



HOUGHTON REGIS TOWN COUNCIL

Peel Street, Houghton Regis, Bedfordshire, LU5 5EY

Town Mayor: **Councillor Y Farrell**

Tel: 01582 708540

Town Clerk: **Clare Evans**

e-mail: info@houghtonregis.org.uk

30th May 2022

To: Members of the Planning Committee

Cllrs: M Kennedy (Chair), J Carroll, E Cooper, S Goodchild, D Jones, S Thorne and C Slough

Notice of Meeting

You are hereby summoned to a Meeting of the **Planning Committee** to be held at the Council Offices, Peel Street on **Monday 6th June 2022 at 7.00pm.**

Members of the public who wish to attend the meeting may do so in person or remotely through the meeting link below.

To attend remotely through Teams please follow this link: [MEETING LINK](#)

Please follow this guidance if attending the meeting remotely [LINK](#)

Debbie Marsh
Corporate Services Manager

THIS MEETING MAY BE RECORDED¹

Agenda

- 1. APOLOGIES AND SUBSTITUTIONS**
- 2. QUESTIONS FROM THE PUBLIC**

In accordance with approved Standing Orders 1(e)-1(l) Members of the public may make representations, ask questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

¹ This meeting may be filmed by the Council for subsequent broadcast online and can be viewed at <http://www.houghtonregis.org.uk/minutes>

Phones and other equipment may be used to film, audio record, tweet or blog from this meeting by an individual Council member or a member of the public. No part of the meeting room is exempt from public filming unless the meeting resolves to go into exempt session.

The use of images or recordings arising from this is not under the Council's control.

The total period of time designated for public participation at a meeting shall not exceed 15 minutes and an individual member of the public shall not speak for more than 3 minutes unless directed by the chairman of the meeting.

3. **SPECIFIC DECLARATIONS OF INTEREST & REQUESTS FOR DISPENSATIONS**

Under the Localism Act 2011 (sections 26-37 and Schedule 4) and in accordance with the Council's Code of Conduct, Members are required to declare any interests which are not currently entered in the member's register of interests or if he/she has not notified the Monitoring Officer of any such interest.

Members are invited to submit any requests for Dispensations for consideration.

4. **ELECTION OF VICE-CHAIR**

Members are invited to elect a Vice Chair for Planning Committee for 2022/23.

5. **MINUTES**

To approve the Minutes of the meeting held on the 16th May 2022.

Recommendation: To approve the Minutes of the meeting held on 16th May 2022 and for these to be signed by the Chairman.

6. **COMMITTEE FUNCTIONS & TERMS OF REFERENCE**

In accordance with Standing Order 4.j.iv. Council is required to review its delegation arrangements to committees and sub committees.

These arrangements are set out in the Committee Functions & Terms of Reference. This document sets out the system of delegation to the Committees, Sub Committees and Working Groups of the Council.

Members will find attached the extract from the approved Committee Functions & Terms of Reference which relates to this committee.

This report is provided for information.

7. **CENTRAL BEDFORDSHIRE PLANNING CASE TYPES AND DESCRIPTIONS**

Central Bedfordshire Council have provided a list, attached, of planning case types and descriptions that require Town Council consultation.

This report is provided for information only.

8. **PLANNING MATTERS**

(a) To consider the following applications:

CB/22/01798/FULL

Proposed single storey rear and side extension
2 Grangeway, Houghton Regis, Dunstable, LU5 5PR
For: Miss J Carmichael

CB/22/01932/FULL	Front and rear extensions to existing dormers, front and rear balconies with spiral stairs to rear balcony The Gables, East End, Houghton Regis, Dunstable, LU5 5LA For: Mr and Mrs Anouqua
CB/22/01876/FULL	Replacement front garden wall, 2.1m in height and part trellis on wall. The Gables, East End, Houghton Regis, Dunstable, LU5 5LA For: Mr and Mrs Anouqua
CB/22/01837/LB	Listed Building: Alteration and extension to north west elevation, remodelling of 1970's section and replacement of various windows and doors Springwell Cottage, Sewell Lane, Sewell, Dunstable, LU6 1RP For: Mr J Gridley
CB/22/01586/VOC	Variation of condition number 4 of planning permission CB/18/03034/FULL (Change of use from offices to 2 residential dwellings). Variation sought to change the type of windows 104 A-B High Street, Houghton Regis, Dunstable, LU5 5BJ
CB/22/01501/FULL	Erection of car park valet hand car wash. WM Morrison Supermarkets Ltd, High Street, LU5 5EX
CB/22/01989/FULL	Erection of single storey side and rear extension following demolition of existing shed and veranda 9 The Cloisters, Houghton Regis, Dunstable, LU5 5JN For: Mr A Baranowski
CB/22/01686/FULL	Dormer with openable windows, and obscure glazing. 1 Alabaster Avenue, Houghton Regis, Dunstable, LU5 5AZ For: Mr L Staszak
CB/21/05575/REG3 Re-consultation	Development of a new leisure centre, incorporating landscaping and parking provisions. Demolition of the existing building and the construction of a new facility to include an eight-lane 25 metre community swimming pool, dedicated learner pool, confidence pool, fitness suite, exercise studio and two squash courts. Building to include a café, community space, creche, children's outdoor play zone and an outdoor fitness trail and public area. Houghton Regis Academy, Parkside Drive, Houghton Regis, Dunstable, LU5 5PX Re-consultation following the submission of additional documents, listed below: <ul style="list-style-type: none"> · Revised landscaping details · Lighting details · Archaeology report · Play area details · Flood Risk Assessment Transport Statement Addendum

For noting

CB/22/01776/DOC	Discharge of Condition(s) 4 and part 3 of s106 against planning permission CB/18/04471/FULL (48 new residential units) Land at Oakwell Park, Thorn Road, Houghton Regis, LU5 6JH
CB/22/01732/DOC	Discharge of Conditions 7 and 15 against planning permission CB/18/04641/REG3 (The development of a 20 unit, 3-storey transitional housing scheme with associated access, parking and landscaping) Land Adjacent To St Thomas Meeting House Windsor Drive LU5 5SJ
CB/22/01866/DOC	Discharge of Condition 11 against planning permission CB/20/01537/FULL Erection of a mixed use Local Centre comprising 52 no.apartments, 1 no. day nursery (Use Class D1), 1 no.retail unit (Use Class A1) 4 no. retail units (Use Classes A1/A3/A5) and associated infrastructure works including a haul road, landscaping and public realm. Local Centre, Land West of Bidwell, Houghton Regis, LU5 6JQ
CB/22/01835/DOC	Discharge of Condition 2 against planning permission CB/18/04471/FULL Application Site: Land at Oakwell Park, Thorn Road, Houghton Regis, LU5 6JH Proposed Development: 48 new residential units. Oakwell Park, Thorn Road, Houghton Regis, Dunstable, LU5 6JH
CB/22/02012/NMA	Non-material amendment to planning permission CB/19/04220/OUT (Outline Application for Residential Development for up to 100 Dwellings with all matters reserved, except access) amendment sought Variation to wording of condition 13. Bury Spinney, Thorn Road, Houghton Regis, Dunstable, LU5 6JQ
CB/22/02029/DOC	Discharge of Condition 9 against planning permission CB/21/02108/RM (Reserved Matters: following Outline Application CB/12/03613/OUT (Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. Development to comprise: up to 5,150 dwellings (Use Class C3); up to 202,500 sqm gross of additional development in Use Classes: A1, A2, A3, A4, A5; B1, B2, B8; C1, C2, D1 and D2; car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; All development, works and operations to be in accordance with the Development Parameters Schedule and Plans): All matters reserved, Erection of 154 dwelling units, with access and parking, landscaping and associated works.The Outline Application was EIA Development and was accompanied by an Environmental Statement) Dunstable Northern Bypass, Chalton, Houghton Regis LU5 6JJ

(b) Decision Notices

Permissions/Approvals/Consents:

None at time of going to print.

Refusals:

None at time of going to print.

Withdrawals:

None at time of going to print.

9. NEIGHBOURHOOD PLAN UPDATE

The Houghton Regis Neighbourhood Plan Steering Group are continuing to review each chapter of the plan, with the support of the town councils planning consultant.

The Local Green Space assessment is still ongoing. There are a few pieces of information that the group need to provide by way of evidence. Efforts are underway in seeking this evidence.

The Government has introduced a First Homes Policy. Central Bedfordshire Council have advised that they will implement this policy when clear guidance is available however, all Neighbourhood Plans, in development, are required to make reference to this policy. This amendment will initiate another 6-week Regulation 14 consultation. What form this consultation will need to be i.e. online only or not, is still to be confirmed.

Proposed timeline:

Completion of revised policies – August/September

Regulation 14 consultation – October/November

Submission to Central Bedfordshire Council – December/January 2023

This report is provided for information only.

10. CENTRAL BEDFORDSHIRE COUNCIL – TOWN AND PARISH CONFERENCE

Councillor Kennedy and the Corporate Services Manager attended an online Town and Parish Council topic session, hosted by Central Bedfordshire Council, on the 25th May 2022.

The session covered:

Briefing on First Homes

First Homes Policy is a mandatory requirement from Government however, until there is clear guidance from Government, CBC do not need to implement it. Although CBC do not have a policy reference to this requirement does need to be detailed within all developing and draft Neighbourhood Plans.

Current and future planning policy consultations

Attendees were provided with details of upcoming consultations:

- Electric Vehicle Charging provision in new developments - 13th June 2022 to 25th July 2022.
- Design Guide Supplementary Planning Document – November/December 2022

Update on the Local Plan Review

Central Bedfordshire Council are currently undertaking an evaluation of all the policies. The outcome of this evaluation will be presented to Council in the Autumn. The outcome could be no review required, partial review required, or full review required.

This report is provided for information only.

11. DEVELOPMENT IN THE CHILTERN BEECHWOODS SPECIAL AREA OF CONSERVATION ZONE OF INFLUENCE

Central Bedfordshire Council have information on their website which is being updated.

Members can visit the following link to find the most up to date information:
[Development in the Chiltern Beechwoods Special Area of Conservation Zone of Influence](#)

This report is provided for information only.

12. STRATEGIC DEVELOPMENT SITES/LOCAL PLAN– UPDATE/PROGRESS

Woodside Link – No substantive update to report.

A5 M1 Link – For information this major road project opened on the 11th May 2017.

All Saints View – No substantive update to report.

Linnere – No substantive update to report.

Bidwell West – No substantive update to report.

Kingsland – No substantive update to report.

Windsor Drive – No substantive update to report.

Section 106 Monies – No substantive update to report.

Recommendation: **To note the information**

0-0

HOUGHTON REGIS TOWN COUNCIL

Planning Committee

Minutes of the meeting held on

16th May 2022 at 7.00pm

Present: Councillors: D Jones Chairman
E Cooper Substitute
Y Farrell
C Slough

Officers: Debbie Marsh Corporate Services Manager
Louise Senior Head of Democratic Services

Public: 1

Apologies: Councillors: J Carroll
M S Kennedy
R Morgan

Also present:
Virtual Councillor T McMahon
S Goodchild Central Bedfordshire Council

12015 APOLOGIES AND SUBSTITUTIONS

Apologies were received from Cllr Carroll, Cllr Kennedy and Cllr Morgan (Cllr Cooper substituted for Cllr Morgan).

12016 QUESTIONS FROM THE PUBLIC

Friends of Windsor Drive asked:

- At last month's Planning Meeting, HRTC Council Planning Committee were requested to ask CBC what the impact had been on the recent Dacorum Council's temporary halt on any Development in the Chiltern Beechwoods Special Area of Conservation Zone of Influence, upon their Planning applications and what impact will this have on their proposals for Windsor Drive? We would like to know what response you as the Planning Committee have had from CBC.
- Given how the people of Houghton Regis had been treated to date regarding CBC Consultation, e.g. CBC listening Event regarding Windsor Drive, Theft of our Community Centre etc. what hope do HRTC have that CBC will actually listen to the findings of the CBC Statement of Community Involvement Consultation? Can we respectfully ask HRTC Planning Committee to feed back to CBC the fact that a very large number of residents, not just those in The Friends of Windsor Drive Group, had no faith or trust that CBC would listen;

- Given that Michael Grove abandoned the Tory manifesto pledge to build 300,000 homes a year with a plan to let communities BLOCK new housing developments and introduce 'street votes'. What are HRTC Planning Committee intending to do to use this information to push back on CBCs proposals for Windsor Drive and ask CBC to adopt this new Community driven strategy now rather than pushing ahead with proposals for Windsor Drive when the Community were absolutely against any development?

Members were advised that contact had been attempted with the owner of Dean Hollow to no avail, contact had been made with a neighbour of Dean Hollow who wished to undertake tree works in a Conservation Area, members would be kept updated.

12017 SPECIFIC DECLARATIONS OF INTEREST

None.

12018 MINUTES

To approve the Minutes of the meeting held on the 25th April 2022.

Resolved: To approve the Minutes of the meeting held on 25th April 2022 and for these to be signed by the Chairman.

12019 PLANNING MATTERS

(a) The following planning applications were considered:

CB/22/01423/FULL Change of Use: Retail unit to a Tanning Salon.
Unit 4, All Saints View, High Street, LU5 5LQ
For: Ms Anna Kabacinska

Comments: Houghton Regis Town Council had no objections to this application.

CB/22/01589/FULL Reconstruction of the existing boundary front wall
104A High Street, LU5 5BJ
For: Giovanni Martuccio

Comments: Houghton Regis Town Council had no objections to this application, however, wished to express concerns that there was no information on method of construction or what materials would be used for the reconstruction of the wall.

CB/22/01594/FULL Infill of the front canopy to form an enclosed porch
6 Townsend Terrace, LU5 5BB
For: Miss N Perring

Comments: Houghton Regis Town Council had no objections to this application.

CB/22/01561/FULL Single storey rear and front extensions and garage conversion
82 Hillcroft, Dunstable, LU6 1TU
For: Mr Adam Watkins

Comments: Houghton Regis Town Council had no objections to this application.

CB/22/01526/FULL Single storey wraparound extension.
131 Leafields, LU5 5LU
For: Andrea Dennis

Comments: Houghton Regis Town Council had no objections to this application.

CB/22/01664/TD Prior Notification of Telecommunications Development -
Proposed 15.0m Phase 9 super slimline Monopole and associated ancillary works.
Park Road North Woodside Estate Houghton Regis LU5 5LE
For: CK Hutchison Networks (UK) Ltd

Comments: Houghton Regis Town Council objects to the siting of the proposed telecommunication mast and associated cabinets for the following reasons:

- **Policy IS6 of the supporting SSSI, states that Telecommunications development will be permitted where: (i) it would not harm the character and appearance of the built or natural environment; or (ii) the need for the development on the proposed site would outweigh such harm. The Town Council feels strongly that due to the proposed location there would be significant harm to the character and appearance of the natural environment.**
- **The location is on a road that is a considered to be one of a number of roads viewed as a green gateway into the town.**
- **The siting would cause loss of amenity space.**
- **Due the height of the proposed mast and the size and siting of the associated cabinets, this development would have a detrimental impact on the amenity of the area.**
- **Whilst the Town Council acknowledges the reason for the siting of a mast around this area, it does not agree that the need would outweigh the harm, on this particular site.**

Noted:

- CB/22/01495/DOC Discharge of Condition 20 against planning permission CB/21/01242/FULL (Development of the site for E(g)(iii), B2 and B8 Uses to include Trade Counter, including details of access, servicing, landscaping, boundary treatment and associated works.)
Employment Site North of Thorn Road, Thorn Road, Houghton Regis
- CB/22/01452/DOC Discharge of Condition 17 against planning permission CB/19/02130/FULL:-(Demolition of existing residential dwelling and erection of 119 dwellings including the creation of a new vehicular access, recreational open space, parking infrastructure and associated landscaping and ancillary works.)
The Gates Land East of Bedford Road Bidwell Houghton Regis
- CB/22/01438/DOC Discharge of Condition 15 against planning permission CB/18/04641/REG3 (The development of a 20 unit, 3-storey transitional housing scheme with associated access, parking and landscaping)
Land Adjacent To St Thomas Meeting House, Windsor Drive, LU5 5SJ
- CB/22/01659/DOC Discharge of Condition 4 against planning permission CB/18/04471/FULL (48 new residential units.)
Land at Oakwell Park, Thorn Road, LU5 6JH

Permissions / Approvals / Consents***Refusals:***

None received.

Withdrawals:

- CB/22/00537/OUT Outline Application: Construction of 27 detached two bedroom properties and 2 three bedroom properties after demolition of existing bungalow with some matters reserved.
The Bungalow, Bedford Road, LU5 6JS

12020 STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION APRIL 2022 -CENTRAL BEDFORDSHIRE COUNCIL

Members received a letter, along with a draft consultation document, from Central Bedfordshire Council in regard to a Statement of Community Involvement Consultation.

Members were advised the Town Council had until 10am on Wednesday 1st June 2022 to submit their comments.

Members were reminded that this item was deferred from the last meeting.

Members discussed at length the Statement of Community Involvement and acknowledged that residents had lost faith in Central Bedfordshire Council and expressed their disappointment in the processes. It was recognised that Community feedback suggested that Central Bedfordshire Council do not take comments from the community on board from consultations evidenced by those that had been held and suggested that these had not been earnest engagements.

Members suggested examples of Community Centre engagement, i.e. the issues surrounding the lack of engagement in regard to The Brook development, be included in their response to Central Bedfordshire Council.

Members were advised that a training session was being planned for Town and Parish councils, by Central Bedfordshire Council, on the Statement of Community Involvement. Date to be confirmed.

Resolved: To consider the Town Councils response to Central Bedfordshire Councils Statement of Community Involvement Consultation.

12021 STRATEGIC DEVELOPMENT SITES/LOCAL PLAN– UPDATE/PROGRESS

Woodside Link – No substantive update to report.

A5 M1 Link – No substantive update to report.

All Saints View – No substantive update to report.

Linnere – No substantive update to report.

Bidwell West – No substantive update to report.

Kingsland – No substantive update to report.

Windsor Drive – No substantive update to report.

Section 106 Monies – Members were provided with the web address, link below, to the quarterly monitoring reports

https://www.centralbedfordshire.gov.uk/info/44/planning/458/planning_obligations/2

Resolved: To note the information

The Chairman declared the meeting closed at 8.08pm

Dated this 6th day of June 2022.

Chairman

DRAFT

Planning Committee

Functions

- To consider any matters referred to it by the Council or other Committees.
- To respond on behalf of the Council to initiatives from other organisations relating to matters under the Committee's jurisdiction.
- To exercise management of health and safety issues in respect of all the services of this Committee.
- To assemble and submit to the Town Council estimates of income and expenditure for each financial year in respect of all the services of this Committee no later than 30th November each year.
- To monitor periodically the income and expenditure of the Committee.
- To consider and determine any new contracts and any renewals of existing contracts under the jurisdiction of this committee.
- To consider and determine any proposed expenditure or reduction in income for which no provision has been made in the approved budget.
- Reviewing policies of the Council as required by the Policy Document Review Schedule
- To consider all planning related applications within the Parish and to make representations to the appropriate authority on behalf of the Town Council.
- To consider matters surrounding the growth proposals, including strategic development proposals and documents from local authorities and other agencies and bodies.
- To consider highways proposals from local authorities and other agencies and bodies and to make representations to the appropriate authority on behalf of the Town Council.
- To oversee the development and introduction of a Neighbourhood Plan for Houghton Regis.

Delegated Powers to Officers – Planning

- Delegated applications include all applications received for consultation purposes including all planning applications, advertisement and signs.
- All delegated decisions, which are recommended for approval, will be provided in writing, to Members of the Planning Committee.
- A list of proposed delegated decisions (relating to new or proposed listed buildings, conservation areas, tree preservation orders, building preservation orders, highways, byways, bridleways and footpaths) will be circulated to all Councillors. If a Councillor wishes an application to be decided by the Committee, a written request must be made to the Town Clerk prior to the meeting.
- No applications will be delegated that fall into the following categories:
 - a) To which a written objection from a member of the public has been received by the Town Council
 - b) Any application for more than five dwellings (including flats, apartments and maisonettes)
 - c) Any application for retail or employment space
- The Town Clerk or their nominated officer, must be fully aware of the location and possible planning considerations of an application.

Terms of Reference

- The Planning Committee shall function and operate in accordance with the Council's approved Standing Orders.
- The Planning Committee shall consist of seven Councillors. The quorum shall be half of its members (four).
- To appoint sub-committees or working groups as necessary including setting out membership and terms of reference.

Central Bedfordshire Planning Case Types & Descriptions and which applications require Town Council consultation

Planning Applications

Case Type	Description	Consult Town Council
ADV	Advertisement Consent	Yes
CA	Conservation Area consent	Yes
DOC	Discharge of Condition	No
FULL	Full Planning Application	Yes
LB	Listed Building Consent	Yes
LDCE	Lawful Development Certificate – Existing	No
LDCP	Lawful Development Certificate – Proposed	No
NMA	Non material change to permission	No
OUT	Outline Application	Yes
REG3	Regulation 3 – CBC is the Applicant	Yes
RM	Reserved Matters	Yes
SCN	EIA – Screening Opinion	No
SCO	EIA – Scoping Opinion	No
SECM	S106 – Modification/Discharge	Yes
TCA	Works to trees in a conservation area	Yes
TRE	Works to trees protected by a TPO	Yes
VOC	Variation of Condition	Yes
PSID	Public Service Infrastructure Development – new from 1 st August 2021	Yes

Prior Approvals / Notifications / Permitted Development

Case Type	Description	Consult Town Council
PAAC	Prior Notification of change of use from agricultural building to flexible commercial	No
PAAD	Prior Notification of change of use of agricultural building to dwelling:	No
PAAM	Prior Notification of change of use from Agricultural Excavation/Waste	No
PAAO	Prior Notification of change of use from agricultural to class B1 business use	No
PAAR	Prior Notification - Agricultural proposed road	No
PAAS	Prior Notification of change of use from Agricultural to state-funded school or registered nursery	No
PADD	Prior Notification of change of use from Amusements/Casinos to a Dwelling	No
PAFS	Prior Notification of change of use from a School	No
PASB	Prior Notification of change of use from Shop to Bank	No

PAEC	Prior Approval: Change of use – commercial/business/service (Class E) to dwellinghouses (Class C3)	No
PAEM	Prior Approval for change of use – commercial/business/service/etc to mixed use including up to two flats	No
PAUN	Prior Approval for erection, extension, or alteration of a university building	No
PASD	Changed to: Prior Notification of change of use from Takeaway/ Sui generis/mixed use to dwellinghouses	No
PASP	Prior Notification of the Installation or replacement of other Solar Photovoltaics Equipment	No
PATS	Prior Notification of change of use to a School	No
PADM	Proposed Demolition	No
PABF	Additional Storeys on blocks of flats	No
PATC	New dwellinghouses on terrace buildings in commercial or mixed use	No
PATD	New dwellinghouses on terrace buildings in use as dwellinghouses	No
PADC	New dwellinghouses on detached buildings in commercial or mixed use	No
PAUD	New dwellinghouses on detached buildings in use as dwelling houses	No
PADB	Demolition of buildings and construction of new dwellinghouses	No
PAES	For the enlargement of a dwellinghouse by construction of additional storeys	No
AG	Prior Approval - Agricultural Development	No
EB	Electricity Board Works	No
GPDE	PD – Large rear extension	No
TD	PD – Telecommunication Development	No
TDM	Prior Approval – Telecommunication Determination (Masts)	No
RD	Railway Determination	No

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Standing up for your countryside

How to respond to planning applications: an 8-step guide



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Standing up for your countryside

The Campaign to Protect Rural England (CPRE) fights for a better future for England's unique, essential and precious countryside. From giving parish councils expert advice on planning issues to influencing national and European policies, we work to protect and enhance the countryside. We believe a beautiful, thriving countryside is important for everyone, no matter where they live. Nationally, we don't own land or represent any special interests.

Our members are united in their love for England's landscapes and rural communities, and stand up for the countryside, so it can continue to sustain, enchant and inspire future generations.

We are a grassroots organisation, with a branch in every county, more than 200 local groups and 60,000 members and supporters. Our Patron is Her Majesty the Queen and our President is Bill Bryson.

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The National Association of Local Councils (NALC) is the national representative body for 9,000 local councils throughout England. In all there are over 80,000 community, parish and town councillors across England. These councillors, who serve electorates ranging from small rural communities to major cities, are all independently elected.

The councils have powers to raise their own funds through

council tax. Local councils provide employment for over 25,000 staff while their annual expenditure exceeds £500m. Together, they can be identified as one of the nation's single most influential grouping of opinion formers. Around 16 million people live in communities served by local councils nationally – this represents up to 30% of the population. Over 200 new local councils have been created since 1997.

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How to respond to planning applications: an 8-step guide

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Introduction

Why is the planning system important?

England's planning system shapes new development all over the country, making sure it's positive for people, the economy and the environment.

The system exists to ensure that development is in the public interest, weighing up its economic, environmental and social benefits and drawbacks. It plays a key role in making sure the places where we live and work are attractive, vibrant and well designed.

The planning system can make sure that development supports regeneration which meets the needs of local communities. It can support the development of affordable housing. It can make sure that new development in historic areas takes into account its surroundings. And it can prevent development where it would cause unacceptable environmental damage.

Most significant development in England needs planning permission from a local planning authority to go ahead. The first stage of this usually involves the person or organisation that wants to carry out the development submitting a planning application. Around 500,000 planning applications are submitted every year.

The planning system aims to ensure that all views on new development are taken into account. Members of the public are entitled to see and comment on all planning applications. This is your chance to press for planning decisions that are positive for your local community.



Introduction



How this guide can help you

We've put together eight simple steps to take if you want to find out more about a planning application, and support or challenge it.



Whether you have a special interest, like archaeology or wildlife, or more general concerns about the kind of development your area needs, this guide will help you present your views appropriately, effectively, and to the right people.



The planning application process: a summary¹



When a local planning authority receives a planning application, it is bound by law to publicise it. For applications for major development it must publish a notice in a local newspaper and either post a notice on the site that passers-by can see, or notify the occupiers and owners of adjoining properties.



Alongside inviting the public to comment, local planning authorities have to consult a range of organisations whose interests may be affected by a proposed development. These can include, for example, the local highways authority if the development could mean an increase in traffic. Issues concerning waste, water or air pollution are referred to the Environment Agency, and Natural England assesses applications that could affect wildlife.



Members of the public have a few weeks to comment on a planning application. The deadline for comments is 21 days from the date a site notice is put up or notice is served on neighbours, or 14 days from when an advert appears in a local newspaper. Parish and town councils have 21 days from the date they were notified to make an official comment.



¹ This is set out in the Town and Country Planning (Development Management Procedure) Order (2010)

Introduction

Local planning authorities will either approve the application, sometimes with conditions or obligations, or refuse it. In either case, the authority must give reasons for its decision.

Local planning authorities should usually make a decision within eight weeks. If it takes longer, the applicant can appeal to the Secretary of State with responsibility for planning.

In some circumstances, for example if the application concerns development on or around Green Belt, outside of town centres, on playing fields, in World Heritage sites or in flood risk areas, and the local planning authority intends to approve it, they will, in some circumstances, have to inform the Secretary of State with responsibility for planning². The Secretary of State may then 'call in' the application and make a decision on it following a public inquiry, taking the matter out of the local planning authority's hands. This call-in right applies to any planning application, but is generally used only for major development or in particularly controversial cases.

² According to the Town and Country Planning (Consultation) (England) Direction (2009)

STEP 1

Look at the
planning application



Step 1

Look at the planning application



Do you know of a planning application in your area and want to find out more about it? The first step is to review the application on your local planning authority's website or at their offices.

But before that, you have to work out who makes the planning decisions in your area, so you know where to go. If there's a two- or three-tier local authority system, consisting of a county and district council, in most cases with a parish or town council as well, you'll find the majority of decisions are taken by your local district or borough council. However, where a unitary authority is in place, it will act as the local planning authority.

Local planning authorities are required by law to keep a public register of all planning applications, which you should be able to access easily. A hard copy of planning applications, along with any maps, plans and supporting documents, is usually kept at the local planning authority's main office. All applications, plans and supporting documents must also be available online. If you struggle to find the application you're looking for, contact your local planning department's duty officer.



354,000

**APPLICATIONS
WERE APPROVED
BY DISTRICT LEVEL
AUTHORITIES IN
2010, OUT OF
482,000 SUBMITTED**

Looking at planning applications: top tips

1 Call in advance

If you decide to visit the authority, phone the planning department first to find out their opening hours and to check that the relevant, up-to-date file will be available. Some local planning authorities require you to request files a few days in advance. The planning register must be available for the public to see 'at all reasonable hours', but what this means in practice varies between authorities.

Step 1

Look at the planning application



2 Take copies of documents

The law dictates that local planning authorities should let you take copies of planning applications and related documents. You may be charged for photocopying. Some authorities have been known to charge just to retrieve (not photocopy) environmental information. Under the Environmental Information Regulations (2004), they should no longer do this, unless the information has commercial value.

3 Look on the register for previous applications

Finding out about past planning applications for a particular site can give you lots of relevant information. For example, if you're supporting a development turned down in the past because there wasn't enough public transport, you could focus on suggesting ideas to solve this problem. You should also look at recent planning applications in the wider area to get a picture of any development trends, and how they could affect the economic, social and natural environment of the area as a whole. This record of past applications is sometimes referred to as the 'planning history' of a site, and local authorities often charge for providing it because it has commercial value. You can look up a site's planning history by using the planning register or your local planning authority's online application database.



45%

OF ALL PLANNING APPLICATIONS IN 2010 WERE FOR HOUSEHOLDER PROJECTS

Planning can encourage developers to include technology for generating renewable energy in the design of new buildings. ►



Step 1

Look at the planning application



4 Go to your town or parish council if you can't see the planning register

If you have one, your town or parish council may be able to help if you have trouble getting in to see the planning register at your local planning authority. They usually receive copies of all planning applications in their area, provided they have made a written request for them, and should be happy to share them with you. If your parish or town council doesn't already get copies of planning applications, you could remind them that they're legally entitled to do so. The parish and town clerks are likely to be your best point of contact for this. Their contact details should be available on the parish notice board or from your local planning authority.

What to look for in an application

You'll have to examine the planning application very carefully to find out exactly what a proposed development consists of and how it could affect your local community. You may also find it useful to look at other applications for the same area, to get a wider picture of how new development is likely to shape its future.

Planning applications and accompanying documents should describe the proposed development's size and location, how it will function, and its relationship with the immediate surroundings.

You should concentrate your support or objections around these three main issues, because they're the key things – the so-called 'material considerations' – that decision-makers will take into account. It can be valuable to cover other concerns, but keep your focus on these main issues. For example, complaining that you don't like terraced houses, or that a building will spoil your view, will be less relevant than saying that a new development proposal doesn't take account of flood risk. Equally, saying that you support an application because you think it will improve property values is not really relevant, but you could give your support because you think the proposal will improve the quality of local public spaces.

Step 1

Look at the planning application



3%

OF ALL PLANNING APPLICATIONS IN 2010 WERE FOR MAJOR DEVELOPMENT

The application may also include other information on:

- surface water and sewerage;
- vehicle and pedestrian access;
- other adjacent land owned by the applicant;
- details of any tree felling (although the application may not show precisely the trees proposed for felling);
- materials to be used in the development;
- design of the buildings and the direction they face; and
- what the applicant intends to use the development for.

How to find out about new planning applications in your area:



28%

OF ALL PLANNING APPLICATIONS IN 2010 WERE FOR MINOR DEVELOPMENT

- ask your local planning authority to send you a weekly list of planning applications. There is often a charge for this service. Many local planning authorities provide the service by email and this option is more likely to be free;
- ask your local planning authority to let you know about any application that is likely to be of interest to you;
- contact your parish or town council, who are legally entitled to receive copies of all planning applications in their area;
- keep in touch with your local CPRE district or county group, which usually gets weekly lists of planning applications; and
- scan local newspapers for information about more significant applications.

Step 1

Look at the planning application



Looking at an application: your checklist

- Look for information not only in the planning application, but in all the other documents, plans and drawings provided by the applicant.
- Check to see if the application constitutes a special case, which may have a bearing on your response (read more about special cases on page 35).
- Satisfy yourself that the description of the proposed development accurately reflects what it will be like in reality. If planning permission is granted, it will be on the basis of the development matching up to what's described in the application form, so seek clarification now – from the local planning officer, applicant or landowner – if you're unsure about anything.
- Applicants are required by law to provide a certain amount of information along with a planning application. The application should only be considered once they've provided it. Certain types of application require extra information. For example, applications for retail development outside town centres sometimes require an impact assessment. This considers how the development could affect existing town centre businesses. If you need more detail about a proposal, ask your local planning authority to make sure the applicant provides all necessary information.
- Remember that planning officers are there to help. Ask for advice if you're unsure about how to interpret an application, or what the wider effects of the proposal might be. Contact them by phone or email, or, if necessary, make an appointment to see someone in the planning department.

STEP 2

Visit the site of the proposed development



Step 2

Visit the site of the proposed development



Once you've looked at the planning application, the next step is to visit the site so you can build up a mental picture of the development and its likely effects.

Remember that you could be trespassing if you go on the site without permission. Stick to public rights-of-way, or get permission from the landowner before visiting.

There are lots of things you should consider during your visit:

- Is the application accurate? Are local features like rights-of-way, trees, hedges and boundary fences shown? Are the maps up-to-date? Are all properties marked? Does the application correctly describe how the site has been used in the past?
- How well would the development fit into its surroundings? Would it blend in, dominate or provide a welcome contrast? Is it a sympathetic design? Remember that details as simple as the alignment of a roofline, its design and pitch or the materials used can affect a development's impact on its surroundings.
- If it's a larger development, how will it affect the local area, particularly the road network?
- Could it lead to further development? Would this be beneficial or damaging?
- Does it meet a need in your area for a particular type of development, for example affordable housing or small business units?
- Has the site been developed before? How well connected will the development be to local services such as public transport, shops and schools?

STEP 3

Decide your stance on the application



Step 3

Decide your stance on the application



Now that you've looked at the application and visited the site, you can decide what your stance on the application will be.

Local planning authorities' decisions on planning applications are guided mainly by the policies in their 'development plan'. Your criteria when judging an application may be different. For example, you may have a particular interest in protecting local wildlife, or improving local services in your area.

Taking a view on the proposal: top tips

1 Set clear objectives

Consider what you want new development in your area to achieve, and establish some clear objectives against which you can judge proposals. This will make your case to the planning authority more persuasive. Remember that good development can enhance the environment.

2 Use local knowledge

If you know the area well or have specialist knowledge, you may be able to give the planning authority useful information. Try to get as much local knowledge as possible. Find out anything that could be relevant, from groups of trees particularly valued locally to whether there's a need for affordable housing in the area.

3 Think long term

It's important to take a long-term view of a development's impact. Consider the future consequences of the development and whether the proposal will help achieve sustainable development in the area.

483,500

PLANNING APPLICATIONS WERE SUBMITTED TO DISTRICT AUTHORITIES 2009-2010

355,800

PLANNING PERMISSIONS WERE GIVEN BY DISTRICT AUTHORITIES 2009-2010

Step 3

Decide your stance on the application



Get together with other interested locals and ensure that you consider the pros and cons of a potential development. ►



4 Consider the potential pros and cons of the proposal

For example, will it put a building or derelict site to better use? Will it meet a local need for a certain type of development? Perhaps you are concerned that the proposal is not designed to complement local character, or that it might damage an important wildlife habitat? Some potential negative impacts can be addressed by asking the local planning authority to put conditions or obligations on any planning permission granted. If this is successful, keep an eye on any future planning applications for the site in case there is an attempt to have the conditions or obligations removed or changed.

5 Stick to principles

Is a point of principle at stake which overrides the short-term questions surrounding a development proposal? For example, you might want to support the development of a new employment site that will bring jobs to the area. Or you may want to oppose an application that would destroy something historic.

Step 3

Decide your stance on the application



6 Consider if it's setting a precedent

Could a poor decision on a planning application set a precedent for a pattern of development that you do not believe is sustainable? For example, a small development outside a village's development boundary may create housing. But in the long term could it lead to an unplanned expansion of the village?

7 Imagine cumulative development

Could a proposal, broadly acceptable in itself, be a stepping-stone to something that would be unacceptable? For example, is there a risk that a house built for seasonal renting to holiday makers could one day be sold off as a permanent home in an area where this would normally be inappropriate?

8 Consider the potential for improvement

Always look to see if there are improvements that could be made to the proposal, either through changes to the proposed development itself or through the use of planning conditions. Improvements could include design alterations or measures to make sure that the development uses less energy, water or raw materials.



86%

OF PLANNING APPLICATIONS WERE GIVEN PERMISSION 2009-2010



◀ *Speaking to other interested people might bring your attention to issues that you haven't yet considered.*

STEP 4

Examine the development plan



Step 4

Examine the development plan



The next thing to do is to look at your area's development plan.

A development plan sets out agreed planning policies for your area and is the background against which planning decisions are made. Most local planning authorities now publish their plans online. Your local library will keep a hard copy, or you can buy one direct from your local planning authority.

The final decision on any planning application must be taken in accordance with the development plan for the area, unless special circumstances (known as material considerations) apply.

When deciding what stance to take on a planning application it is vital to study the development plan closely and identify any policies that are relevant to the case. Be prepared to quote these policies when you put forward your arguments for or against the proposal. If policies in the plan contradict your stance, you will need to argue why they do not apply in this particular case.

What's in the development plan?

The development plan is made up of a number of documents.

It will include any development plan documents from your district or borough authority's local plan. Every local planning authority is required to prepare a local plan, which outlines how the area will develop over the following 20 years or so. A new style of local plan was introduced in 2004, called local development frameworks. These are now referred to simply as 'local plans', but their basic structure remains the same.

Before 2004, development plans were made up of local plans from district councils, structure plans by counties and unitary development plans by unitary authorities. Some authorities' development plans will still include 'saved' policies from these old plans, as they're still working on their new post-2004 development plan.

£4.9bn

**WAS RAISED
FROM PLANNING
OBLIGATIONS
IN 2008-2009**

Step 4

Examine the development plan



Only 0.7%

**OF ALL
APPLICATIONS ARE
CLASSED AS 'MAJOR'
DEVELOPMENT**

For the time being, the development plan also includes policies in regional planning documents, formerly known as regional spatial strategies. A significant new piece of legislation, the Localism Bill, which is currently making its way through Parliament, will abolish regional planning. We expect that the Localism Bill will become law in late 2011 and the reforms will be rolled out in April 2012.

The Localism Bill is also introducing a new neighbourhood planning tier. If neighbourhood development plans are developed in your area and go through a referendum successfully they will also become part of your development plan.

Which plan to use

You may find that more than one version of the development plan is available on your local planning authority's website. You need to focus on the version that is 'formally adopted', because this will carry the most weight with decision-makers. However, sometimes the formally adopted version is some years old, and the local planning authority is in the process of

The development plan outlines the amount and type of development, and where it will take place, in your area for the next 15-20 years. ►



Step 4

Examine the development plan



updating or producing a draft new plan. If the formally adopted plan is over five years old, and/or the draft plan has already been through at least one round of consultation, then the draft plan is also likely to have some force.

Supplementary planning documents

Supplementary planning documents, usually included in the local plan, can give further context and detail to development plan policies. These documents can include design guides, or address development in a certain neighbourhood or affordable housing policy for the area.

These documents are not part of the statutory development plan. They don't have the same weight when local planning authorities are considering planning applications. But they can be a material consideration. They are likely to be particularly useful if the authority consulted the public during their preparation and they've been subject to a council resolution by the local planning authority adopting them. Public consultation is required before any new supplementary planning guidance can be considered to carry weight in decisions on planning applications.



14

**GREEN BELTS
IN ENGLAND**



◀ *The development plan will specify the best sites for new development in your area. Is the application you are looking at for development on one of these sites?*

Step 4

Examine the development plan



Material considerations

Material considerations can include:

- government policy;
- opinions put forward during the application stage;
- the designated status of a site or its surroundings (for example, if it's an Area of Outstanding Natural Beauty);
- the planning history of the site – including existing planning permissions, previous refusals and appeals; and
- the effect on a conservation area or listed building.

A particularly important new material consideration, called the 'presumption in favour of sustainable development', is currently being introduced as part of the new national planning policy document, the National Planning Policy Framework. The presumption in favour of sustainable development states that if a development plan is 'absent, silent, indeterminate or where relevant policies are out of date' with regard to a development proposal, planning permission should be granted.

Two types of policies in development plans

Development plan documents are generally made up of two types of policies: site-specific and generic development control (or general) policies.

Site-specific policies set out how the local planning authority will deal with planning applications in a particular place, such as a conservation area.

General policies set out how the local planning authority will deal with planning applications for particular types of development, such as housing, retail or industry. These sometimes include strong indications of the locations that the local planning authority does – and does not – consider suitable for a given type of development.



**PARISH COUNCILS
ARE ENTITLED TO
RECEIVE COPIES
OF ALL PLANNING
APPLICATIONS**

Step 4

Examine the development plan



If the development plan doesn't say what you want it to

If the plan clearly implies support for a proposal you are opposed to, and material considerations don't help, you may need to consider adjusting your stance. It may be that trying to improve the details of the planning application is the best approach to take. It's worth checking whether local policies are in line with current national planning policy. If not, they carry less weight.

Influencing future development plan policies

You will not be able to overturn a policy in the development plan simply by opposing a planning application. However, you may be able to influence your area's development plan when it's updated, so that it better represents the interests of your community and environment.

Development plans and national policy

Plans at the local level have to generally agree with national planning policies. If you are dealing with a more substantial planning application, you may find that these general policies are also relevant in their own right.

Higher level planning policy is set out in national planning policy and circulars. National policy covers a broad range of topics, including Green Belt and flood risk. The Government is currently in the process of replacing existing national planning policy with one National Planning Policy Framework, which once adopted will set out the Government's stance on all types of development.

1947

– THE PLANNING
SYSTEM WAS
OFFICIALLY
ESTABLISHED

STEP 5

Decide on your action



Step 5

Decide on your action



Now it's time to decide what action you're going to take on the planning application.

You could:

- support the application because it will have benefits for the local area, either now or in the long run;
- support the application but ask for details of the proposed development to be reconsidered and changed;
- take no action, since the proposal's overall effect would be neutral or of little relevance to your particular interest;
- register an objection to the application, but suggest action that could be taken to address your objection, such as amending the proposal or attaching planning conditions or a planning obligation; or
- request that the application be refused permission because of its adverse effects, which can't be dealt with satisfactorily by using conditions or obligations.



LOCAL PLANNING AUTHORITIES ARE LEGALLY REQUIRED TO KEEP COPIES OF ALL PLANNING APPLICATIONS ONLINE



◀ *Planning can make sure that residential streets prioritise pedestrians and cyclists over cars.*

STEP 6

**Put your comments
in writing**



Step 6

Put your comments in writing



When you're completely clear on your position, the next step is to make your comments in writing to the planning authority before the appropriate deadline. You must do this if you want your comments on a planning application to be properly considered.

You can find a sample letter/email in appendix two and three.

Writing your letter or email: top tips

1 Refer to the development plan

List development plan policies that support your case and explain why. Recognise and respond to development plan policies that conflict with your views. Explain what other planning issues you believe should affect the decision.

2 Consider the public interest

Explain how the development affects the local community as a whole. Avoid focusing on issues such as land ownership, the effects of the proposal on the value of neighbouring property, or the personal circumstances of the applicant.

3 Be clear and courteous, avoid personal issues and concentrate on the facts of the case

Separate out each point you want to make. Explain what you want to happen and, where appropriate, suggest conditions you want to see put on the application to improve the sustainability of the proposal. Try to be concise.



**PLANNING
CONDITIONS CAN
ENSURE NEW
DEVELOPMENTS
ARE BUILT IN
LOCAL STONE**

Step 6

Put your comments in writing



21 days

– THE LENGTH OF TIME PARISH COUNCILS HAVE TO COMMENT ON A PLANNING APPLICATION

4 Get comments in on time

You'll generally have two weeks to respond to a planning application. If possible, get your comments in before the deadline. If this is impossible, send a short letter summarising your views within the deadline and follow it up later with more detailed comments. Late comments may be taken into account, particularly if your views don't cause any delay in the decision, but you can't rely on this.

If you're sending an email, remember to include a postal address.

5 Consider approaching the applicant

You could approach the applicant to let him or her know your views or to persuade them to improve the application, either before or after you write your letter/email.

Planning plays an essential role in facilitating high quality new development, while maintaining a distinction between town and country. ►



Step 6

Put your comments in writing



◀ *Planning delivers every scale of development, from house extensions and new shops to power stations.*

STEP 7

Gather support



Step 7

Gather support



Telling the local planning authority your views is just the start of the process. You'll need as much support as possible, from within the local planning authority and the community, to make sure that the authority's decision takes account of your views. The more people who agree with you, and are willing to say so, the stronger your case will be.

For most major cases (unless the Government decides to call in the application), local planning authority councillors make decisions on planning applications. The planning officer should report the existence and gist of your written comments to the councillors when they meet as the planning committee. Don't assume members of the committee will read your letter directly.

Influencing decision-makers: top tips

1 Meet your local planning officers

A few days after you submit your views to the planning department, phone the case officer at the planning authority to make sure your comments have been received and to ask how they are likely to be treated. You might want to arrange a meeting with the officer involved to explain your case. Face-to-face, you may be able to bolster arguments that the authority thinks are weak, or argue against different viewpoints.

The planning officer handling the application will write a report to councillors to help them decide whether to grant planning permission. The officer may include a summary of your comments in the report.

Step 7

Gather support



8 weeks

– THE TIME LOCAL PLANNING AUTHORITIES SHOULD TAKE TO DECIDE NON-MAJOR PLANNING APPLICATIONS

You're legally entitled to look at the planning officer's report to the councillors' planning committee at least five days before they meet to make a decision. It's important to take this opportunity. You'll be able to see what information councillors are being given, and what decision the planning officer recommends they make. It will help you know how to brief councillors if you get a chance to speak at the meeting where a decision will be made and give you time to alert the local media if necessary.

Sometimes a planning decision is delegated by the councillors to the chief planning officer. Different authorities have different arrangements for delegating decisions but it is normal practice for council officers to take decisions on most minor applications. Try to find out early on who will decide on your particular application, and when, as this will affect what other action you need to take.

2 Approach your local councillors

It's a good idea to write to, phone or meet councillors before the decision is taken to make sure your views are heard. Ask the chief executive's office or administration department in your local planning authority for their names and contact details, or look at the local planning authority's website. It's especially important to contact the councillors representing the ward affected by the planning application.

Use whatever means you can to make sure that your case has a high profile, so that the right decision is made. This could include informing the media or organising a letter-writing campaign in response to an application. ►



Step 7

Gather support



Suggest a site visit by councillors if you think an issue can only be fully appreciated on the ground.

Note that currently councillors can't say which way they will vote before a committee meeting. The Localism Bill, when it comes into force in 2012, will change this, allowing councillors to give their view on an application before the committee vote.

Whether you're supporting or opposing a planning application, give councillors the reasons for this. You might also want to suggest conditions that should be attached to any planning permission granted.

Your goal is not only to convince the councillors that you have a case in planning terms, but to demonstrate the support your case has in the local community. Planning officers are mainly interested in the planning arguments, but councillors will often give weight to wider views. Planning is not a science and councillors may judge the issues differently from officers.

Liaise and coordinate your efforts with groups like the parish council, local organisations (CPRE group, the Women's Institute and residents' associations, for example), local businesses, your MP, community leaders, and organisations the planning authority might consult (for example, the Environment Agency or Natural England). A petition signed by locals can also be helpful, although lots of individually signed letters tend to carry much more weight.

3 Approach the right councillors

It makes sense to approach the councillors who sit on the planning committee and take the decision. Your ward councillor may be permitted to attend and speak on behalf of local people at a meeting you organise, even if not on the committee. Pay special attention to the views of the councillor who chairs the committee and steer clear of party politics. Councillors are required to make planning decisions on grounds relevant to planning, not on party lines.

13 weeks

– THE LENGTH OF TIME IT SHOULD TAKE TO DECIDE ON MAJOR PLANNING APPLICATIONS

STEP 8

Speak at committee meetings



Step 8

Speak at committee meetings



Speaking at the committee meeting where the application you're interested in is being considered could make all the difference to your chance of success.

Councillors tend to respond to strong local feeling. Some councils give the public the chance to speak for a few minutes at meetings to express their views.

How to organise speaking at a meeting:

- contact your local planning authority to ask if it allows interested members of the public to speak at committee meetings. The procedures on whether and when people are allowed to speak vary by local planning authority;
- give early notice that you want to speak. Some local planning authorities require you to give this notice when you submit your written comments on a planning application;
- if you're allowed to speak, confirm the date and location of the meeting and how long you will be allowed to speak for; and
- find out who else is speaking at the meeting and make sure you put any shared views across strongly and avoid repetition. If the local planning authority won't provide this information, you can use the planning officer's report to the committee, which should identify the most significant responses to the application.



**APPLICATIONS
FOR MAJOR
DEVELOPMENT ARE
ADVERTISED IN
LOCAL NEWSPAPERS**

Special cases

In some cases, special rules apply to how local planning authorities consider planning applications.



PLANNING APPLICATIONS HAVE TO INCLUDE A MAP OF THE DEVELOPMENT SITE

To comment effectively on a planning application, you should be aware if a development:

- involves a special type of planning application (this will be stated on the application);
- affects a special area, which is subject to tighter planning controls;
- is affected by a special type of development plan;
- needs consent under special legislation as well as planning permission;
- is subject to an environmental impact assessment;
- is deemed an exception to 'permitted development' (which allows certain kinds of development without express planning permission) so does not have the automatic planning permission it otherwise would;
- gives the planning authority some control over the external appearance of the development before submitting the planning application;
- is a local planning authority's own development proposal; or
- involves a retrospective planning application.

Planning delivers important new transport infrastructure. ►



Special cases

Special types of planning application

You should pay particular attention to planning applications falling under any of the four categories below. Your comments in these cases are likely to be especially valuable:

- renewal of a temporary planning permission;
- removal or variation of conditions placed on a previous planning permission;
- outline applications, which establish whether a development is acceptable in principle, before time and money is spent sorting out the details. These applications apply only to the erection of buildings. Where an outline application is permitted, the details will be 'reserved' for future discussion or approval. It is important to comment on an outline application, as this could be your only opportunity to influence whether the scheme should go ahead at all. Only the finer points of the development will be up for debate later; and
- renewal of expired planning permission. Standard planning consents expire after five years.

Special areas

It's more likely that a development will face stricter planning controls in some areas as opposed to others.



'THE PURPOSE OF PLANNING IS TO CONTRIBUTE TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT'

PLANNING AND COMPULSORY PURCHASE ACT 2004

◀ *Planning can encourage developers to create energy-efficient buildings, and to use innovative design that complements its surroundings.*

Special cases

For example, in conservation areas there are typically stricter than usual controls over buildings, satellite dishes, work to trees including felling, and demolitions. In national parks and the Broads, fish farming and extensions to farm buildings are more tightly controlled. In Green Belt areas, inappropriate development is generally not allowed (government policy on Green Belts explains what ‘inappropriate development’ is).

In general, special rules apply in National Parks and the Broads; Areas of Outstanding Natural Beauty; conservation areas; internationally important wildlife conservation sites – Special Areas of Conservation, Special Protection Areas and Ramsar sites; sites designated as nationally important for wildlife or geology, such as National Nature Reserves and Sites of Special Scientific Interest; and Green Belts.

Special protection

As well as planning permission, some kinds of development need consent under other legislation:



**EVERY LOCALITY
IN ENGLAND IS
COVERED BY A
DEVELOPMENT PLAN**

Listed buildings and conservation areas benefit from extra controls under the Planning (Listed Buildings and Conservation Areas) Act (1990). Buildings are ‘listed’ for their special architectural or historic interest. Any proposal to alter or demolish a listed building needs listed building consent. Within a conservation area, ‘conservation area consent’ is needed to demolish most unlisted buildings, structures and trees.

Hedgerows that are deemed ecologically or historically valuable have some protection under the Hedgerows Regulations (1997). Anyone intending to remove a rural hedge must notify the local planning authority, which has 42 days to decide whether to issue a hedgerow retention notice to stop the removal. Local authorities don’t have to publicise plans for hedgerow removal, but must keep a public register.

Tree preservation orders can be used to protect a group of or individual trees from damage or felling without the local planning authority’s consent. Your local planning authority

Special cases

should be able to provide details of trees covered by preservation orders in your area.

The Town and Country Planning (Control of Advertisements) Regulations (1992) control **outdoor advertisements**. Many outdoor advertisements need ‘advertisement consent’.

There are also regulations covering the **interiors of buildings**, **pollution control** and the **protection of ancient monuments**. These are not covered by the planning system.

If you’re in any doubt about a particular case, ask your local planning authority what controls apply and under what legislation.

Environmental impact assessment

Development likely to have a significant effect on the environment is subject to an environmental impact assessment. This helps to ensure that the environmental implications of a new development, and alternatives, are fully explored before a planning decision is made.

Certain types of development require an impact assessment automatically. Others may need one if their environmental effects could be significant. If you’re not sure whether a development requires an assessment, or how to encourage the local planning authority to request one, check the government guidance in Department for Communities and Local Government Circular 02/99 – Environmental impact assessment.

If an assessment is required, the developer must present an ‘environmental statement’ along with the planning application. This should explain how measures taken in the development do the least possible harm to the environment and what that harm will be. Environmental statements should look at alternatives to the development proposal. The public has the right to comment on the environmental statement.

Local planning authorities should decide on planning applications for development requiring an environmental impact assessment within 16 weeks.



152

– THE NUMBER
OF PLANNING
AUTHORITIES
IN ENGLAND

Special cases

Planning can make sure that new development respects the unique character of an area. ►



Exceptions to 'permitted development'

Some types of development, known as 'permitted development', receive automatic planning permission. They are typically small-scale or within an existing development. However, in special cases or areas the local planning authority can require a planning application to be submitted with an 'Article 4 direction'.

Developments that require prior approval of the detail

For some developments, permitted development applies but the planning authority needs to approve the details of the proposal before development starts. In these cases, the authority has a chance to get a development repositioned or the external appearance changed, but can't question whether the development should be allowed.

A range of developments fall into this category, including outbuildings related to farming and forestry (but not new dwelling houses, where normal controls apply) and telecommunications masts under 15 metres in height.

Local authorities' own developments

Under the Town and Country Planning (General Permitted Development) Order (1995), local planning authorities are allowed

Special cases

to put up structures like bus shelters and information kiosks as permitted development. Beyond this, they often determine their own planning applications, either for development that they want to carry out themselves, or where they're making local planning authority land available for development by others.

County councils can grant themselves planning permission for their own developments, such as major new roads and school buildings. County councils also decide all planning applications in connection with minerals or waste, which are deemed 'county matters'.

Retrospective planning applications and lawful use certificates

Development that has been started, or even completed, without permission may still be subject to a planning application. In these cases, the developer has to apply for retrospective planning permission. Arrangements for handling this kind of application are the same as for any proposed development. If the application is unsuccessful, action should be taken by the local planning authority to remedy the damage done by the development.

Another option is for owners of the land in question to apply for a certificate of lawful use. Under the Town and Country Planning Act (1990) there are two types of lawful use certificates: certificates of lawfulness of existing use or development (CLEUDs) and certificates of lawfulness of proposed use or development (CLOPUDs). Local planning authorities would grant such certificates only where it was proved that the use of the land has not breached planning controls. If you're faced with such an application and you have proof that planning controls have been, or will be, ignored, you should make the local planning authority aware.

91%

**OF PLANNING
DECISIONS WERE
DELEGATED TO
LOCAL AUTHORITY
OFFICERS IN
2009-2010**

Glossary

Change of use

All buildings are classified as having a use, for example, retail. Planning permission is generally required if you want to change this use. Some use changes count as permitted development so don't need planning permission. For example, changing a hot food takeaway to a shop is permitted development.

Conditions

Planning conditions are provisions attached when planning permission is granted. They can:

- limit development rights for a particular site;
- modify the proposals in a planning application by, for example, reducing the size of the site allowed to be developed. On sites worked for minerals or waste disposal, conditions can include restoring soil and/or 'aftercare' – restoring the land so it's fit to be used for a particular purpose;
- govern the occupancy (though not the ownership) of dwellings used by agricultural workers; and
- grant planning permission only to one person, rather than leave it in force for a site regardless of the owner, as is usually the case.

Only local planning authorities can enforce conditions. Conditions can't involve cash payments by the developer, either voluntarily or at the request of

the local planning authority. Developers can seek to have conditions removed or amended by appealing to the local planning authority.

The Government has five tests for conditions: they must be necessary; relevant to planning; relevant to the development to be permitted; enforceable; and precise and reasonable.

County council

The upper tier of the two- or three-tier county shire local authority structure in England. County council responsibilities include transport, schools and administering births and marriages.

Development

Most development needs permission to proceed. Development has a legal definition, found in section 55 of the Town and Country Planning Act (1990). There are two parts to the definition. Firstly, 'operational' development is defined as the carrying out of building, engineering, mining or other operations in, on, over or under land. Secondly, 'changes of use' is defined as making any change in the use of buildings or land.

Development plan

A development plan sets out the policies and proposals for the development, conservation and use of land and buildings in a particular local planning authority area. The development plan is the most important consideration for local

Glossary

planning authorities when they decide on a planning application.

The development plan generally includes development plan documents (DPDs) that are part of a local planning authority's local plan. This includes waste and minerals documents prepared by county councils. When the Localism Bill receives Royal Assent, which we expect in late 2011 or early in 2012, the development plan will change in two key ways. The Regional Strategies that have been part of it since 2004 will be abolished. Any neighbourhood plans that have been prepared covering any part of the local planning authority area will become part of the development plan if they've received enough support in a referendum.

Development plan document

Development plan documents (DPDs) are plans and strategies written by a local planning authority that form part of the local plan. They form part of the formal development plan, so planning decisions must be taken in line with them unless material considerations indicate otherwise.

Because DPDs form part of the formal development plan there are strict rules about the level of public consultation that must happen when putting them together. They must also undergo sustainability appraisal before adoption by the relevant council.

District council

The lower tier, or where parish or town councils exist, middle tier, of the two- or three-tier county shire local authority structure in England. District council responsibilities include planning, waste collection and provision of leisure facilities.

Environmental impact assessment

This identifies and assesses the likely effects of a development on the environment. It should be done at the earliest possible opportunity and before a decision is made. Under the Town and Country Planning (Environmental Impact Assessment) Regulations (1999), an assessment is required to accompany planning applications for developments that fall under schedule 1 of the regulations, or that exceed certain thresholds and are included under schedule 2 of the regulations.

Government planning policy

National planning policies that local planning authorities should take into account when drawing up development plans and other documents and making decisions on planning applications. In the past these policies have been included in Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs). The Government is currently consolidating and streamlining this guidance into a new National Planning Policy Framework, which is expected to be in place by early 2012.

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Green Belt

Green Belt is a defined area of countryside around a town or city which is protected from 'inappropriate' forms of development – as defined in government planning policy on Green Belts. There are Green Belts throughout the country, but not in every county. Green Belts aim to stop urban sprawl and the merging of settlements, preserve the character of historic towns and encourage development to take place within existing built-up areas. Quality or appearance of land is not a factor when deciding whether to designate it as a Green Belt.

Greenfield site

Land not previously used for development. Greenfield is usually land last used for agriculture or forestry and is generally found next to or outside existing built-up areas.

Highway authority

Highway authorities are responsible for producing the local transport plan and for managing existing or proposed new local roads in the area. In most places, the local highway authority is part of the county council, the metropolitan council or the unitary authority. Transport for London is the highway authority for London.

Land use planning

The planning system largely provides the framework for how land is used and developed. The system aims to make sure land is used in the public interest.

It also makes sure that facilities like roads, schools and sewers are built where they are needed.

Local authority

An umbrella term for the administrative body that governs local services such as education, housing and social services. There are three main types of local authority structure in England:

1. Two- or three-tier 'shire' counties consist of a county council, under which sits a number of district councils, in turn under which in many cases sit parish or town councils. Local public services are divided between the tiers.
2. Unitary authorities and metropolitan boroughs are governed by one authority responsible for most major services. Many unitary authorities are two-tier authorities however, with parish and town councils in place.
3. There's a two-tier local authority structure in London, with 32 London boroughs sitting beneath the Greater London Authority. Although it is legally possible to establish a parish council in London, at the time of writing none exist.

Local plan

A portfolio or folder of documents setting out the planning strategy for a local planning authority area. Since the Planning and Compulsory Purchase Act (2004) and until recently, this type of plan was known as a local development

Glossary

framework. The Government now uses the simpler description 'local plan'. The Planning and Compulsory Purchase Act (2004) replaced old style local plans, structure plans and unitary development plans. The key difference between the pre- and post- 2004 systems is that new style local plans are really a 'folder' of development plan documents and supplementary planning documents, each addressing different issues. This is in contrast to the old style plans which consisted of one development plan document, supported by supplementary guidance.

Local planning authority

The local government body responsible for formulating planning policies, controlling development and determining planning applications. This could be a district council, unitary authority, metropolitan council or national park authority. When development involves minerals or waste, the county council or unitary authority is normally the local planning authority, and is referred to also as the minerals planning authority or the waste planning authority.

Localism Bill

A major piece of new legislation, which at the time of writing is making its way through Parliament. We expect the Bill to receive Royal Assent towards the end of 2011, when it will become the Localism Act. The legislation includes wide-ranging changes to local government, housing and planning. Significantly, the Bill

abolishes regional planning, and introduces neighbourhood plans to the development plan.

Major development

Major development is development that consists of mineral working; development of ten or more houses; a residential development with a site area of 0.5 hectares or more; development of floorspace of 1,000 square metres or more; and development of a site of one hectare or more.

Material consideration

A factor which will be taken into account when reaching a decision on a planning application or appeal. Under section 38 of the Planning and Compulsory Purchase Act (2004), decisions on planning applications 'must be made in accordance with the [development] plan unless other material considerations indicate otherwise'. The courts ultimately decide what constitutes a material consideration. However, case law gives local planning authorities a great deal of leeway to decide what considerations are relevant, and how much weight should be given to them, each time they decide on a planning application. In practice, government planning policy is often the most important material consideration, other than the development plan. Government policy may override the development plan if it has been consulted on and published more recently.

Glossary

Metropolitan authority

Metropolitan authorities are essentially the same as unitary authorities. They provide a one-tier, or where parish or town councils exist two-tier, structure of local authority in England. The responsibilities of metropolitan authorities include education, planning, waste disposal and social services.

Minerals and waste development plan documents

Following the Planning and Compulsory Purchase Act (2004), these will progressively replace minerals and waste local plans. They contain the authority's policies on disposing waste and on the working and apportionment of minerals.

National park authority

National park authorities are responsible for the governance of national parks. They are obliged to conserve and enhance the natural environment of the park, and to improve opportunities for public access and enjoyment. The national park authority is the local planning authority for all English national parks.

Neighbourhood plan

Once the Localism Bill becomes law, communities will be able to prepare neighbourhood planning documents, outlining how they envisage their area developing in the future. Details of how neighbourhood planning will work in practice are still being ironed out – go to www.planninghelp.org.uk for up-to-date information.

Obligations

A planning obligation is a legal agreement attached to a planning permission that requires the provision of certain services or infrastructure that will make a planning proposal that would otherwise be unacceptable, acceptable in the eyes of the planning system.

There are two types of planning obligation; section 106 agreements, and Community Infrastructure Levy. Local planning authorities can use section 106 agreements to require, for example, that a certain proportion of housing on a residential development is affordable. Section 106 agreements are negotiated on a case by case basis.

Community Infrastructure Levy is a fixed amount of money that must be paid by a developer when they get planning permission. The amount paid is in proportion to the size of a proposed development, and will be set out in a document published by the local planning authority called the 'charging schedule'. This money must then be used to provide necessary infrastructure at the site; for example a new public park, school or bus shelters.

Parish or town council

Parish or town councils, where they exist, are the lowest tier of local government in England. Around 30% of England's population is governed by a parish council, predominantly in rural areas.

Glossary

Some urban areas, and notably Milton Keynes, are also parished.

Parish and town councils are elected bodies and have powers to raise taxes. Their responsibilities vary, but can include provision of parks and allotments, maintenance of village halls, litter control, and maintenance of local landmarks.

Permitted development rights

Rights to carry out certain limited forms of development without having to make an application for planning permission. These are granted under the terms of the Town and Country Planning (General Permitted Development) Order (1995).

Planning and Compulsory Purchase Act (2004)

The Planning and Compulsory Purchase Act (2004) was a major piece of planning legislation, which amended much of the Town and Country Planning Act (1990). In particular, the 2004 act made significant changes to the system of development plans and introduced 'sustainable development' as an objective of the planning system.

Ramsar site

A Ramsar site is an area of wetland designated under the international Ramsar convention of 1975. The convention aims to conserve and protect the ecology of wetlands of international importance. Ramsar sites receive special protection in the planning system.

Regional spatial strategy or regional strategy

Statutory Regional Spatial Strategies were introduced by the Planning and Compulsory Purchase Act (2004), and currently form part of the development plan. The Local Democracy, Economic Development and Construction Act (2009) combined regional spatial strategies and regional economic strategies to create regional strategies. Regional strategies address planning issues that cross over local planning authority boundaries, for example energy provision, longer distance transport, and protection of the natural environment at a larger than local scale. Once the Localism Bill receives Royal Assent, these strategies will be abolished.

Secretary of State

The Secretary of State is the most senior government minister responsible for the work of his or her department. The government department responsible for planning is the Department for Communities and Local Government.

Statutory consultee

A statutory consultee is a body the local planning authority must consult if a planning application could affect their interests. For example, the Highways Agency must be consulted on applications that could affect a major road, and the Environment Agency must be consulted on development that would affect a river or culvert.

Glossary

Supplementary planning document

Supplementary planning documents (or SPDs) are prepared by district or unitary authorities, and form part of the local plan for an area. SPDs usually provide more detail on policies in development plan documents, for example on design or local affordable housing policy. They are not a part of the formal development plan, but are a material consideration when deciding on a planning application. Because they are not part of the development plan, SPDs do not have to be consulted on as extensively as development plan documents, and do not undergo sustainability appraisal.

Sustainability appraisal

Sustainability appraisal assesses the economic, environmental and social impacts of a proposed policy or plan, to ensure that it would contribute to achieving sustainable development.

Development plan documents have to undergo sustainability appraisal, but supplementary planning documents do not.

Unitary authority

Unitary authorities provide a one-tier, or where parish or town councils exist a two-tier, structure of local authority in England. The responsibilities of unitary authorities include registering births, marriages and deaths, waste collection and disposal, social services, and provision of social housing.

Ward councillor

The subdivisions of a local authority area are known as 'wards'. A ward councillor is a person elected in local elections to represent a particular ward. It is very common for one ward to be represented by more than one councillor. Ward councillors are responsible for ensuring that the interests of all of the residents in their ward are represented at local authority level.

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Affordable housing in Elmswell, Suffolk.

As in this case, planning can enable communities, parish and town councils, developers and architects to work together to build truly innovative and sustainable affordable homes.

Appendix 1

How planning applications are assessed

No matter what a planning application is for, it goes through the same basic approval procedure. However, different types of application are determined against different policies and by different people.

What the application is for	Who determines the success of the application and how
Change of use of land or buildings	<p>Who: The local planning authority (usually a district council or unitary authority).</p> <p>How: Applications are assessed against the development plan and other material considerations. The development plan must be compatible with government planning policy.</p>
A new road or expansion of an existing road	<p>Who: The highway authority (county council, unitary authority or metropolitan borough) if it's a local road; the Secretary of State for Transport if it's a trunk road or motorway scheme.</p> <p>How: Applications for motorway and trunk road schemes are assessed against the development plan and other material considerations. The development plan needs to be compatible with government planning policy. The processes for deciding on the proposal are governed by the Highways Act (1980).</p>

Appendix 1

What the application is for	Who determines the success of the application and how
A new quarry, or an extension to an existing quarry	<p>Who: The minerals planning authority, which is the county council or unitary authority.</p> <p>How: The main policy document is the minerals development framework. It needs to be compatible with the Government's mineral planning statements. The local development framework will also be relevant.</p>
Planning application concerning the management of waste	<p>Who: In most cases, the waste planning authority (the county council or unitary authority). The local planning authority (a district council or unitary authority) will decide on some applications.</p> <p>How: The waste planning authority produces a waste development framework. Proposals will be tested against the policies in this and other material considerations. The local development framework will also be relevant.</p>

Appendix 2

Sample letter or email of support

Your full address

R Jones
10 Main Street
Small Bere
BH21 4BC

Address of the local planning authority department dealing with the application, as stated on the site notice/neighbour notification/newspaper advertisement for the planning application

Development Control Services
Borne District Council
Civic Centre
Biggerton
Basset BH21 0AA

Date

5 August 2011

Name of planning officer dealing with case

For the attention of Mr D C Mann, case officer

Dear Sir/Madam

Reference

PLANNING APPLICATION NO. 00/0741

One-line summary including what the application proposes, where it is (the site) and who is proposing it (the applicant)

Proposed erection of five houses adjacent to Manor Farm, Back Lane, Small Bere, by Mr E Preneur.

Appendix 2

Interest and general view of person writing

I write in connection with the above planning application. I have examined the plans and know the site well. I wish to offer my support to the proposal, for the reasons outlined below.

Reference to government policy and site-specific local development plan policy which, though not yet adopted, is the most recent and has already been consulted on

I am aware of the concerns of some in the community that this proposal for infill development will damage the character of the village. However, I believe that Small Bere is a village well suited to sympathetic and well planned expansion. Policy C14 of Borne's emerging Core Strategy (awaiting independent examination) states that the village could expand to the degree of 60 new households. In my opinion a number of high quality infill proposals, similar to this application, would meet this need in the most sympathetic way possible, avoiding the need for a new 'estate' development. The latter would be much more likely to disrupt the character of Small Bere, and would make it more difficult to incorporate the new houses into the community. In addition, the draft National Planning Policy Framework states that there should be a wide choice of high quality homes to meet people's needs; this development would help to meet the demand for such housing in Small Bere.

Appendix 2

Where applicable, reference to the neighbourhood plan for the area

The Small Bere neighbourhood plan is also being developed in consultation with the community and Borne District Council. The development proposal will contribute to Small Bere's ambition to become an exemplar community for reductions in carbon emissions by going beyond the high design requirements of draft policy D2, and incorporating features that will ensure these new houses are 'zero-carbon'. I acknowledge that market housing development on this site does not conform to policy H6 of the emerging neighbourhood plan, which requires that all new housing provision above that allocated for in Borne's emerging site allocations development plan document should be affordable. I think that the high quality of the proposals however, combined with the long-term sustainability of the site chosen, outweigh the force of this policy. The developer has also indicated that one of the homes on the site will be affordable; this will make a contribution to meeting Small Bere's affordable housing needs.

Reference to government policy and to 'planning history' – the local planning authority's previous planning decisions in the area

Small Bere is a thriving village, and there is considerable demand for housing here. Applications for larger-scale housing developments have been refused in recent years because of concerns about their impact on the existing road network. The siting of this proposal is much improved on these past applications, and in line with the draft National Planning Policy Framework. It makes provision for travel by sustainable means: village facilities would be easily accessible by foot or bicycle, and bus stops for travelling either east or west to nearby towns and larger villages are within easy walking distance of the proposed entrance to the development.

Appendix 2

Reference to other issues which affect the community as a whole, rather than individual interests. You could also mention the parish plan or village design statement, if these exist for your area

The site for this development has been well chosen. It is within the boundaries of the village, as defined by policy S10 of Borne's emerging Core Strategy, and therefore nearby to Small Bere's local services, such as shops, the pub and the village hall. I am aware of the concerns of some in the community that the development will mean the loss of some open space that is used for informal recreation. I note however that the scheme includes the provision of a smaller, but landscaped public green area, which will be open to use by all. I am also aware of demand among the community of Small Bere for new houses in the area. Many who have grown up in the area would very much like to remain, but family-size houses such as those proposed rarely come available on the market. This development proposal is therefore welcomed by this section of the community.

Reference to development plan generic development control policy which, though not yet adopted, is the most recent and has already been consulted on, plus references to further issues of concern to the wider community

Policy H9 of Borne's emerging Core Strategy states that proposals for development that are particularly innovative in their approach to reducing the carbon emissions of the district should be considered in a favourable light. As described above in relation to Small Bere's emerging neighbourhood plan, this application certainly falls into this category, and therefore in my view should be given planning permission.

Appendix 2

Reference to other bodies in the local community who support your position

I understand that this proposal is also supported by the Small Bere Women's Association.

Formal request to speak at the local planning authority committee meeting at which the application may be decided (some local planning authorities require respondents to planning applications to give notice, in their response, of their wish to speak at committee meetings)

If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let me know the date of the meeting as soon as possible.

Signature

Yours faithfully,

R Jones

Appendix 2

Ultimately, planning is an essential tool for ensuring that people are involved in the design and construction of new buildings that shape the places where we live, work and play.



Appendix 3

Sample letter or email of objection

Your full address

A Barsetson
6 Smith Lane
Small Bere
BH21 4BC

Address of the local planning authority department dealing with the application, as stated on the site notice/neighbour notification/newspaper advertisement for the planning application

Development Control Services
Borne District Council
Civic Centre
Biggerton
Barset BH21 0AA

Date

5 August 2011

Name of planning officer dealing with case

For the attention of Mr D C Mann, case officer
Dear Sir/Madam

Reference

PLANNING APPLICATION NO. 00/0741

One-line summary including what the application proposes, where it is (the site) and who is proposing it (the applicant)

Proposed erection of five houses adjacent to Manor Farm, Back Lane, Small Bere, by Mr E Preneur.

Appendix 3

Interest and general view of person writing

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to the development of these houses in this location.

Reference to government policy and site-specific local development plan policy which, though not yet adopted, is the most recent and has already been consulted on

Small Bere is a dispersed settlement where development proposals should be considered very carefully: infilling could ruin the character of the village while estate development would overwhelm it. The protection of Small Bere's visual, historic and archaeological qualities is also supported by Policy C6 in the emerging Core Strategy for Borne (awaiting independent examination), and paragraph 121 of Planning Policy Statement 3 states that inappropriately-designed housing, or design that fails to take opportunities to improve the character of an area, should not be accepted.

Where applicable, reference to the neighbourhood plan for the area

The Small Bere neighbourhood plan is also being developed in consultation with the community and Borne District Council. Policy H4 states that beyond market housing provision made in the district's site allocations development plan document only proposals for affordable housing for local people are supported. As the site subject to this proposal is not included in the emerging site allocations development plan document, on which the public have been consulted, it goes against the development plan for Small Bere.

Appendix 3

Reference to government policy and to ‘planning history’ – the local planning authority’s previous planning decisions in the area

Pressure for the development in the village is considerable, mainly for housing city commuters, but has been successfully resisted in four similar cases (including two on appeal) in the last five years. The reasons for rejecting those schemes also included the inadequacy of the lanes apart from Main Street to accommodate even small increases in traffic, and because road widening would destroy ancient field boundaries. In addition, I am concerned about Bassetshire County Council’s proposals to reduce bus services through the village. This could limit opportunities for the residents of the new development to travel by public transport.

Reference to other issues which affect the community as a whole, rather than individual interests. You could also mention the parish plan or village design statement, if these exist for your area

The proposed siting of the development is particularly ill-considered: it is on a greenfield site used by many villagers and tourists for recreation and walking dogs, and building here would both diminish the striking view into the centre of the village from the Chase Hills and be prominent from most angles within the village. The chalet style design is out of keeping with the village’s strong historic character – no other dwelling in the village has a balcony, for instance. While design issues might be solved by conditions or revised proposals, these could not remedy the siting problem.

Reference to development plan generic development control policy which, though not yet adopted, is the most recent and has already been consulted on, plus references to further issues of concern to the wider community

Furthermore, there is no need for this kind of open market housing in the village. Borne District has more than five years’ supply of housing land to meet the requirements of its emerging core strategy’s policy H1. Small Bere already has enough large houses: the only identified need is for affordable housing for residents who work locally, as recently confirmed by your Housing Department’s Housing Needs Survey. As an alternative to this proposal, we would support the construction of a terrace of five houses built on Main Street, if it was ensured that these were affordable homes for local people.

Appendix 3

Reference to other bodies in the local community who support your position

We understand that the Biggerton and Environs History Society share these concerns.

Formal request to speak at the local planning authority committee meeting at which the application may be decided (some local planning authorities require respondents to planning applications to give notice, in their response, of their wish to speak at committee meetings)

If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let me know the date of the meeting as soon as possible.

Signature

Yours faithfully,

A Barsetson

Looking for further advice?

Planning Help is a website that will help you to understand the planning system and how to contribute to the decisions that shape your area's future. The website has links to information on national planning policy, addressing issues such as housing, transport and Green Belts. There are also tips on working with your local planning authority and more detail about different aspects of the planning system.

www.planninghelp.org.uk

This publication is also available online. Visit **www.planninghelp.org.uk** to download a copy.

A short e-learning course on *How to respond to planning applications* is also available at **www.ntselearning.co.uk**. The course examines the step-by-step process outlined in this booklet using real world scenarios. The course is free and available to everyone – simply register on the site to begin.



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