

Planning Service Customer Expectations and Service Guide

Development Management | Planning Enforcement | Building Control | Planning Business and Customer Service

22 September 2026

Purpose: This guide explains clearly what customers can expect from us, what we need from customers, and the boundaries of each part of the Planning Service. It is a service guide, not legal advice, and it does not override legislation, the Council Constitution, adopted policy, statutory rights or formal decision notices.

Quick guide: where should I go?

Service area	Use this service for	Do not use it for
Development Management	Planning applications, prior approvals, reserved matters, conditions, non-material amendments and pre-application advice.	Reporting an alleged breach, building regulations approval, land ownership or boundary disputes.
Planning Enforcement	Reporting and investigating suspected breaches of planning control and monitoring compliance where appropriate.	Settling neighbour disputes, compensation, criminal matters outside planning, or overturning a planning permission.
Building Control	Building regulations applications, plan checking, inspections and building control enforcement within our remit. Advice and information relating to the Building Safety Levy. Reporting a potentially dangerous structure/buildings if they pose a risk to public safety.	Planning permission, party wall matters, warranties, design certification or general structural consultancy.
Planning Business and Customer Service	Validation and registration support, fees and payments, public access, records, general signposting, including land charges and administrative enquiries.	Professional planning advice, predicting an outcome or directing the technical judgement of an officer.

1. Our overall service commitment

We aim to provide a fair, professional, transparent and proportionate service. We will explain our processes and decisions in plain language when possible, keep appropriate records and treat customers respectfully. Planning and building control decisions must be made within the relevant legal and policy framework and on the information available at the time.

What we do	What we do not do
Acknowledge and process valid enquiries and submissions; identify the responsible service or officer; explain the next step and available self-service information.	Provide continuous updates where there has been no material change; guarantee that a named officer will always be immediately available; bypass published processes for individual customers.
Consider relevant information objectively and take account of applicable legislation, policy, guidance, consultation responses and other material evidence.	Guarantee an outcome, give preferential treatment, ignore relevant objections or support, or treat the number of representations as a substitute for planning judgement.
Make reasonable adjustments where needed and offer alternative formats where reasonably practicable.	Accept abusive, discriminatory, threatening or persistently unreasonable behaviour, or continue contact in a way that puts staff or others at risk.
Correct factual or administrative errors when identified and explain the appropriate review, complaint or appeal route.	Use the complaints process to alter a planning judgement where a statutory appeal or legal route applies, or provide legal advice to any party.

2. What we need from customers

- Use the correct application, enquiry or reporting route and quote the reference number in all correspondence. Provide accurate, complete and legible information, including ownership details and permissions to access land where relevant.
- Identify clearly what you are asking us to do and provide any evidence relied upon. Avoid sending repeated copies of the same material.
- Respond within requested timescales. If more time is needed, contact the officer before the deadline, although an extension cannot always be agreed.
- Treat staff, elected Members, consultees, neighbours and other customers respectfully. Do not publish officers' personal information or recordings without a lawful basis.
- Tell us promptly if an agent is appointed or removed, contact details change, works start, circumstances change, or submitted information is found to be incorrect.
- Declare material created or altered using artificial intelligence and explain how as this it may affect the reliability or authenticity of the evidence submitted especially if discovered later. The Council reserves the right to reject any images or video recordings that does not represent the true position, and the publication of all representations is at the Council's discretion. Please note, it may not be possible to accept video due to size and format.

Important: Submitting information does not guarantee that it is relevant, determinative, publishable or capable of being given the weight requested. Personal data, defamatory material, discriminatory content, copyrighted material and information that creates safety or security concerns may be redacted, withheld or handled separately.

3. Development Management

Development Management assesses applications and related submissions against the development plan and other material considerations. Pre-application advice can help identify issues before submission, but it is informal, time-limited and cannot bind a future decision.

What we do	What we do not do
Validate and register applications that meet the relevant requirements; consult and publicise where required; assess material planning considerations; issue or recommend a decision through the proper route.	Design a proposal for the applicant; remedy an incomplete submission; guarantee validation on first submission; advise on private covenants, land value, financing or commercial viability unless directly relevant to a required planning assessment.
Use proportionate negotiation where it is likely to lead to an acceptable outcome and can be accommodated within the case timetable.	Negotiate on every application; accept amendments automatically; invite amendments without extension of time; keep an application open indefinitely.
Consider amendments accepted in writing by the case officer and re-consult where the Council considers this legally or procedurally necessary.	Treat amended plans as accepted merely because they were emailed or uploaded to the officer; re-consult on every change; accept material changes that amount to a substantially different proposal.
Undertake a site visit where the officer considers it necessary to understand the proposal, or rely on suitable plans, photographs, mapping and other evidence.	Provide a site visit on request; enter neighbouring land without permission; verify every dimension; act as a surveyor; discuss the merits of the case during a site inspection.
Explain the recommendation or decision in the report or decision notice and identify relevant policy, conditions, reasons for refusal or legal obligations.	Provide a running commentary on internal deliberations; release legally privileged advice; commit the Planning Committee or another authorised decision-maker to an officer's preliminary view.
Correspond with the appointed agent as the primary contact with sole responsibility, including requests for extensions of time, amendments and withdrawal of the application, unless the applicant confirms in writing that the appointment has ended. This change if made may not retroactively	Manage conflicting instructions between an applicant and agent, or undo actions properly taken while the agent remained authorised.

What we do	What we do not do
allow/affect any actions previously taken by the agent in relation to the case	
We fully support the provisions of regulation 9A of the 2012 Fees Regulations as amended regarding fees and refunds that applies to planning permissions and reserved matters, also known as the planning guarantee.	Shall not consider application for the planning guarantee, if applicable, from any party except for the applicant in writing and from the point of decision made to allow for all provisions of the regulations.

3.1 Applicants and agents

- Shall check the application type, validation requirements, fee, ownership certificate, plans, surveys and supporting documents before submission.
- Should use pre-application advice for proposals where early discussion is likely to add value. Advice may change if the proposal, policy, evidence or circumstances change. In cases where pre-application advice has not been sought, or the submitted application does not align with the advice provided, the application will be evaluated as submitted unless compelling reasons warrant consideration of an amended plan/details.
- Provide draft heads of terms and information needed for any planning obligation as early as possible. A legal agreement may need to be completed before a favourable decision can be issued. This may fall to be a reason for refusal on occasion.
- Do not assume that silence, the expiry of a target date, the absence of an objection, or an officer's provisional comment amounts to permission or deemed consent.
- Where an extension of time is requested, it applies only when expressly agreed in writing. Acceptance of amended material also requires written confirmation. Normally a minimum of four weeks will be required.
- Given the availability of the pre-application service, and in the interests of an efficient and timely process, we reserve the right to refuse an application without discussion or negotiation.

3.2 Neighbours, Parish or Town Councils and other representors

All representations are material to the application's consideration. We will aim to publish online public comments and consultation responses however this may not always be possible and is not a legal requirement. For the avoidance of doubt, the council reserves the right to withhold online publication of representations while retaining their status as material considerations.

What we do	What we do not do
Record and consider representations received within the relevant period, and later representations where practicable before the decision is made.	Reply individually to every point or provide a personal update on the outcome; treat a petition or repeated representations as carrying greater weight merely because of quantity.

What we do	What we do not do
	Representations or information previously submitted for an Enforcement investigation will not be transferred to a separate Planning application file. If a third party wants their comments to be considered for both the Enforcement case and the Planning application, they must submit them separately for each case.
Consider relevant material planning matters such as design, amenity, highway safety, heritage, ecology, flood risk and policy compliance where relevant to the proposal.	Determine private boundary, ownership, party wall, property value, competition, moral, personal or commercial disputes unless they raise a material planning consideration.
Publish representations where appropriate, subject to redaction, data protection, copyright, safety and technical limitations.	Guarantee online publication of every document, photograph, signature, address, video or illustration. We do not publish material that is unlawful, abusive, discriminatory or unrelated.
Re-consult where required or where the Council judges that a change materially affects those previously notified.	Re-consult on every amendment, discharge of condition or non-material amendment.

Note: The common law duty to consult arises in three principal circumstances:

- Statutory requirement: where consultation is expressly required by legislation.
- Legitimate expectation: where a promise, established practice, or published policy creates an expectation of consultation.
- Conspicuous unfairness: where a failure to consult would be conspicuously unfair, for example where a decision removes or materially affects an existing right or benefit.

On this basis, the following applies:

Non-material amendments are not subject to statutory consultation or notification. Determination is limited to whether the proposed amendment would result in a material change. Where officers conclude that the amendment is material, a formal application will be required and the appropriate notification and consultation procedures will apply. Notification or consultation on non-material amendments may be undertaken only at the discretion of the case officer.

Applications for the discharge of conditions are not subject to statutory consultation or notification and will not normally be consulted upon. Such applications generally relate to technical or compliance matters that would not reasonably give rise to further representations, do not engage any established policy of consultation, and do not remove or diminish existing rights or benefits.

Where, in an individual case, the officer considers that the discharge of a condition may give rise to a common law duty to consult, that judgement will be exercised on a case-by-case basis.

Where notification or consultation is undertaken at the discretion of the Local Planning Authority, a minimum period of 14 days will be provided for representations.

3.3 Proactive Planning

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (As Amended) provides that when an authority approves or refuses a development the decision must also include “a statement explaining whether, and if so how, in dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.”

Tendring Planning Authority is committed to providing a proactive and timely service, leveraging pre-application advice and duty planner services to facilitate a smooth development management process.

Our Officers will also engage with applicants, agents and other parties to enable them to work proactively to seek solutions as set out in the Order and as described in this document.

This engagement does not allow the Officer to ignore or set aside anyone’s viewpoints of the proposed development or planning matters, nor should it be taken as an indication of their likely recommendation. An Officer may indicate a direction of travel during the application process, or enquiry discussion, but in all cases shall reserve the right to change this opinion as their understanding of the proposal evolves.

3.4 After a planning decision

- The decision notice is the formal record. Any officer or committee report, general explanation or earlier correspondence must be read with it.
- Applicants may have a statutory right of appeal. Third parties do not have an equivalent right of appeal against the grant of permission.
- The grant of planning permission does not remove the need for building regulations approval, landowner consent, licences, covenants, party wall procedures or other consents.
- Conditions must be complied with. Where an approval is required before work starts, beginning work first may create risk and may constitute a breach of planning.
- Planning officers do not supervise construction or certify that development has been built exactly as approved. Suspected breaches should be reported through Planning Enforcement.

4. Planning Enforcement

Planning enforcement is a discretionary and proportionate process. The existence of a breach does not automatically mean formal action will be taken. The Council will investigate, assess planning harm and public interest, and choose an appropriate response within its powers.

What we do	What we do not do
Acknowledge and triage reports; check planning history; gather proportionate evidence; contact relevant parties where appropriate; visit where needed and safe; record the outcome.	Act as an emergency service; guarantee an immediate site visit; investigate anonymous or unsupported allegations in every case; disclose confidential complainant details without a lawful basis.

What we do	What we do not do
Record and consider representations received within the relevant period, and later representations where practicable before the decision is made.	Representations or information previously submitted for an Enforcement investigation will not be transferred to a separate Planning application file. If a third party wants their comments to be considered for both the Enforcement case and the Planning application, they must submit them separately for each case.
Prioritise cases according to the adopted enforcement policy, risk, harm, urgency and available evidence.	Deal with cases solely in the order received; give a case higher priority because of repeated contact, public pressure or the identity of a party.
Consider informal resolution first, a retrospective application, negotiation, formal notices, prosecution or closure, as appropriate.	Punish a person merely because development is retrospective; require removal solely because permission was not obtained; use enforcement to settle civil disputes.
Provide key-stage updates and notify relevant parties of closure or significant formal action where appropriate.	Provide a continuous commentary, disclose legal strategy or privileged advice, promise a completion date, or guarantee the outcome of an appeal or prosecution.
Liaise with other Council services or external bodies where a matter falls partly outside planning or raises safety concerns.	Take responsibility for noise nuisance, anti-social behaviour, highways obstruction, licensing, environmental health, criminal damage or boundary disputes that sit with another authority or legal route.

4.1 Typical enforcement stages

1. Stage 1 Acknowledgement & allocation
2. Stage 2 Desktop Assessment
3. Stage 3 Site visit (if required)
4. Stage 4 Confirm breach/no breach
5. Stage 5 Harm Assessment/expediency
6. Stage 6 Regularisation & negotiation
7. Stage 6a Informal action agreed
8. Stage 6b Retrospective application requested
9. Stage 6c Retrospective application received
10. Stage 7 Planning Appeal Pending
11. Stage 8 Case review & update
12. Stage 9 Formal enforcement action
13. Stage 10 Enforcement Appeal pending
14. Stage 11 Prosecution pending
15. Stage 12 Case to be closed

If you have not received any communication from the case officer within 21 days after receiving your acknowledgment letter, you are welcome to directly contact the case officer for a status update.

Confidentiality: We will handle complainant details in accordance with data protection law, but confidentiality cannot be guaranteed in every circumstance. Evidence may need to be disclosed in an appeal, court process, information request or where fairness and legal duties require it. Customers should not submit anything they would be unable to support as a witness if needed.

5. Building Control

Building Control assesses compliance with the Building Regulations within the scope of the application and inspections carried out. Approval is not a warranty, structural guarantee, quality certificate or substitute for the responsibilities of the client, designers, contractors and other dutyholders.

What we do	What we do not do
Advise which local authority building control application route appears appropriate; validate submissions; assess plans where applicable; inspect notified stages; issue decisions and completion documentation where requirements are met.	Design the building or structural solution; act as clerk of works; supervise contractors; guarantee workmanship; inspect every element or attend without reasonable notice.
Identify apparent non-compliance and request information or remedial work; use enforcement powers where appropriate and proportionate.	Accept departures merely because work is already complete; certify concealed work without adequate evidence; guarantee that regularisation is possible or will be approved.
Explain building regulation requirements in relation to a live application and signpost published guidance.	Provide a general pre-application design consultancy service; replace the need for a competent designer, structural engineer, fire engineer or other specialist adviser.
Retain and disclose records in accordance with legal, copyright, data protection and records-management requirements.	Provide copies of copyrighted plans, calculations or specifications merely because the requester owns or occupies the property; confirm that no alterations have occurred since an historic inspection.
Issue a completion certificate when satisfied, on the information and inspections available, that the relevant requirements have been met.	Issue a certificate simply because work is occupied, sold, substantially complete or previously inspected; provide a certificate when outstanding information or non-compliance remains.
Act as the Building Safety Levy Collecting Authority on behalf of the Government. Issue Building Safety	Set Building Safety Levy rates or determine national Building Safety Levy policy.

What we do	What we do not do
Levy notices and administer the collection of the levy in accordance with legislation.	
Investigate reports of dangerous structures. Assess the level of risk posed by a structure and determine the appropriate course of action. Take action where necessary to protect public safety, including requiring owners to make structures safe or arranging emergency measures where an immediate danger exists.	Deal with general property maintenance issues, such as damp, leaks, defective gutters, broken windows, or cosmetic disrepair. Investigate dangerous trees. Resolve neighbour disputes, boundary issues, or private civil matters. Provide structural engineering advice for privately owned buildings where no danger to the public exists.

We reserve the right to request a full plans application in certain circumstances, including as may be required by legalisation, if a building notice cannot be accepted. Please visit: [What type of building regulations application do I need? | LABC](#) for more information.

5.1 Customer and dutyholder responsibilities

- Ensure that the correct application is made before work starts where required and that the scope accurately describes all proposed work. Appoint competent designers and contractors and ensure that dutyholder responsibilities are understood and discharged.
- Give the required notice at inspection stages and do not cover work before an inspection where this would prevent proper assessment.
- Provide plans, calculations, test results, commissioning certificates and other evidence requested to demonstrate compliance.
- Notify us when work starts, pauses, changes materially or is complete. Amendments may require revised information, approval and a further fee.
- Keep copies of approvals, inspection records and certificates. A building regulations application does not determine ownership, planning permission, party wall rights or compliance with other legislation.

6. Planning Business

What we do	What we do not do
Acknowledge correspondence, route enquiries, maintain public records, provide standard information and signpost specialist services.	Interpret policy for a particular proposal; predict a decision; intervene in an officer's professional judgement.
Provide help and guidance on submission of representations and accessing online planning systems e.g. Public Access	Guarantee all historic records are digitised, or that every document can lawfully be published.
Explain the administrative status of a case and identify outstanding procedural steps visible on the record.	Provide confidential internal notes, privileged advice, draft reports or information that has not been approved for release.

What we do	What we do not do
Respond in accordance with applicable corporate customer standards, or explain if a substantive reply needs specialist input.	Treat an acknowledgement as a substantive answer, or guarantee resolution within a standard response period where statutory processes, consultations or third-party information affect timing.
Respond to customer enquiries, assist with permitted development enquiries and requests for documents and information.	We are unable to guarantee uninterrupted access to IT systems but will assist should system access be unavailable.
Arrange Duty Planner Appointments.	Give professional planning or building control advice.
Record, monitor complaints and correspondence, EIR /FOI and SAR requests. Undertake governance, procurement, and business functions for the Planning Directorate.	

7. Planning Technical Team

What we do	What we do not do
Acknowledge, register, and validate planning, and tree, applications.	Interpret policy for a particular proposal; predict a decision; intervene in an officer's professional judgement.
Process fees, manage customer and consultee representations.	Guarantee all historic records are digitised, or that every document can lawfully be published.
Publish weekly lists of application, and guidance on validation requirements.	Provide confidential internal notes, privileged advice, draft reports or information that has not been approved for release
Liaise with applicants and agents on the administrative status of a case and identify outstanding procedural steps	Treat an acknowledgement as a substantive answer, or guarantee resolution within a standard response period where statutory processes, consultations or third-party information affect timing.
Provide information and customer liaison in respect of Appeals.	We are unable to guarantee uninterrupted access to IT systems but will assist should system access be unavailable. Give professional planning or building control advice.

In accordance with the Council's Corporate Standards, we will acknowledge your email or letter enquiry within three working days and provide a full response within ten working days.

We will look to answer your telephone call within 6 rings (20 seconds), however, during busy periods if you need to leave a voicemail we will call you back within 24 hours

8. Contact, updates and case ownership

- Quote the case reference and property address in the subject line.
- Use one clear email thread where possible and identify the specific question or action requested.
- Allow the published or stated response period before chasing. Repeated contact does not change the priority of a case and may divert officer time.
- Case officers may be on site, in meetings, on leave or dealing with urgent work. Another officer may assist, but cannot always provide a technical answer or alter the case officer's position.
- An officer's absence does not automatically transfer professional responsibility. Urgent safety concerns should be reported through the appropriate emergency or Council service rather than relying on an individual mailbox.
- We may nominate a single point of contact or set reasonable contact arrangements where communications become unmanageable, repetitive, abusive or disproportionate.

9. Information, privacy, publication and recordings

What we do	What we do not do
Process personal information for planning and regulatory functions and publish information where legislation, transparency requirements or the public nature of the process permits.	Promise absolute confidentiality; publish personal contact details unnecessarily; retain information indefinitely without a lawful records-management basis.
Redact or withhold information where necessary for data protection, copyright, legal privilege, commercial confidentiality, safety or another lawful reason.	Remove a valid representation or record simply because the author later disagrees with it or finds its continued existence inconvenient.
Accept photographs and documents in usable formats and assess their relevance and reliability.	Accept oversized, corrupted or unsafe files; guarantee acceptance of audio or video; rely on altered media that does not fairly represent the position.
Make official recordings where authorised and notify participants where required.	Consent automatically to customers recording calls, meetings, officers or site visits, or accept publication that is misleading, harassing or breaches data protection or other law.

10. Conduct and safety

We understand that planning and building matters can be important and stressful. Disagreement and robust challenge are acceptable; abuse and intimidation are not.

- We may end a call, meeting or visit where behaviour is abusive, discriminatory, threatening, obstructive or unsafe.
- Officers may decline to enter land or buildings where suitable access, permission, protective measures or safety information is not available. Officer may use right to entry powers as appropriate.
- We may arrange accompanied visits, alternative venues, written-only contact or a single point of contact where risk or persistent behaviour requires it.
- Emergency danger, suspected crime or immediate risk to life should be reported to the appropriate emergency service. The Planning Service is not an emergency response service.

11. Complaints, appeals and challenges

If your concern is about	Usually the appropriate route
Delay, communication, conduct or failure to follow process	Raise it first with the service. If unresolved, use the Council's Corporate Complaints Procedure.
A planning refusal, condition or non-determination	Use the statutory planning appeal route where a right of appeal exists. If the concern is otherwise regarding the judgement of the decision, there is no third party right of appeal.
An enforcement notice or related formal notice	Use the appeal or court route stated in the notice. A corporate complaint does not suspend the notice or extend the appeal period.
A building control decision or enforcement step	Use the review, appeal or legal route applicable to that decision, and obtain independent professional or legal advice where needed.
A private dispute, loss or alleged professional negligence, ownership dispute, anti-social behaviour.	Seek independent legal or professional advice. The Planning Service cannot represent either party.

12. Limits of this guide

- This guide explains normal service practice. Each case will be handled on its facts and the applicable law, policy, evidence, risk and resources.
- Where this guide conflicts with legislation, a statutory instrument, a court order, the Council Constitution, an adopted policy, a formal notice or a decision notice, that higher or case-specific requirement prevails.

- Targets are service aims unless expressly stated to be statutory. They are not guarantees and do not create an entitlement to a particular outcome.
- Links, fees, legislation, policy and contact arrangements may change. Customers should check the Council's website and current published guidance.
- Nothing in this guide amounts to legal, financial, design, structural, valuation or other professional advice.

13. Self-service and contact information

Customers can use the Council's planning webpages, Public Access system, weekly lists and interactive mapping to find application information and published guidance. Please use the current contact details and online forms shown on the Council's website.

General Planning Business email: planningbusiness@tendringdc.gov.uk

Planning and Building Control web pages: www.tendringdc.gov.uk/services/planning

Public Access: idox.tendringdc.gov.uk/online-applications/

Accessibility: If you need information in an alternative format, translation support or a reasonable adjustment, tell us what would help when you contact the service.

Document control

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