 The compliance period can vary but it is often a period between 3 and 6 months. The time periods may also be phased to make compliance more reasonable. If the notice is complied with, then no further action is taken at that time.

10.4 If the Enforcement Notice is not complied with, then further legal advice would be sought regarding the failure to comply with the Notice. Failure to comply with an Enforcement Notice could result in court proceedings or direct action taken by the Council.

10.5 An Enforcement Notice can be appealed through the Planning Inspectorate (PINS), on a number of grounds. Breach of Condition Notices have no right of appeal.

10.6 The Notice will not come into effect if an Appeal is lodged and is subsequently found to be valid by the Planning Inspectorate (PINS).

10.7 If an Appeal is lodged, the decision can either be that the Appeal is upheld or dismissed. If the Appeal is upheld, then the Enforcement Notice becomes null and void. If the Appeal is dismissed, then the Enforcement Notice will come into effect. The Planning Inspector from PINS does have the power to vary the requirements of the Enforcement Notice.

10.8 More information on enforcement appeals can be found here: Appeal an Enforcement Notice: When you can appeal - [GOV.UK \(www.gov.uk\)](http://GOV.UK (www.gov.uk)).

10.9 It should be noted that once the Appeal is lodged with PINS then the timescale is set by them. Depending on the complexity of the Appeal it may take many months to resolve.

## 11. What if the Enforcement Notice is not complied with?

11.1 Failing to comply fully with an Enforcement Notice within the relevant timeframe is an offence, liable for prosecution in either the Magistrates' Court or the Crown Court.

11.2 When considering whether to prosecute the Borough Council will give full regard to 'The Code for Crown Prosecutors' and will only prosecute where the relevant tests have been met. Link to the code <https://www.cps.gov.uk/publication/code-crown-prosecutors>.

11.3 Further information on the actions the Council can take are listed below:

Type of Action	Purpose
Direct Action Section 178 of the Town and Country Planning Act 1990 (as amended)	Direct Action empowers the Council to take action in default to secure compliance with outstanding requirements of an Enforcement Notice and grants the power to: <input type="checkbox"/> enter the land and take the steps to satisfy the requirements of the notice; and recover from the land owner any expenses reasonably incurred in doing so.
Planning Enforcement Cautions	Cautions are a formal way for the Council to address more minor planning breaches. These could include, but not limited to, encouraging retrospective applications and encouraging rectification of a breach of planning.
Court Injunction / Injunction	There may be exceptional cases where there is a need to restrain an actual or potential breach of planning control. An injunction can be sought whether or not enforcement action has been taken. Due to the high costs involved an injunction is only used as a last resort and where the Council determines that other action is unlikely to succeed.
Prosecution	If there is a failure to comply with a Notice, the Council may seek prosecution, which will be sought at a Magistrate's or Crown Court. A successful prosecution could result in a fine.
Confiscation Orders under the Proceeds of Crime Act 2002 (POCA)	Once a valid effective Enforcement Notice is breached, a Council can where appropriate pursue a confiscation order under POCA.  The initial preparations for the confiscation order are made in tandem with the prosecution, and an Accredited Financial Investigator will carry out all

	<p>the investigations into the defendant's financial situation.</p> <p>Where a conviction is secured, the confiscation order process will normally commence with an application by the Local Planning Authority.</p>
Under-enforcement Section 173(11) (of the Town and Country Planning Act 1990 (as amended)	An LPA may decide not to require action to be taken to remedy the whole of a breach of planning control. This is known as 'under enforcement'.

## **12. What happens if you are not happy with our enforcement service?**

12.1 Ipswich Borough Council strives to provide high quality services. In order to maintain the services, we have a formal complaints process and use the data to continually review and improve.

12.2 Details of this procedure are available on the Council's website: [www.ipswich.gov.uk/complaints](http://www.ipswich.gov.uk/complaints)

12.3 If you remain unsatisfied with your complaint you can contact the Local Government & Social Care Ombudsman: [www.lgo.org.uk/](http://www.lgo.org.uk/)

## Glossary

<b>Appeal</b>	The process whereby a planning applicant can challenge an adverse decision, including a refusal of permission. Appeals can also be made against the failure of the planning authority to issue a decision within a given time, against conditions attached to permission, against the issue of an Enforcement Notice and against refusals of listed building and Conservation Area consent. In England and Wales, Appeals are processed by the Planning Inspectorate.
<b>Article 4 Direction</b>	Direction removing some or all permitted development rights, for example within a Conservation Area or curtilage of a listed building. Article 4 directions are issued by local planning authorities.
<b>Breach of Condition Notice</b>	A notice served by a local planning authority where they suspect that a planning condition linked to a planning permission has been breached.
<b>Conditions</b>	Requirements attached to a planning permission to limit, control or direct the manner in which a development is carried out.
<b>Conservation Area</b>	Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
<b>Core Strategy</b>	A Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area, having regard to the Community Strategy (see also DPDs).
<b>De Minimis</b>	Works that are so minor in nature that they fall outside of the scope of the planning system.
<b>Development Plan Documents</b>	Development Plan Documents are prepared by local planning authorities and outline the key development goals of the local development framework. Development Plan Documents include the Core Strategy, site-specific allocations of land and, where needed, area action plans. There will also be an adopted proposals map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all DPDs. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent

examination, and adopted after receipt of the inspector's binding report. Once adopted, development control decisions must be made in accordance with them unless Material Considerations indicate otherwise. DPDs form an essential part of the Local Development Framework.

<b>Enforcement Action</b>	Steps taken by a local planning authority to ensure that the terms and conditions of a planning decision are carried out, or that development carried out without planning permission or a breach of planning control is brought under control.
<b>Enforcement Notice</b>	A notice served by a local planning authority setting out the remedial action necessary to put right work or correct an activity that appears to have been undertaken without planning permission.
<b>General Permitted Development Order (GPDO)</b>	A set of regulations made by the government which grants planning permission for specified limited or minor forms of development.
<b>Listed Building</b>	A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (e.g. wells within its curtilage). Historic England is responsible for designating buildings for listing in England.
<b>Listed Building Consent</b>	Consent required for the demolition, in whole or in part of a listed building, or for any works of alteration or extension that would affect the character of the building.
<b>Local Planning Authority</b>	The local authority or council that is empowered by law to exercise planning functions, often the local borough or district council. National parks and the Broads authority are also considered to be local planning authorities. County councils are the authority for waste and minerals matters.
<b>Material Consideration</b>	A planning matter that should be taken into account in deciding a planning application or on an Appeal against a planning decision.
<b>Permitted Development (or</b>	Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the

<b>Permitted Development Rights)</b>	terms of the Town and Country Planning (General Permitted Development) Order 2015.
<b>Planning Condition</b>	Conditions attached to a planning permission.
<b>Planning Permission</b>	Formal approval sought from a council, often granted with Conditions, allowing a proposed development to proceed. Permission may be sought in principle through outline planning applications or sought in detail through full planning applications.
<b>Operational Development</b>	Operational development refers to the carrying out of building, engineering, mining, or other operations in, on, over or under land. In simpler terms, it encompasses any activity that alters the physical or functional characteristics of land or buildings. Planning Permission is required for operational development.
<b>Section 106 Agreement</b>	A legal agreement under section 106 of the Town & Country Planning Act 1990 (as amended) between a planning authority, a landowner and a developer, or undertakings offered unilaterally by a landowner and developer, that ensure that certain extra works/requirements related to a development are undertaken.
<b>Unauthorised Development</b>	Development that has or is taking place without the benefit of Planning Permission which may risk being the subject of enforcement action.
<b>Use Classes Order</b>	The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories. Planning Permission is not needed for changes of use within the same use class.

## Appendix 1: Harm Assessment Form

To be completed by the investigating officer.

Please note:

- If planning permission is refused for the development, there is no requirement to complete this form, as the Planning Case Officer will have addressed the harm within the Officer Report.
- Where there is no breach of planning controls found, the file will be closed accordingly.
- Cases which score more than 6 may be pursued by the Officer to find a resolution to the breach.
- Cases which score 5 or less may be closed, as there is insufficient identified harm meaning it will not be expedient to pursue the matter further.
- This Harm Assessment Form is only to be used as a guide and enforcement action is at the discretion of the Local Planning Authority. Each case will be considered on its own individual merits. Officers may consider action is required where a case scores low on the harm assessment and may not consider action where a case scores high on the assessment.

			<b>Score</b>
1	Is the breach	Worsening / Ongoing (1) Stable (0)	
2	Highway's safety issue	Yes (2) No	
3	Other safety issue	Yes (2) No	
4	Causing a statutory nuisance or serious environmental nuisance	Yes (1) No	
5	Is there harm?	Yes – widespread (2) Yes – Local (1) No (0)	
6	Breach of planning condition or an Article 4 Direction	Yes (2) No	
7	Conservation Area (or adjacent to)	Yes (1) No	
8	Listed building or affecting the character or setting of a listed building	Yes (1) No (0)	
9	Particularly sensitive site e.g. AONB, Schedule Monument, Archaeological importance	Yes (1) No (0)	
10	Undesirable harmful precedent	Yes (1) No	
<b>Total</b>			