



**Armagh City
Banbridge
& Craigavon**
Borough Council

Planning Enforcement Strategy

September 2026

Contents

1.0	Introduction
2.0	General approach and key objectives of planning enforcement
3.0	Expediency
4.0	What is a breach of planning control?
5.0	What is not a breach of planning control?
6.0	Offences under planning law
7.0	Reporting a breach of planning control
8.0	How will we respond to the information we are given?
9.0	What are the possible outcomes of an investigation?
10.0	What happens when a complaint is received by the Council?
11.0	Enforcement priorities
12.0	Performance targets
13.0	Development monitoring
14.0	Planning / Building Control Protocol
15.0	Updates on any investigation / communication
16.0	Appeals
17.0	Legal action
18.0	How the public can help us
19.0	Complaints about the service

Appendix 1 Flow chart – the planning enforcement process

1.0 INTRODUCTION

- 1.1 This strategy relates to Armagh City, Banbridge & Craigavon Borough Council's (the Council's) Planning Enforcement service and will set out the Council's objectives for planning enforcement, priorities for enforcement action and performance targets within the context of the Council's General Enforcement Policy.
- 1.2 The Council's function as the local planning authority for Armagh City, Banbridge & Craigavon Borough Council is set out in the Planning Act (Northern Ireland) 2011. The Council's Planning Department will administer these planning functions, including the discretionary power to take action against breaches of planning control in line with this strategy.
- 1.3 Development Management is a key part of an effective planning system as it regulates the development and use of land, contributing to the objective of furthering sustainable development and promoting and improving wellbeing. Effective enforcement is essential to ensure that the credibility and integrity of the planning system are not undermined.
- 1.4 Armagh City, Banbridge & Craigavon Borough Council is a diverse area which extends from the southern shores of Lough Neagh to the foothills of the Mourne in the east, to the Blackwater Valley in the west. It comprises a diverse mix of attractive rural and urban landscapes, rolling drumlin countryside and areas of peatland, as well as an abundance of heritage assets. The Borough contains the main settlements of Armagh City, Banbridge Town and Craigavon Urban Area as well as a number of other towns, villages and smaller settlements.
- 1.5 The Council is firmly committed to protecting these environments and our communities through fair and effective planning enforcement, which is essential to protect the quality of the natural and built environment and the quality of life for people who live in, work in and visit the Borough.

2.0 GENERAL APPROACH AND KEY OBJECTIVES OF PLANNING ENFORCEMENT

- 2.1 Under the provisions of the Planning Act (Northern Ireland) 2011, and consistent with the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Council has discretionary powers to take enforcement action when it considers it expedient to do so, having regard to the provisions of the local development plan and any other material considerations.
- 2.2 In exercising discretion, the Council will be mindful of its duty to enforce planning legislation and to ensure that development is managed in a proactive and proportionate manner. In determining the most appropriate course of action in response to alleged breaches of planning control, the Council will

take into account the extent of the breach and its potential impact on the environment. Any decision to proceed with enforcement action will also be informed by case law, precedents and appeal decisions.

- 2.3 It is important to note that the existence of a breach of planning control will not, in itself, necessarily be sufficient reason to take enforcement action. The Council must first decide, having regard to the Local Development Plan and any other material planning considerations, whether or not it is 'expedient' to take formal action.
- 2.4 The purpose of planning enforcement is to resolve the breach rather than to seek punitive action. It is therefore appropriate that those concerned are given the opportunity to remedy any identified breach. This may be through a retrospective planning application or negotiating a solution acceptable to the Council in line with the regional guidance, best practice and local planning policies. Action taken must be proportionate to the scale of the breach. Formal enforcement action will only be considered where a satisfactory outcome cannot be achieved by negotiation and it is considered in the public interest to seek remedial action.
- 2.5 The Council's key objectives for planning enforcement are:
- To bring unauthorised activity under control;
 - To remedy the undesirable effects of unauthorised development including, where necessary, the removal or cessation of unacceptable development; and
 - To take legal action, where necessary, against those who ignore or flout planning legislation.
- 2.6 The Council is committed to securing these objectives in order to ensure that the credibility and integrity of the planning system is not undermined.

3.0 EXPEDIENCY

- 3.1 Enforcement action against a breach of planning control relating to all forms of development, including trees, may be taken when the Council regards it as expedient to do so. Whilst not formally defined, expediency is taken as a test of whether an unauthorised development or activity is causing unacceptable harm to the environment and/or public amenity, having regard to the provisions of the local development plan and to any other material considerations. Therefore, enforcement action is discretionary, and each case must be assessed on its own merits.
- 3.2 In determining what, if any, enforcement action is to be taken, it is appropriate for the Council to give priority to those breaches where, in the Council's opinion, the greatest harm is being caused. It is considered good planning practice that any action taken against a breach of planning control should be proportionate and commensurate with the breach.

This means that the Council may not take formal enforcement action in all cases where there has been a breach of planning control identified.

3.3 Formal enforcement action will be avoided where:

- There is a trivial or technical breach of control which causes no significant material harm or adverse impact on the amenity of the site or the surrounding area;
- Development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;
- In the assessment, the Council will consider if an application is an appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed.

4.0 WHAT IS A BREACH OF PLANNING CONTROL?

4.1 A breach of planning control is defined in Section 131(1) of the 2011 Act as either:

- (a) carrying out development without the planning permission required; or
 - (b) failing to comply with any condition or limitation subject to which planning permission has been granted, constitutes a breach of planning control.
- (development undertaken which is not in accordance with approved plans would fall under (b) above)

5.0 WHAT IS NOT A BREACH OF PLANNING CONTROL?

5.1 The following are examples of what is not a breach of planning control:

- carrying out work which is not development as defined under Section 23 of the Planning Act (Northern Ireland) 2011, for example, internal works to a building (this does not include listed buildings);
- carrying out works which fall within the Planning (General Permitted Development) Order (Northern Ireland) 2015, as amended ('permitted development'), for example, certain types of development within the curtilage of a dwelling house, minor operations such as the erection of a fence, gate, wall or other means of enclosure, certain changes of use, temporary buildings and uses which do not require planning permission, subject to the limitations and conditions set out in the Order;
- carrying out work which already benefits from planning permission or other planning consent e.g. advertisement consent;

- boundary or ownership disputes;
- breaches of deeds or covenants;
- removal of undergrowth, bushes and trees provided they are not protected by a Tree Preservation Order and are not within a Conservation Area or prevented by a specific planning condition;
- obstruction of a public road or right of way; and
- homeworking, such as child minding or the use of a room by the householder as an office, where the residential use remains the primary use and there is no unacceptable adverse impact.

5.2 It is not the function of the Council to become involved in private neighbour disputes where no planning issue is evident. Additionally, it is not the Council's role to mediate in private legal disputes such as boundary disputes, rights of way, or damage to private property. Such cases will not be investigated as they are civil matters.

6.0 OFFENCES UNDER PLANNING LAW

6.1 It is not a criminal offence to carry out development without planning permission or to fail to comply with any condition or limitation subject to which planning permission has been granted. However, where an enforcement notice or a breach of condition notice is in effect and the requirements of the notice have not been complied with, the owner of the land shall be guilty of an offence. Additionally, a person carrying on an activity prevented by the notice shall be guilty of an offence.

6.2 The following activities constitute criminal offences under planning law:

- carrying out of almost any works, including demolition, to a listed building without having obtained Listed Building Consent;
- failing to comply with any conditions attached to a Listed Building Consent;
- demolition of a building in a conservation area without having obtained Conservation Area Consent;
- failing to comply with any conditions attached to a conservation area consent;
- contravention of a tree preservation order by undertaking works likely to destroy a tree / trees;
- undertaking works likely to destroy a tree / trees in a conservation area without having obtained consent;

- contravention of hazardous substances control; and
- displaying advertisements without consent.

7.0 REPORTING A BREACH OF PLANNING CONTROL

7.1 The Council receives a large number of complaints each year concerning alleged breaches of planning control. In order that a complaint can be dealt with as soon as possible, it is important to provide the Council with as much information as possible, for example, an accurate description of the exact location or address where the alleged breach is taking place, a detailed description of the activities taking place, the dates and times when the alleged breach first took place and whether it is ongoing, any other information or evidence that may assist, such as photographs, and contact details of the person making the complaint.

7.2 The simplest way to report a breach of planning control is via the online enforcement section of the Northern Ireland Planning Portal. This will ensure that adequate information is submitted to inform the investigation. The Council will direct people to use the Portal in the interests of efficiency but will accept complaints through other methods in exceptional circumstances.

Complaints can also be submitted through:

- E-mail: planning@armaghbanbridgecraigavon.gov.uk
- Letter addressed to – Planning Enforcement, Armagh City, Banbridge and Craigavon Borough Council, Civic Building, Downshire Road, Banbridge, BT32 3JY
- Telephone: 0300 0300 900; and
- In person at the Council planning offices

7.3 It is important for the Council to hold the details of the complainant so that the outcome of the investigation can be communicated to them, or if additional information is required during the course of the investigation.

7.4 All investigations are carried out confidentially and the details of the complainant are treated as confidential. Personal information will not be released without the permission of the complainant in accordance with the principles of the Data Protection Act 2018, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. However, if the investigation proceeds to formal action, resulting in an appeal to the Planning Appeals Commission or prosecution in the High Court, the complainant's information may be shared with the Commission or Court for legal reasons and it may not be possible for the Council to guarantee the anonymity of the complainant in these proceedings.

8.0 HOW WILL WE RESPOND TO THE INFORMATION WE ARE GIVEN?

- 8.1 After a valid planning enforcement query has been received, it will be logged and allocated a case reference number. The case will be allocated to a planning enforcement officer to investigate. We will send an acknowledgement in writing with the reference number. The Council aims to acknowledge receipt of 90% of all complaints within 5 working days.

The key stages in the investigative process are set out in the flow chart at Appendix 1.

9.0 WHAT ARE THE POSSIBLE OUTCOMES OF AN INVESTIGATION?

- 9.1 Once an investigation is concluded, it could result in a number of different outcomes, including:

- **No breach is established and the case is closed.**
- **There is a breach of planning control but it is not considered expedient to pursue; the case is closed with no further action.**
- **The development is immune from enforcement action; the case is closed with no further action.**

With regard to immunity, Section 132 of the Planning Act restricts the Council's ability to take enforcement action after a certain period of time has elapsed.

Section 132(1) states where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of five years beginning with the date on which the operations were substantially completed. In these instances, development without planning permission becomes immune from enforcement action.

- **Negotiations take place to find a solution.**
- **Lack of evidence, the case is closed with no further action.**
- **Invite a retrospective planning application.**

When a retrospective planning application is requested, the Council will normally wait a reasonable period for this to be submitted and for its determination before taking further enforcement action.

- **Formal action**

There are a range of formal powers the Council can use to remedy breaches of planning control including the issuing of:

- Enforcement Notice;
- Breach of Condition Notice;
- Stop Notice/Temporary Stop Notice;
- Listed Building Enforcement Notice.

In addition to the above, further action is available including taking direct action to remedy a breach or to instigate prosecution proceedings in The Magistrates' Court for non-compliance with a formal notice or an injunction where it is deemed necessary to do so.

10.0 WHAT HAPPENS WHEN A COMPLAINT IS RECEIVED BY THE COUNCIL?

- 10.1 If a complaint is received about a property or development then the Council has a duty to investigate the complaint in order to establish whether or not there has been a breach of planning control. Breaches of planning control are not always intentional and may arise from the person involved being unaware of the requirement to obtain planning permission.

Power to enter land

- 10.2 Upon receipt of a complaint, the planning enforcement officer will usually conduct a site visit. The site may be visited or monitored without advance warning being given. The site visit may be unaccompanied and the landowner or developer does not have to be present. Should the landowner or occupier not have been present at the time of the initial site visit and it was not possible to gain access, or should it be necessary to contact the landowner or occupier after establishing that there is a breach of planning control on the site, a letter may be sent to the owner/occupier. The letter will request that contact be made with the planning enforcement officer and, in some cases, require specific actions to be taken within a specified timeframe.
- 10.3 Council planning enforcement officers are authorised under Sections 176, 177 and 178 of the 2011 Act to enter, at any reasonable hour and when it is reasonably necessary, any land to ascertain whether there is or has been a breach of planning control, without the need to obtain a warrant of entry. If it is necessary to enter a dwelling (and not just the garden) then the owner is entitled to 24 hours' notice. Denying access to the investigating officer is an offence and although the officer will seek the co-operation of the

owner/occupier of the premises through discussion, the Council may apply to the Magistrates' Court for a warrant under Section 177(1) (right to enter under warrant).

Public's responsibilities

- 10.4 If a person receives a letter or a visit from a planning enforcement officer, we would encourage them to respond quickly and positively and to provide any required information so that the matter can be resolved quickly to the benefit of all parties. In cases where there has been no breach, the matter will usually be resolved quickly. In cases where a resolution may be negotiated, the planning enforcement officer can enter into discussions. On occasion, the Council may ask for additional evidence or a detailed record of activities to be submitted. However, we will not accept undue delays in taking required actions or providing responses during these negotiations and will expect responses within stated timeframes. In some cases, the unauthorised development or activities will not be considered acceptable and a person will be requested to cease or remove the works in order to avoid formal enforcement and/or legal action being taken.

The investigation

- 10.5 In carrying out its planning enforcement investigations the Council will make efficient use of its own records and other sources. Close links are established with other sections of the Council and other government departments to improve and enhance investigations.
- 10.6 Officers may be required to consider a number of factors including (but not limited to) any planning histories, the local development plan, site constraints, aerial photography and mapping, land ownership information, building control records and any other relevant Council records.
- 10.7 Where necessary, the Council may request additional information, documents or evidence from relevant parties, and may ask a complainant to provide further detail or keep a record of dates, times and activities to assist the investigation. Site visits are an important part of the investigative process and may take place with or without prior notice. Whilst on site, officers may observe activities, ask questions of any present occupiers or persons carrying out works, and may take notes, photographs and measurements to help establish what is occurring and whether it amounts to a breach of planning control.
- 10.8 A planning contravention notice (PCN) may be served to request additional information about activities on land where the Council suspects a breach of planning control has occurred. A PCN may be served on the owner or occupier of the land in question, a person with any other estate in the land, a person who is using the land or carrying out operations on the land, or a person using it for any other purpose. Serving a PCN does not constitute taking enforcement action. It is an entirely discretionary procedure. Any

information gathered will be assessed alongside relevant planning policy and other material considerations to determine whether a breach has occurred and, if so, what the most appropriate and proportionate course of action is.

Consequences of unauthorised development

- 10.9 Property owners should be aware that development that does not benefit from the necessary planning permission is unauthorised. Any formal enforcement notices served will be registered on the Statutory Charges Register and will appear during any searches on the property. Consequently, it is in the owner's interest to have all necessary planning permissions in place and any enforcement issues resolved.

11.0 ENFORCEMENT PRIORITIES

- 11.1 The Council will investigate all alleged breaches of planning control. However, when determining what (if any) action is to be taken, priority will be given to those breaches where, in the Council's opinion, the greatest harm is likely to be caused.

- 11.2 Investigating complaints is often complex and time consuming. The priority given is commensurate with the breach of planning control to which it relates and any action in response to a breach will be proportionate to the harm it causes. The priorities are determined by the Council's General Enforcement Policy principles, which are:

- transparency,
- accountability,
- consistency,
- helping businesses and others to be compliant with legislation,
- adopting good enforcement procedures,
- working with other agencies and taking the appropriate and proportionate form of action following a proper investigation.

- 11.3 The priorities which reflect this are as follows:

Priority 1 – work resulting in public danger or development which may result in permanent damage to the environment. For example, demolition of or works to a listed building, works presenting road safety issues, trees protected by a Tree Preservation Order, demolition of a building in a conservation area.

Priority 2 – commencement of building operations without permission. Unauthorised work/use which causes loss of amenity or any other significant public or private impact.

Priority 3 – non-compliance with conditions of a planning approval (unless they relate to serious amenity issues in which case it may fall into Priority 1 or 2).

Priority 4 – minor breach that can be regularised, for example domestic sheds, fences, extensions.

- 11.4 The above list is for guidance only. It is ultimately the responsibility of the Council's Planning Enforcement Team to prioritise cases taking account of the nature of the breach and the harm being caused or likely to be caused.
- 11.5 The priority given is reflected in the timescales against which performance is measured i.e. Priority 1 cases have shorter timescales than Priority 2, 3 and 4 cases as set out below.
- 11.6 It is important to note that the vast majority of breaches of planning control are resolved informally through negotiation with the land owner/occupier or through the submission and consideration of a retrospective planning application. The speed at which a breach can be resolved will vary depending on the complexity of the individual case.
- 11.7 Any Priority 1 cases which are recommended to be closed as not expedient must be authorised by the Planning Manager. The manager must review cases closed as 'not expedient' to establish whether the factors relied upon within the recorded reasoning are in keeping with enforcement guidance and Council priorities, and whether there are repeat issues that can be acted upon to prevent future breaches. This should include examining the rigour of the investigation and whether sufficient effort was made to establish a breach.

12.0 PERFORMANCE TARGETS

- 12.1 The Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 sets out the legislative target for enforcement:
Bring 70% of cases to a target conclusion within 39 weeks of receipt of initial complaint. Target conclusion means case closure, submission of a retrospective planning application, formal enforcement action, or summons to court.
- 12.2 In addition, the Council's Planning Enforcement Team will aim to:
 - 1. Acknowledge receipt of 90% of all complaints within 5 working days;
 - 2. Site inspect 95% of Priority 1 cases within 3 working days of receipt of the initial complaint;
 - 3. Site inspect 90% of priority 2, 3 and 4 cases within 20 working days of receipt of the initial complaint;
 - 4. Discuss and agree a course of action for 95% of Priority 1 cases within 10 working days from receipt of the initial complaint;

5. Discuss and agree a course of action for 95% of Priority 2, 3 and 4 cases within 12 weeks of receipt of the initial complaint; and

6. Notify complainants of case closure in 95% of all cases within 4 weeks of the date of closure.

7. Conclude 70% of all cases within 39 weeks.

- 12.3 The above method of performance measurement reflects the Council's approach to enforcement in that it focuses resources on those breaches of planning control where the greatest harm is being or is likely to be caused.

13.0 DEVELOPMENT MONITORING

EIA Development

- 13.1 Regulations 24 and 25 of the Planning (Environmental Impact Assessment) Regulations 2017 allow the Council to impose monitoring measures on a planning permission for EIA development. Submission of monitoring information will be processed through a discharge of condition application. Where there is a failure to submit the required monitoring information, the Council will consider the priorities listed above and assess the need to take enforcement action by issuing a Breach of Condition Notice.

Proactive monitoring

- 13.2 In addition to the service's role in responding to complaints regarding alleged unauthorised developments or breaches of condition, the Council is committed to carrying out some proactive monitoring to ensure compliance with conditions, planning permissions and other consents where it is appropriate. The planning enforcement team will work closely with the Council's Building Control Department in this regard. It should be noted that it is the responsibility of individual developers to comply with the conditions imposed on any planning permission or consent or with any terms identified in legal agreements, such as Section 76 agreements. However, failure to comply can affect not only the quality of the environment in the Borough or the amenity of neighbouring properties but also undermine the reasons and justification for granting planning permission or other consents in the first instance. Proactive monitoring will encourage and enable compliance with conditions to ensure that development remains acceptable in planning policy terms whilst maintaining an attractive, high quality environment.

The Planning Development Management Team

- 13.3 Within the Council's Planning Department there is ongoing liaison between the Development Management and Enforcement teams to ensure compliance with planning control. In both cases where officers are investigating potential breaches of planning control, and when planning applications resulting from enforcement cases are submitted, the relevant case officers from

Development Management and enforcement will liaise closely in order to ensure that all relevant issues are fully considered.

- 13.4 The Council's Planning Enforcement team will also work with other departments outside of the Council to obtain information and to ensure effective enforcement of planning control. These departments include the Department of Agriculture, Environment and Rural Affairs, the Department for Infrastructure, the Department of Finance - Land and Property Services and the Northern Ireland Housing Executive.

14.0 PLANNING / BUILDING CONTROL PROTOCOL

There is an established protocol between the Planning Department and Building Control to ensure alignment of both functions in relation to better control and management of unauthorised development. Under the terms of the current protocol Building Control applications are sent to planning for review. The protocol will be monitored and reviewed by the two Departments on an ongoing basis and will be amended as appropriate.

15.0 UPDATES ON ANY INVESTIGATION / COMMUNICATION

- 15.1 We are normally unable to provide updates or information during the course of our investigation. Information which may prejudice consideration of a case or judicial proceedings will normally be withheld until the case is concluded or the Court orders disclosure of information. This is because the public has a strong interest in allowing prepared evidence to be withheld so as not to potentially inhibit or prejudice the course of justice. Meetings to discuss ongoing cases will normally be considered inappropriate while an investigation is ongoing.
- 15.2 Depending on the nature of the investigation, it can be a lengthy process and can take considerable time to resolve a case. If formal action is necessary, due to the complexities of planning control, it can take several months, and in complex cases years, to satisfactorily resolve problems. The Council will not enter into correspondence with a complainant other than to confirm that a case has been opened and, at the conclusion you will receive notification of the findings once the investigation is concluded.
- 15.3 However, it is important to note that the exchange of such information is controlled by regulations such as the Data Protection Act 2018, Freedom of Information Act 2000 and Environmental Information Regulations 2004 (EIR).
- 15.4 Under the UK General Data Protection Regulation, the Council has a duty to protect the privacy of both:
- the person who is the subject of the complaint and

- the person reporting the complaint.

15.5 Members of the Planning & Regulatory Services Committee will be provided with quarterly reports on enforcement cases, in terms of live number of cases; current Enforcement Notices awaiting compliance; number of prosecutions and number of fixed penalty notices served. An update on particular cases will be provided as and when requested by the Committee or an individual Member.

16.0 APPEALS

16.1 Depending on the type of Notice the recipient may have the right to lodge an appeal to the Planning Appeals Commission before the Notice takes effect. This will suspend the effect of the Notice until the outcome of the appeal.

16.2 An appeal may be lodged with the Planning Appeals Commission (PAC) against an Enforcement Notice, Listed Building Enforcement Notice, Submission Notice, Hazardous Substances Contravention Notice and Section 64 Notice (replacement of trees). There is no right of appeal against a Breach of Condition Notice, which can only be challenged through the courts.

16.3 The timeframe for hearing an appeal and issuing a determination is a matter for the PAC. Additional information on the planning appeals process can be obtained from the PAC website www.pacni.gov.uk

17.0 LEGAL ACTION

17.1 Under the provisions of the Planning Act (Northern Ireland) 2011, failure to comply with a notice is an offence and prosecution may be pursued where the Council has sufficient, admissible, and reliable evidence that the offence has been committed and there is a realistic prospect of a conviction. If enforcement is going to be effective this course of action must be pursued when appropriate. To determine whether prosecution is appropriate, the Council will assess the case in accordance with the tests set out in the Code for Crown Prosecutors. Prosecution will be considered even when the requisite works, or the breach is removed prior to court action. Costs will be sought where successful prosecutions are brought.

Injunctions

17.2 In cases of severe harm, the Council can apply for an Injunction in the High Court.

17.3 Section 156 of the 2011 Act gives a council the power to apply to the courts for an injunction to restrain any actual or apprehended breach of planning control when the Council considers it necessary or expedient. The power to apply to the courts for an injunction to restrain any actual or apprehended contravention also applies in relation to unauthorised demolition or works to a

listed building, failing to comply with any condition attached to a listed building consent, contravention of a tree preservation order and certain acts in respect of trees in a conservation area. Section 76(6) also allows a council to seek an injunction regarding a restriction or requirement imposed under a planning agreement.

Proceeds of Crime Act 2002

- 17.4 Where a local planning authority achieves a successful conviction for failure to comply with an enforcement notice, they can apply for a Confiscation Order, under the [Proceeds of Crime Act 2002](#), to recover the financial benefit obtained through unauthorised development.

18.0 [HOW THE PUBLIC CAN HELP US](#)

- 18.1 If a member of the public is unsure as to whether planning permission is required, they should contact the Council's Planning Department for advice before starting work.
- 18.2 If they already have planning permission, they must ensure all necessary conditions have been complied with before starting work and ensure they build in accordance with the approved plans. If they want to make any changes to the approved proposal, they should contact the planning department before carrying out work which deviates from or is not shown on the approved plans for advice.

19.0 [COMPLAINTS ABOUT THE SERVICE](#)

- 19.1 If a member of the public is unhappy about the level of service they have received from the Planning Enforcement Department, or how the process has been managed, they may first discuss their concerns with the Head of Planning or make a complaint through the Council's Corporate Complaints Procedure. A complaint can be made using any of the following options:

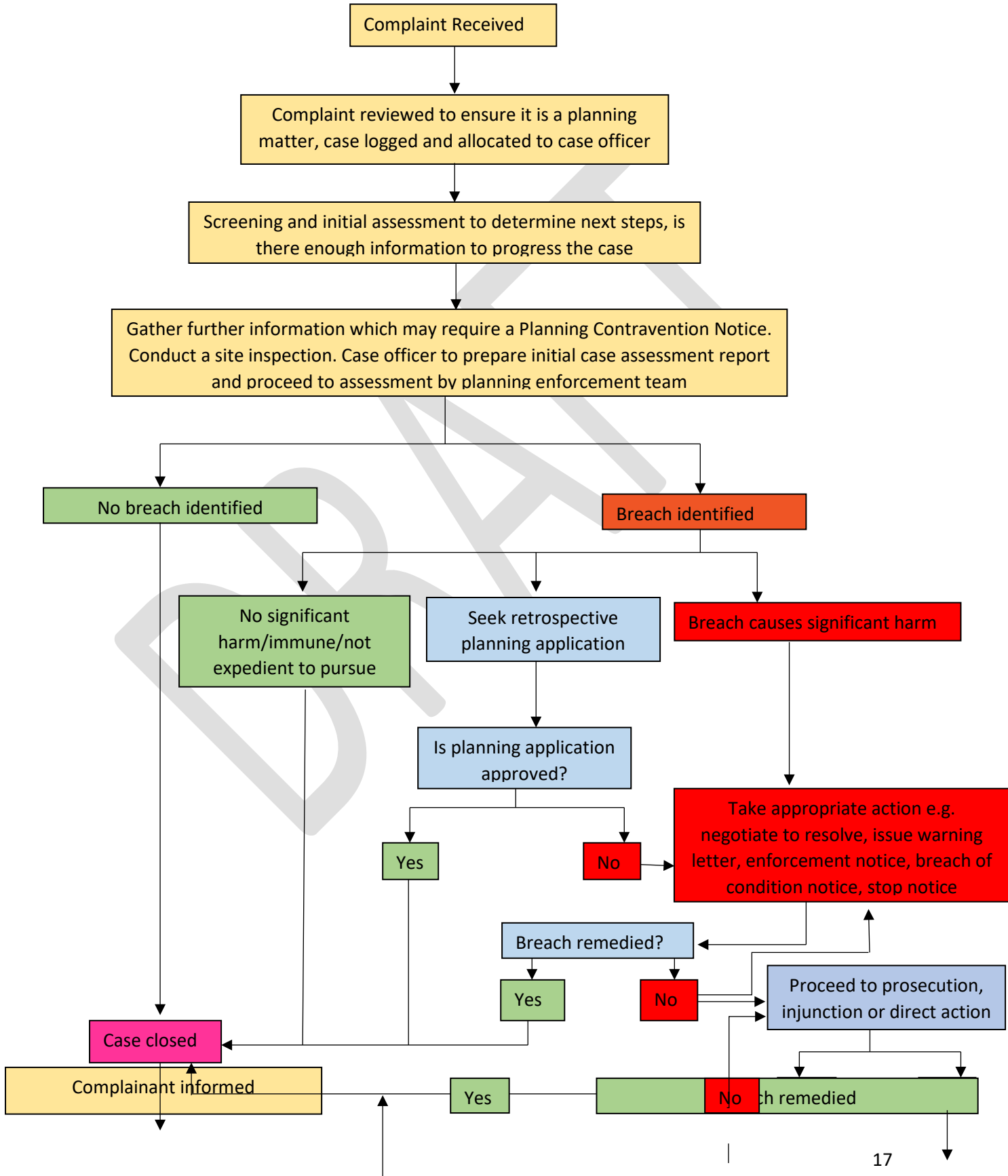
By telephone on: 0300 0300 900

By email at: planning@armaghbanbridgecraigavon.gov.uk

Or in writing or in person at: Planning Department, Armagh City, Banbridge and Craigavon Borough Council, Civic Building, Downshire Road, Banbridge, BT32 3JY

APPENDIX 1

The Planning Enforcement Process



Appendix 1 Equality Screening Form

Policy Scoping

Policy Title:  Planning Enforcement Strategy 

Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.

Review of an existing strategy

Intended aims/outcomes.

The Planning Enforcement Strategy sets out how the Council will undertake its planning enforcement role, including how complaints about alleged breaches of planning control will be received, assessed, prioritised and investigated. It aims to provide a clear, fair, proportionate and transparent approach to enforcement, explain the statutory target for enforcement, standards of service the public can expect, and clarify when formal action may be taken where it is considered expedient and in the public interest.

Policy Framework

The revised Planning Enforcement Strategy has been developed in response to best practice in line with the Council's General Enforcement Policy

Are there any Section 75 categories which might be expected to benefit from the policy? If so, please outline.

No

Who initiated or wrote the policy (if The Council decision, please state). Who is responsible for implementing the policy?

Who initiated or wrote the policy?	The Head of Planning in combination with the Senior Enforcement Officer
------------------------------------	---

Who is responsible for implementation?	The Head of Planning
--	----------------------

Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?

No

Main stakeholders in relation to the policy

Please list main stakeholders affected by the policy (Tick all that apply)

Staff	☐
Customers	x
Other Statutory Bodies	☐
Community or Voluntary Sector	☐
Private sector	☐
Other	<i>Click or tap here to enter text.</i>

Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.

The Strategic Planning Policy Statement;
The Planning Act (Northern Ireland) 2011;
The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017;
The Planning (Control of Advertisement) Regulations (Northern Ireland) 2015;
The Planning (Trees) Regulations (Northern Ireland) 2015.

Available Evidence

The Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories. For up to date [S75 Borough Statistics](#)

Section 75 category	Evidence
Religious belief	N/A

Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

Needs, experiences and priorities

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

Section 75 category	Needs, experiences and priorities
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

Screening Questions

1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?

Category	Policy Impact	Level of impact (Major/minor/none)
Religious belief		None
Political opinion		None
Racial group		None

Age		None
Marital status		None
Sexual orientation		None
Men and women generally		None
Disability		None
Dependants		None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

Category	If yes, provide details	If no, provide reasons
Religious belief		N/A
Political opinion		N/A
Racial group		N/A
Age		N/A
Marital status		N/A
Sexual orientation		N/A
Men and women generally		N/A
Disability		N/A
Dependants		N/A

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?

Category	Details of Policy Impact	Level of impact (major/minor/none)
Religious belief		None
Political opinion		None
Racial group		None

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Category	If yes, provide details	If no, provide reasons
Religious belief		N/A
Political opinion		N/A

Racial group		N/A
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Multiple Identity

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

NA

Disability Discrimination (NI) Order 2006

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

NA

Is there an opportunity for the policy to encourage participation by disabled people in public life?

The Planning Enforcement Strategy provides scope to support participation by disabled people by ensuring that all members of the community can engage with the enforcement process. This includes the ability to submit planning enforcement complaints, respond to or defend any enforcement action relating to their property, and engage in discussions aimed at resolving identified issues. Where individuals may experience difficulty in representing their own views, the process also allows for appropriate representatives to act on their behalf, helping to ensure accessibility and meaningful participation.

Screening Decision

A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY

Please identify reasons for this below

This is a technical document which sets out the principals of planning enforcement including setting out the standards of service the public can expect. All sections of the community can

participate in the enforcement process and avail of the opportunity to submit complaints, defend any case taken against their property and negotiate on resolution of the issues raised. It allows for others to represent their views where they consider it difficult to do so themselves. No impact of equality of opportunity or good relations within the specified categories.

B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED

Where the impact is likely to be minor, you should consider if the policy can be mitigated, or an alternative policy introduced. If so, an EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

NA

C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

NA

Timetabling and Prioritising

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Policy Criterion

Rating (1-3)

Effect on equality of opportunity and good relations

N/A

Social need

N/A

Effect on people's daily lives

N/A

The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the Council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

Yes ☐ If yes give details N/A

No ☐

Monitoring

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission's guidance on monitoring (www.equalityni.org).

Identify how the impact of the policy is to be monitored

This strategy will be reviewed in 3 years.

Approval and Authorisation

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/The Council when the policy is submitted for approval.

Screened by	Position/Job title	Date
Oonagh Starrs	Senior Planning Enforcement Officer	25/08/2026
Approved by	Position/Job Title	Date
Robbie Mc Naugher	Head of Planning	25/08/2026

Please forward a copy of the completed policy and form to:

Equality@armaghbanbridgecraigavon.gov.uk

who will ensure these are made available on the Council's website.

The above officer is also responsible for issuing reports on a quarterly basis on those policies "screened out for EQIA". This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.

Appendix 2 Rural Needs Impact Assessment (RNIA)

SECTION 1

Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority: Armagh City, Banbridge & Craigavon Borough The Council

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

Planning Enforcement Strategy

1C Please indicate which category the activity specified in Section 1B above relates to:

Developing a	☐ Policy	☐ Strategy	☐ Plan/Procedure	☐ Activity
Adopting a	☐ Policy	☐ Strategy	☐ Plan/Procedure	☐ Activity
Implementing a	☐ Policy	☐ Strategy	☐ Plan/Procedure	☐ Activity
Revising a	☐ Policy	☒ Strategy	☐ Plan/Procedure	☐ Activity

Designing a Public Service ☐

Delivering a Public Service ☐

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above

Planning Enforcement Strategy

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service

The principal aim of reviewing the Planning Enforcement Strategy is to ensure that the Council's approach to unauthorised development is clear, consistent, proportionate and in accordance with its statutory responsibilities. The Strategy sets out the circumstances in which the Council may take enforcement action where it considers it expedient to do so, and provides clarity on the statutory targets and service standards

that apply in the delivery of the planning enforcement function

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

Population Settlements of less than 5,000 (Default definition) ☐

Other Definition (Provide details and the rationale below) ☐

A definition of 'rural' is not applicable ☒

Details of alternative definition of 'rural' used

NA

Rationale for using alternative definition of 'rural'

NA

Reasons why a definition of 'rural' is not applicable.

The strategy will not have a differential impact on people living in rural areas.

SECTION 2

Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

Yes ☐ No ☒ If response is No go to 2E

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

Click or tap here to enter text.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on

people in rural areas differently.

Click or tap here to enter text.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

- | | |
|---|--------------------------|
| Rural Businesses | ☐ |
| Rural Tourism | ☐ |
| Rural Housing | ☐ |
| Jobs or Employment in Rural Areas | ☐ |
| Education or Training in Rural Areas | ☐ |
| Broadband or Mobile Communications in Rural Areas | ☐ |
| Transport Services or Infrastructure in Rural Areas | ☐ |
| Health or Social Care Services in Rural Areas | ☐ |
| Poverty in Rural Areas | ☐ |
| Deprivation in Rural Areas | ☐ |
| Rural Crime or Community Safety | ☐ |
| Rural Development | ☐ |
| Agri-Environment | ☐ |
| Other (Please state) | |

Click or tap here to enter text.

If the response to Section 2A was YES GO TO Section 3A.

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

There is no differential impact on people living in rural areas.

SECTION 3

Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of

people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

Yes ☐ No ☒ If response is No go to 3E

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

- | | |
|--|--------------------------|
| Consultation with Rural Stakeholders | ☐ |
| Consultation with Other organisations | ☐ |
| Published Statistics | ☐ |
| Research Papers | ☐ |
| Surveys or Questionnaires | ☐ |
| Other Publications | ☐ |
| Other Methods or Information Sources
(include details in Question 3C below) | ☐ |

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

Click or tap here to enter text.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

Click or tap here to enter text.

If the response to Section 3A was YES GO TO Section 4A.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

This strategy will not have a differential impact on people living in rural areas.

SECTION 4

Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

N/A

SECTION 5

Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes ☐ No ☒ If response is No go to 5C

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

N/A

If the response to Section 5A was YES go to 6A.

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

This strategy will not have a differential impact on people living in rural areas.

SECTION 6

Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.

I confirm that the RNIA Template will be retained, and relevant information compiled. ☐

Rural Needs Impact Assessment undertaken by:

Position:

Department / Directorate:

Signature: Oonagh Starrs

Date: 21/08/2026

Rural Needs Impact Assessment approved by:

Position:

Department / Directorate:

Signature: Robbie McNaugher

Date: 25/08/2026