



## DEVELOPMENT, ECONOMIC AND CULTURAL SERVICES

### Compliance and Enforcement Policy

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## EXECUTIVE SUMMARY

The National planning Policy Framework (2012) states that effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and the Council has a duty to act proportionately when responding to suspected breaches of planning control. This Policy provides guidance to officers, businesses and the general public on the range of options available to achieve compliance with planning control monitored and enforced by North Kesteven District Council.

The primary objective of the Council's Compliance and Enforcement team is to achieve regulatory compliance. Where it becomes necessary to take formal action in respect of breaches of planning control, the Council will ensure such action is taken. This Policy has been written in accordance with the Council's Corporate Enforcement Policy, and therefore general enforcement principles have not been included.

Effective proactive development monitoring is crucial to support the objectives of sustainable development, for the benefit of communities in North Kesteven. By proactively monitoring compliance with developers' planning obligations and conditions, the Council aims to resolve conflicts at an early stage, whilst promoting a culture of compliance across the District.

There are a wide range of enforcement tools available to the Council to remedy breaches of planning control. This Policy is built around a process of escalation; in most circumstances the Council will only take formal enforcement action where a breach of planning control has caused or is likely to cause material loss or harm to amenity, and where informal negotiations have been or are expected to be unsuccessful. Consideration will also be given to whether the actions of those responsible for breaches of planning control have endangered the health, safety or wellbeing of people or the environment.

This Policy has been written in accordance with the Council's Corporate Enforcement Policy, and therefore general enforcement principles have not been included. This Policy addresses the Council's approach to monitoring development and enforcing breaches of planning control only. Enforcement of matters involving listed buildings and unauthorised advertisements are explored in detail in other policies. These policies can be found [here](#).

All decisions made by the Council that relate to this Policy will have regard to the following legislation and current national policies, guidance and codes of practice:

- The National Planning Policy Framework (2012), and all associated Planning Practice Guidance
- The Saved Policies of the North Kesteven Local Plan 2007
- Planning Practice Guidance: Ensuring Effective Enforcement (2015)
- The Regulators' Code (2014)
- The Code for Crown Prosecutors (2013, and all future amendments)
- The Human Rights Act 1998
- The Equality Act 2010

# 1 Key principles of planning enforcement

## 1.1 The purpose of planning enforcement

The planning system in England and Wales comprises three key elements:



In almost all cases the Council is responsible for all three elements of the planning process.

National and local planning policy sets out the types of development that are acceptable for different parts of North Kesteven, and provides a framework that enables the Council's Development Management Team to assess and determine planning applications. This approach ensures that only acceptable development is approved in the District, and that this development shapes the District in a way that benefits residents and the local economy as a whole. Provision for enforcement is therefore essential to ensure that where development is undertaken without planning permission, action is taken to minimise or remove any harmful effects.

The Council receives approximately 350 planning enforcement complaints each year, and has a statutory duty to ensure that these complaints are investigated and the appropriate action taken.

## 1.2 Scope of the Council's planning enforcement function

The Council's planning enforcement function is responsible for the investigation and enforcement of 'breaches of planning control'. Breaches of planning control are restricted to matters falling within the scope of 'development'.

Development is defined as:

*"Except where the context otherwise requires... the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land"* (s. 55 Town and Country Planning Act 1990).

A breach of planning control is either:

- Carrying out development without the required planning permission; or

- Failing to comply with any condition or limitation subject to which planning permission has been granted

All development requires a planning permission, of which there are two types:

### **1.2.1 'Deemed' planning permission**

Some operations or changes of use of land can be carried out without having to apply to the Council for planning permission. This is more commonly known as 'permitted development'. In these circumstances permission is deemed to have already been granted by legislation. There are many different types of permitted development, including but not limited to works within the domestic curtilage of residential properties, works by statutory undertakers, changes of use of land, agricultural building operations, and minor building operations.

The legislation that defines the scope of 'permitted development' consists of:

- The Town and Country Planning (General Permitted Development) Order 1995 (as amended), and
- The Town and Country Planning (Use Classes Order) 1987 (as amended).

### **1.2.2 'Express' planning permission**

All development that is not granted by a deemed planning permission will require 'express' permission from the Council. In these circumstances such development should not be carried out prior to this permission being obtained. Applications for express planning permission are determined by the Council's Planning Committee, and the Committee will often delegate their decision making powers to the Council's Development Management Team. Generally only those applications that are non contentious will be determined by delegation. All applications are subject to public consultation with residents, other public authorities and local elected District Councillors and Parish Councils.

### **1.3 Statutory duties of the enforcement function**

The Council is responsible for the investigation of all breaches of planning control that are 'District matters'. District matters comprise all breaches of planning control, with the exception of mining and mineral extraction, and waste deposit and disposal. These are 'County matters' that are investigated and enforced by Lincolnshire County Council. Often District and County matters will overlap, and in these circumstances should enforcement action be required the District Council will act as the lead authority.

The Council has a statutory duty to investigate alleged breaches of planning control, to determine whether a breach has taken place and to also determine whether enforcement action is necessary. The Council does not have a duty to take enforcement action, and it is not a criminal offence to undertake development without the benefit of planning permission. For all investigations where a breach of planning control has been identified, the Council must assess any actual and/or potential harm caused by the breach. This assessment of 'expediency' ensures that the Council fully considers the implications of each breach of planning control before determining the most appropriate course of action. Enforcement action should not be taken as a punitive measure; the Council is unlikely to take enforcement action where a breach of planning control is not causing demonstrable harm, and is considered to comply with national and local planning policy.

#### **1.4 'Loss' of a planning permission**

The Council has powers to withdraw or discontinue a planning permission only in exceptional circumstances. However, circumstances may arise where a planning permission is 'lost' due to the actions of the developer.

Most planning permissions are subject to conditions, of which some may be 'pre commencement' requiring things to happen before development commences. Some pre commencement conditions may be of particular importance, where a failure to comply may put the entire development at risk. Such conditions are referred to as 'conditions precedent', of which common examples are those requiring remediation of contaminated land, preservation of archaeological remains, or retention of specific features on the land subject of the planning permission. Failure to comply with a 'condition precedent' may undermine the principles behind the decision made to grant planning permission, and where such a breach is not recoverable the planning permission may be considered, as a matter of fact, to no longer be capable of being lawfully implemented.

The Council therefore seeks to ensure developers are aware of the consequences of failing to comply with these conditions; as the implications of such breaches can be severe. If a planning permission is 'lost' under these circumstances, there is no guarantee that permission would be granted if a new application were to be submitted.

#### **1.5 Maladministration**

Failure to properly assess the expediency of a breach of planning control may constitute 'maladministration' by the Council. In these circumstances the Council is liable to investigation and action by the Local Government Ombudsman. Where such an investigation determines that maladministration has occurred, and that this has led to injustice, the Council may be required to pay compensation to any parties affected.

#### **1.6 Civil disputes**

It is not the role of the Council to protect the interests of one party against those of another. The Council therefore will not intervene in private civil disputes such as breaches of restrictive covenants, boundary disputes or disputes that relate to damage to or reduction in value of land or property.

## **2 Legislation and Government guidance**

### **2.1 Primary legislation**

When investigating breaches of planning control, the Council will act in accordance with the provisions of both primary legislation (Acts of Parliament) and secondary legislation (Statutory Instruments).

The primary legislation is the Town and Country Planning Act 1990 (as amended). This legislation sets out the definition of 'development', and provides the Council with the majority of its planning enforcement powers.

## **2.2 Secondary legislation**

Key secondary legislation includes:

### **2.2.1 The Town and Country Planning (Use Classes) Order 1987, and all amendments**

The Use Classes Order (UCO) separates the many different uses of land into 'classes', and sets out which changes of use of land are outside of the scope of development. The Order deals only with 'primary' uses of land; any use class that is not listed or constitutes a 'mixed use' is defined as 'sui generis' and sits within its own class. The Order defines the changes of use that cannot be 'material', and therefore only advises which changes of use do not amount to development. Any changes of use that are not addressed by the Order must be assessed on their own merit as a matter of fact and degree.

### **2.2.2 The Town and Country Planning (General Permitted Development) Order 2015, and all associated Orders**

The General Permitted Development Order (GPDO) sets out what forms of development have the benefit of 'deemed' planning permission (see 1.2.1). All works or activities that are defined as being 'development' that are not covered by the GPDO will require express planning permission.

## **2.3 Other guidance and legislation**

The council will manage its enforcement activities in accordance with all legislation, guidance, policies and codes of practice listed in the Executive Summary to this Policy. The Council will review and, where necessary, amend its approach to ensure full compliance with all relevant future publications.

## **2.4 Case law and legal precedent**

The UK planning system has generated a significant amount of case law. Case law derived from the High Court and above, sets legal precedent which dictates how the law should be interpreted by decision makers and investigators. Legal precedent is subject to continual change as new cases are put before the Courts, and it is in the best interests of the Council to maintain up to date knowledge of such case law as such changes can significantly enhance or impair the actions of the Council when dealing with breaches of planning control.

# **3 Investigating breaches of planning control**

Upon receipt of a complaint officers will initially undertake research of the Council's planning records, to establish the planning history of the land under investigation. This research may reveal that no breach of planning control has occurred; however in most cases further investigation will be necessary.

## **3.1 Site visits**

In all but the most straightforward cases, officers will undertake a site visit to try to establish whether a breach of planning control has taken place. The majority of site visits are made without prior arrangement, and officers are required to identify themselves as enforcement officers as soon as they enter land.

### **3.1.1 Powers of Entry**

The Council's planning enforcement officers have powers of entry under the provisions of the Town and Country Planning Act 1990, to enter premises for the purpose of investigating alleged breaches of planning control. Where site visits are made and no occupier can be found at the time of visit, officers have powers to inspect the land in their absence. Officers do not have powers to force entry into any dwelling house. Where appropriate, officers will leave a calling card requesting the occupier of the land to contact the Council.

If during a site visit officers are refused entry onto land or buildings, the Council has the right to apply to the Magistrates' Court for a warrant to enter the property. This course of action will only be taken in cases where it is considered both necessary and proportionate to the alleged breach under investigation.

Whilst on site, officers may ask questions of any present occupiers, and may take photographs or measurements. Any information gathered will be used to ascertain whether a breach of planning control has taken place. If a breach has occurred, this information will be used to assess the most appropriate course of action to resolve the matter.

### **3.2 Gathering evidence**

Where a complaint relates to an alleged unauthorised use of land, officers will make a reasonable attempt to determine whether a breach has taken place. In most cases a 'reasonable attempt' will consist of an appropriate number of site visits at days and/or times deemed most suitable by the complainant. This approach ensures that the Council's limited resources are used efficiently. Where officers can find no evidence of a breach of planning control the investigation will be closed and no further action taken. Such cases will not be reinvestigated unless the complainant is able to provide more substantive evidence of the alleged breach of planning control.

Officers will also make use of the 'planning contravention notice' if they have reasonable suspicion that a breach of planning control is likely to have occurred (see 3.4). Planning contravention notices will be used by officers in accordance with Government guidance and best practice.

### **3.3 Research**

Officers may use a variety of other methods to determine whether or not a breach of planning control has taken place, including obtaining information from witnesses to an alleged breach, and consultation with the Council's Development Management Team.

The Council may also seek clarification from case law or obtain legal advice where the subject of an investigation is complicated or contentious.

#### **3.3.1 Immunity from enforcement action**

When investigating breaches of planning control, officers must identify whether or not a breach is immune from enforcement action.

Breaches of planning control will become lawful by the passage of time. When this occurs the breach is immune from enforcement action and the Council is unable to remove or mitigate the development. Immunity from enforcement action for all building and engineering operations occurs four years from the date the development was substantially completed. The four year rule also applies to any breach of planning control that involves the change of use of any building to a dwelling house. All other breaches of planning control are subject to immunity after 10 years have passed.

### **3.4 Planning Contravention Notices**

The Council has powers to issue planning contravention notices on owners of land where they believe a breach of planning control is likely to have occurred. The Council may ask questions regarding the alleged breach, to acquire information necessary to determine whether a breach has taken place. A planning contravention notice is a formal notice and failure to respond, or to knowingly provide false information, is a criminal offence. Failure to comply with the requirements of a planning contravention notice may not preclude the Council from taking enforcement action.

Issuing a planning contravention notice does not constitute the Council taking enforcement action. A planning contravention notice is not registerable as a land charge, and is not included on the Council's Enforcement Register.

## **4 Assessing expediency**

An assessment of 'expediency' will be required in all cases where a breach of planning control has been identified. This requires an assessment of the planning merits of the unauthorised development and for consideration to be given to use of the Council's enforcement powers, to determine whether action is required to either control the effects of the unauthorised development, or require its cessation/removal. The Council has a statutory duty to assess the expediency of enforcement action; this is achieved by consideration of the following:

### **4.1 How the unauthorised development complies with relevant national and local planning policies**

For unauthorised development to be considered acceptable, it must comply with relevant national and local planning policies. Breaches of planning control will likely need to be regularised where the unauthorised development is considered to be contrary to planning policy. Common policy considerations include (this list is not exhaustive):

- Development within/outside of settlement curtilage
- New development in the countryside
- Residential amenity
- Employment sites
- Highway safety
- Landscape conservation
- Design

### **4.2 How the unauthorised development affects any 'material considerations'**

Unauthorised development must be assessed against a list of statutory 'material considerations'. These material considerations are the same criteria used by the Council when determining a planning application. These material considerations are restricted to the following:

- Visual impact
- Privacy/overbearing
- Daylight/sunlight
- Noise/smell etc.
- Access/traffic
- Health and safety
- Ecology
- Crime (or fear of)



- Economic impact
- Planning history
- Related decisions
- Cumulative impact
- Personal factors (only in exceptional circumstances)

Any other matters may be deemed to be a 'material consideration', on a case by case basis.

Officers when assessing expediency must determine how these factors are weighted for each case, and provide justification for any weightings given. If it is determined that further action is expedient, the Council then has a duty to ensure the necessary steps required to regularise the breach of planning control are taken.

#### **4.3 Factors not taken into account when assessing expediency**

All planning enforcement decisions must be made with regard to the interests of the public as a whole. It is not the role of the planning system or planning enforcement to protect the interests of one party against those of another. As such, breaches of planning control are not subject to public consultation. The following factors will not be taken into account when assessing expediency:

- Breaches of restrictive covenants
- Private disputes
- Competition between businesses
- Damage to property
- Boundary or other land disputes
- Reduction in value of land or property

Where necessary the views of various partner agencies such as Lincolnshire County Council, the Environment Agency, and English Heritage may be sought in order that the Council makes a well informed decision. The views of other agencies will be of particular importance where their technical or specialist knowledge is required.

## **5 Use of enforcement powers**

The Council has a variety of enforcement options that may be utilised when resolving a breach of planning control. Following an investigation of each breach planning control, a decision will be made regarding the most appropriate enforcement action. In accordance with the Council's Scheme of Delegation to Officers and having full regard to its Corporate Enforcement Policy. Enforcement decisions will be made based on the circumstances of each individual investigation, and the planning merits of the unauthorised development. When a decision has been reached, Ward Members and Town/Parish Councils will be notified of the Council's intended course of action.

The Council has a statutory duty to hold and maintain an Enforcement Register. The enforcement register is a public record and can be viewed at the District Council Offices. Any enquiries regarding this register should be made to the Compliance and Enforcement Team Leader.

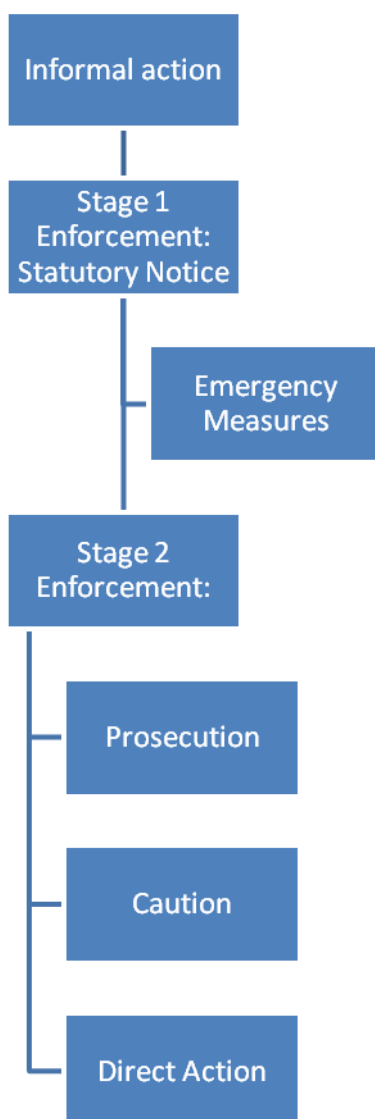
## 5.1 No action

No action will be taken by the Council if it is determined that no breach of planning control has taken place. Similarly no action will be taken where following an assessment of expediency it is determined that an unauthorised development is acceptable based on its planning merits. In these circumstances land owners and/or occupiers will be advised that retrospective planning permission should be sought to regularise the breach, and a note added to the Council's land charges register in respect of the land in question.

## 5.2 Enforcement action

The Council's approach to planning enforcement is built around a process of escalation. The following diagram sets out this escalation process. This process applies only to breaches of planning control that have been subject to an assessment of expediency (as defined in chapter 4 above); and, where following this assessment it has been determined that enforcement action is expedient.

(Continued overleaf)



### 5.2.1 Informal action

In the majority of cases where it has been established that further action is expedient, the Council will seek informal resolution of the breach of planning control. Informal resolution may be by way of requesting a retrospective application in order that the development may be controlled either with or without conditions, or by requesting cessation or removal of the breach

of planning control within a specified deadline. The time allowed will be reasonable and will take into account the amount of work required, the seriousness of the contravention and the implications of non-compliance. All requests will be made by the Council in writing, and failure to achieve informal compliance may result in formal action being taken.

### **5.2.2 Statutory Notices**

The Council has powers to issue breach of condition notices and enforcement notices to remedy breaches of planning control. The type of notice issued will be dependant on the nature of the breach of planning control, and in most cases such action will only be taken where attempts to negotiate an informal resolution have been unsuccessful.

### **5.2.3 Emergency Measures**

Where a breach of planning control is causing significant harm, the Council has powers to take emergency action to compel it to stop. This action may be by way of a notice or injunction, and dependant on the circumstances of the case it may be temporary or permanent. Emergency action is only taken in exceptional circumstances, where the risk of irretrievable harm is real or considered imminent.

### **5.2.4 Direct Action**

Where the Council has issued a statutory notice and those responsible for the breach have failed to comply, the Council has powers to carry out the works specified in the notice. This is referred to as 'direct action'. Direct action is a useful tool that can resolve many different breaches of planning control, and is generally most effective when used to remove unauthorised building operations. The Council has powers to recover from those responsible any expenses incurred as a result of direct action, and unpaid expenses can be either pursued in the County Court or registered as a land charge payable when the land is sold.

### **5.2.5 Cautions**

In some instances the Council may have sufficient evidence to prosecute an individual or business for failing to comply with a notice, yet it may not be considered to be in the public interest to do so. Where this applies, the Council may offer a simple caution to the offender(s). A simple caution is not a criminal conviction, rather an admission of guilt, and remains on the Council's Cautions Register for three years. If further similar offences are committed within this three year period, the Council is permitted to bring the caution to the attention of the Court on conviction. This may result in a harsher sentence for the latter offence(s). A caution will likely be administered in addition to direct action.

If any individual or business refuses to accept a caution, the Council will review the case and prosecution may ensue.

### **5.2.6 Prosecution**

A prosecution will normally ensue where the individual or organisation has:

- Deliberately or persistently ignored written warnings or formal notices;
- Endangered, to a serious degree, the health, safety or well being of people or the environment; and/or
- Assaulted or obstructed an Officer in the course of their duties.

Prosecution may also be the most appropriate course of action in other circumstances, or where direct action is considered inappropriate or has proved ineffective in resolving the

breach. The Council will only pursue a prosecution where there is a realistic prospect of conviction, and where it is in the interests of the wider public to do so.

## **6 Reporting breaches of planning control**

### **6.1 How to report breaches of planning control**

The Council encourages the reporting of suspected breaches of planning control. As development can gain immunity from enforcement action over time (see 3.3.1: Immunity), it is important that any suspected breaches are reported as soon as possible in order that harmful development can be removed or minimised. Those reporting a breach of planning control are asked to provide the following information:

- Their name, address and contact details - complainant details will be kept confidential, however in many cases due to the close proximity of some neighbours the subject of a complaint will already be aware of the identity of a complainant
- The precise location where the suspected breach of planning control is taking place
- How long the suspected breach has been taking place
- Details of the person(s) responsible for the breach, if known
- Any planning history the complainant may be aware of

In accordance with the Data Protection Act 1998, the Council will not disclose any information relating to the identity of a complainant. However, as any occupiers of land or buildings close to the breach of planning control will usually be the most affected, it is possible that an individual subject of an investigation will make their own assumptions as to who may have brought the matter to the attention of the Council.

### **6.2 Prioritisation of complaints**

The Council aims to acknowledge all complaints in writing within two working days, unless the complainant states they do not wish to receive written communication. Some breaches of planning control can take a long time to resolve, however in all cases complainants will be kept informed at each stage of an investigation.

To ensure the most efficient use of Council resources, all planning enforcement complaints are priority assessed. This approach ensures that those breaches of planning control that are causing the greatest harm are acted upon as quickly as possible. Less harmful breaches of planning control are afforded a lower priority, however in all cases the Council will aim to undertake a site visit within no more than five working days. Some of the factors considered when assessing the priority of a complaint are:

- Highway safety
- Environmental harm
- Public health
- Affects on listed buildings

### **6.3 Anonymous complaints**

The Council will investigate anonymous complaints where they relate to building operations or uses of land that can be proven without a need to exchange further information with the complainant. The Council will not investigate if it suspects the complaint is malicious or spurious.

## **6.4 Keeping people informed**

The Council aims to keep both complainants and those in breach of planning control informed at each stage of an investigation. This will always be communicated in writing to the subject, and will also be communicated in writing to the complainant unless they inform the Council that they do not wish to receive it. As planning matters have an impact on communities, the Council also provides case updates to local Ward Councillors and Parish Councils throughout an investigation.

## **6.5 Complaints against the service**

The Council aims to fully investigate and assess all breaches of planning control, and to take enforcement action where it is considered expedient to do so. The Council also aims to ensure high customer service standards are maintained all parties to an enforcement investigation.

Where customers are not satisfied with the way an enforcement investigation has been carried out, the Compliance and Enforcement Team Leader will undertake a review of the investigation and advise the complainant what action will be taken. If this does not resolve the matter, the complaint will be investigated in accordance with the Council's Corporate Complaints Policy. Details of the Complaints Policy can be found at [www.n-kesteven.gov.uk/complaints](http://www.n-kesteven.gov.uk/complaints), or by contacting the Council on 01529 414155.

# **7 Proactive Development Monitoring**

Effective proactive development monitoring is crucial to support the objectives of sustainable development, for the benefit of communities in North Kesteven. By proactively monitoring compliance with developers' planning obligations and conditions, the Council aims to resolve conflicts at an early stage, and to promote a culture of compliance across the District.

## **7.1 Monitoring of planning obligations**

The purpose of planning obligations, commonly referred to as 'section 106 agreements' is to balance any pressures created by a new development, with improvements to the surrounding community to ensure the development makes a positive rather than negative contribution. In order to achieve this balance, the Council has the ability to agree with developers the provision of financial contributions towards local infrastructure, to agree the delivery of other benefits to the local community such as provision of affordable housing and public open space, and any other requirements that are considered necessary and proportionate to the nature and scale of the development. The council shall proactively monitor all current and future planning obligations, to ensure these objectives are met and the required contributions are made.

## **7.3 Monitoring of planning permissions and conditions**

In order to promote a culture of development compliance in North Kesteven, the Council shall proactively monitor a variety of different types of development in the District. The Council shall proactively monitor all 'major' developments in the District at appropriate intervals, and will also monitor all planning permissions granted by the Planning Committee, as well as a sample of householder planning permissions and other full planning permissions each year. By offering guidance and advice to developers proactively, the Council aims to resolve breaches of planning control at an early stage that may have otherwise not been reported, and to also prevent some breaches of planning control from occurring.

Where breaches of planning control or planning obligations are identified proactively and if initial negotiations are unsuccessful, such matters will be escalated in accordance with chapters 3, 4 and 5 of this Policy.

## **8 Legal Status of this Policy**

- 8.1 This Policy was approved by the Council's Executive Board on 14 April 2016.
- 8.2 This policy is intended to provide guidance for officers and elected Members, residents, businesses and the public. It does not affect the discretion of the Council to take legal proceedings where this is considered to be in the public interest.

## **9 How to obtain a copy of the Policy or make comments**

- 9.1 This Policy is available on the Council's website at:

[www.n-kesteven.gov.uk](http://www.n-kesteven.gov.uk)

If you would like a paper copy of the Policy and/or you would like to comment on the Policy, please contact us by:

- e-mail: [customer\\_services@n-kesteven.gov.uk](mailto:customer_services@n-kesteven.gov.uk)
- telephone: 01529 414155
- in writing to the Compliance and Enforcement Team Leader, C/o Development, Economic and Cultural Services , Kesteven Street, Sleaford, Lincs, NG34 7EF

## **10 Review of this Policy**

This Policy will be reviewed annually.

## **11 Useful links**

### **11.1 Council web links**

North Kesteven Adopted Local Plan 2007

<http://n-kesteven.devplan.org.uk/document.aspx?document=48&display=contents>

To make a complaint to North Kesteven District Council

[www.n-kesteven.gov.uk/complaints](http://www.n-kesteven.gov.uk/complaints)

### **11.2 Legislation**

Town and Country Planning Act 1990

<http://www.legislation.gov.uk/ukpga/1990/8/contents>

Town and Country Planning (Use Classes) Order 1987

<http://www.legislation.gov.uk/uksi/1987/764/contents/made>

Town and Country Planning (General Permitted Development) Order 2015  
<http://www.legislation.gov.uk/uksi/2015/596/made>

Human Rights Act 1998  
<http://www.legislation.gov.uk/ukpga/1998/42/contents>

Equality Act 2010  
<http://www.legislation.gov.uk/ukpga/2010/15/contents>

### **10.3 National Guidance**

The National Planning Policy Framework 2012

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

Planning Practice Guidance: Ensuring Effective Enforcement

<http://planningguidance.communities.gov.uk/blog/guidance/ensuring-effective-enforcement/>

The Regulators' Code (2014)

<https://www.gov.uk/government/publications/regulators-code>

The Code for Crown Prosecutors (2013)

[https://www.cps.gov.uk/publications/code\\_for\\_crown\\_prosecutors/](https://www.cps.gov.uk/publications/code_for_crown_prosecutors/)