

Planning Training
session for Redenhall
with Harleston Town
Council
27th February 2024

Responding to consultations on
planning applications



Session will cover

- Recap on the role of the Town Council as a statutory consultee in the Planning process
- What makes an effective consultation response
- Capturing local public opinion to inform consultation responses
- Using the Neighbourhood Plan and Design Code for robust responses

Background to the Planning system

- Planning applications are required where 'development' is proposed
- Defined in law as: 'the carrying out of building. Engineering, mining or other operations in, on over or under land, or the making of any material change in the use of any buildings or other land'
- Planning system is 'plan led' i.e. applications should be determined in accordance with the 'development plan' in force at the time.
- The current development plan for the area is made up of :
 - The Adopted Joint Core Strategy (soon to be GNLP)
 - South Norfolk's Adopted Development Management Policies
 - South Norfolk's Adopted Site Specifics Policies

Planning Applications

- South Norfolk is the 'local planning authority' and determines planning applications
- Applications can be:
 - Householder – extensions, alterations etc
 - Minor – single dwellings, small groups, small scale business or commercial uses
 - Major – over 10 dwellings , over 0.5 ha, over 1,000 sq metres of business space.
- Determination times: 8 weeks for householder and minor and 13 weeks for major (16 weeks if environmental assessment required)

Processing applications

- The LPA will consult/notify the 'statutory consultees' – usually 21 days to respond
- These are set out in the regulations
- The Town Council is a 'statutory' consultee and is notified of every application irrespective of size and nature
- Other statutory consultees will be consulted depending on the size, scope and nature of the application
- Statutory consultees are consulted in order for them to comment on the basis of their specific expertise e.g. Norfolk County Council as Highway Authority or Local Lead Flood Authority, Environment Agency, Natural England, Historic England etc etc

The role of the Town Council

- Consulted due to your local knowledge and to add a local dimension to the determination of the application
- Provide local knowledge.
- Raise areas of concern.
- Inform, debate, and add value to the process.
- Contact and involve District Councillors if required
- To provide comments to the District Council
- Not to 'approve' or 'refuse' applications

Relationship with other consultees

- The LPA will look to the other statutory consultees for their 'expert' response to the application
- The TC should not try to act as the LPA or as a statutory consultee in another field – however tempting it might be
- The views of the statutory consultees will be given weight for the issues they cover e.g. health consultees will be given weight in those matters, the Highway Authority in highway matters
- At appeal the LPA needs to substantiate its reasons for refusal and therefore if the HA is not objecting then something refused on highway grounds may be successful at appeal
- LPA will also be mindful that costs can be awarded against the LPA if they have acted unreasonably e.g. a reason for refusal that is not substantiated.

What makes a credible response (1)

Comments should be the response of the Town Council as agreed by the Town Council – not the views of a single councillor or individual



The response should be a single response not a collection of individual responses that the LPA will then need to wade through



Response should be clear, concise (if possible) and relate to planning matters only.



These are known as material considerations

The following are **not** Planning considerations

History of applicant.	Noise & disturbance from construction work
Speeding	Bins
Loss of private view.	Land & boundary disputes.
Commercial competition.	Damage to property.
Change from previous scheme.	Private rights of way.
Impact on property value.	Land ownership
Restrictive covenants.	Private issues between neighbours.
Ownership of land, right of access	Lots of objectors

What makes a credible response (2)

- Focus on local dimension and knowledge that the LPA may not be aware of
- Make factual observations e.g. *“The Corner of X Road has flooded X times since 2004”*.
- Point out factual errors (as you see them) in the application paperwork
- Use your Neighbourhood Plan and Design Code to assist your responses
- Try not to be emotive e.g. *“X Road is a death trap”*

What makes a credible response (3)

- Don't try to be highway, medical, commercial, drainage or environmental experts – that information will come from the relevant statutory consultee.
- Don't get tied up too much in national and local policy – the LPA is expected to demonstrate how it has taken into account its own Local Plan policies and the NPPF or other guidance
- Your role is to provide a local dimension

Capturing local opinion to inform responses

If, when notified, the application looks like it might be controversial and attract a lot of local interest – ask the LPA for an extension of time

You can publicise the details of the application

You can facilitate a public meeting to allow local people to air their views

You can encourage local people/groups to respond to the consultation

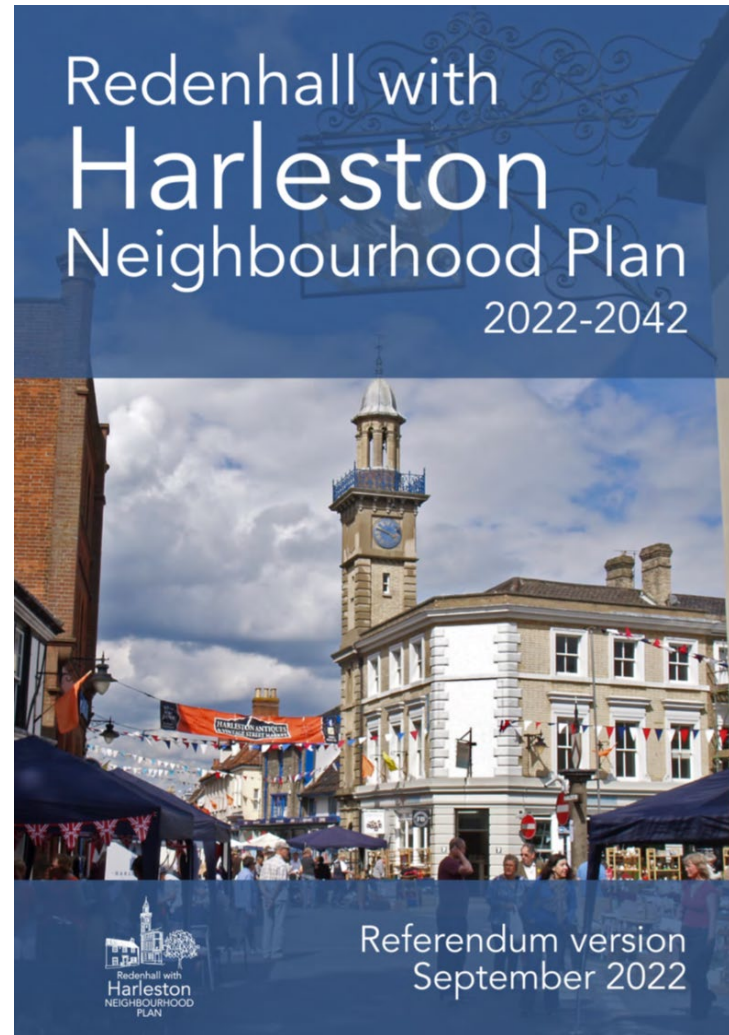
You will need to make it clear that the official TC response should only include comments on 'planning matters'

You can ask your local councillor to speak on your behalf if the application goes to planning committee

Other issues to think about

- Not every consultation on a planning application will need a public meeting
- Some responses may be quite straight forward
- You can encourage prospective developers to contact the Town Council at pre-application stage
- You can contribute to any early consultations from developers

Using the
Neighbourhood
Plan and Design
Code



Using the Neighbourhood Plan and Design Code

- Use the thematic policies in the Neighbourhood Plan to inform your responses
- Identify which NP policies will apply to the development e.g. if the proposal is for large scale housing, then most policies may apply, or maybe it is just retail or community facilities etc
- Check it doesn't affect a Non-Designated Heritage Asset (RWH4)
- Check it doesn't affect a Local Green Space (RWH9)
- Check it doesn't affect an important public view (RWH20)
- Check it doesn't affect an area of localised flooding (RW22)

Using the Neighbourhood Plan and Design Code

- Does it affect a public right of way? (RWH17)
- For housing proposals check it against RWH1
- For retail proposals check it against RWH10, 11 and 12
- Does it involve new connections ? (RWH15 and 16)
- Is heritage affected (RWH3)
- Does it involve existing community facilities or provide new ones (RWH 5, 6, 7, 8)

Using the Neighbourhood Plan and Design Code

- All proposals will have a design implication – whatever the scale
- Policy RWH2 refers to Design although the detail is in the Design Code
- Use the Checklist in the Design Code to tailor your responses.

Using the Design Code Checklist

1

General design guidelines for new development:

- Integrate with existing paths, streets, circulation networks and patterns of activity;
- Reinforce or enhance the established settlement character of streets, greens, and other spaces;
- Harmonise and enhance existing settlement in terms of physical form, architecture and land use;
- Relate well to local topography and landscape features, including prominent ridge lines and long-distance views;
- Reflect, respect, and reinforce local architecture and historic distinctiveness;
- Retain and incorporate important existing features into the development;
- Respect surrounding buildings in terms of scale, height, form and massing;
- Adopt contextually appropriate materials and details;
- Provide adequate open space for the development in terms of both quantity and quality;
- Incorporate necessary services and drainage infrastructure without causing unacceptable harm to retained features;
- Ensure all components e.g. buildings, landscapes, access routes, parking and open space are well related to each other;
- Make sufficient provision for sustainable waste management (including facilities for kerbside collection, waste separation, and minimisation where appropriate) without adverse impact on the street scene, the local landscape or the amenities of neighbours;
- Positively integrate energy efficient technologies;
- Ensure that places are designed with management, maintenance and the upkeep of utilities in mind; and
- Seek to implement passive environmental design principles by, firstly, considering how the site layout can optimise beneficial solar gain and reduce energy demands (e.g. insulation), before specification of energy efficient building services and finally incorporate renewable energy sources.

Using the Design Code Checklist

2

Street grid and layout:

- Does it favour accessibility and connectivity? If not, why?
- Do the new points of access and street layout have regard for all users of the development; in particular pedestrians, cyclists and those with disabilities?
- What are the essential characteristics of the existing street pattern; are these reflected in the proposal?
- How will the new design or extension integrate with the existing street arrangement?
- Are the new points of access appropriate in terms of patterns of movement?
- Do the points of access conform to the statutory technical requirements?

3

Local green spaces, views and character:

- What are the particular characteristics of this area which have been taken into account in the design; i.e. what are the landscape qualities of the area?
- Does the proposal maintain or enhance any identified views or views in general?
- How does the proposal affect the trees on or adjacent to the site?
- Can trees be used to provide natural shading from unwanted solar gain? i.e. deciduous trees can limit solar gains in summer, while maximising them in winter.
- Has the proposal been considered within its wider physical context?
- Has the impact on the landscape quality of the area been taken into account?
- In rural locations, has the impact of the development on the tranquillity of the area been fully considered?
- How does the proposal impact on existing views which are important to the area and how are these views incorporated in the design?
- How does the proposal impact on existing views which are important to the area and how are these views incorporated in the design?
- Can any new views be created?
- Is there adequate amenity space for the development?
- Does the new development respect and enhance existing amenity space?
- Have opportunities for enhancing existing amenity spaces been explored?



Specific Q and A Session