

Note 1: Wording for enforcement notices for a material change of use or failure to comply with a condition would need to reflect different types of breaches of control, remedies and time period for enforcement action.

All notices must comply with the requirements of Section 172 and Regulation 4 – Town and Country Planning (Enforcement Notices and Appeals)(England) Regulations 2002 and should attach a copy of the Planning Inspectorate [note on how to make an appeal against an enforcement notice](#).

Note 2: Every copy of the enforcement notice must also be accompanied by an Explanatory Note that complies with Regulation 5 – Town and Country Planning (Enforcement Notices and Appeals)(England) Regulations 2002

Note 3: Regulation 13 – Town and Country Planning General Regulations 1992 requires that notices and envelopes be marked with the words: "Important – This Communication affects your Property".

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (As amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: [name of Council]

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at [address of Land], shown edged in [a distinctive colour] on the attached plan.

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the erection of [describe the development], in the approximate position marked with a cross on the attached plan.

4. REASONS FOR ISSUING THIS NOTICE

[Include the reasons why the local planning authority consider it expedient to issue the notice and all the policies and proposals which are relevant to the decision to issue an enforcement notice]

5. WHAT YOU ARE REQUIRED TO DO

[Explain what steps the local planning authority require to be taken [or what activities are required to cease to remedy the breach]]

6. TIME FOR COMPLIANCE

[Identify the time period after which this notice takes effect]

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on [specific date, not less than 28 clear days after date of issue], unless an appeal is made against it beforehand.

Dated: [date of issue]

Signed: [Council's authorised officer]

On behalf of: [Council's name and address]

Nominated Officer: [Name of contact officer]

Telephone Number: [of Nominated Officer]

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.