



Development Control Service Procedure Manual

Introduction

- 1.1 This Manual describes the procedures adopted by the Development Control Service of the Council. It is a code of practice for all Planning Officers and Administrative Officers involved in the provision of the Development Control Service.
- 1.2 The main objectives of the Manual are:
- To assist officers in the provision of an effective and efficient service to all of our customers.
 - To ensure that all officers are fully aware of their respective roles and responsibilities in the delivery of the Service.
 - To ensure consistency in the giving of advice and guidance to customers and other members of staff.
 - To be a key element in the induction of all new staff in the Service.
 - To help staff in meeting the objectives and targets in the annual Performance Plan.
 - To assist in the continuous improvement of the Development Control Service.
- 1.3 All procedure notes will follow the same format under the headings:
- Purpose This will set out the reason[s] for and objective[s] of the procedure.
 - Application This will indicate those officers to whom the procedure specifically applies.
 - Performance Indicator / Service Target This will indicate relevant performance indicators and service targets where applicable.
 - Procedure This will set out the main body of the procedure to be followed.
 - Appendices This will state all appendices attached to and forming part of the procedure note.
 - References This will identify particular sources of information relevant to the procedure note.
- 1.4 The Manual is a living document that will change over time to meet the constantly changing requirements and demands placed upon the Service. To this end the Manual will be kept electronically to ensure that at all times officers have access to the latest definitive version of all procedure notes contained within the Manual.

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- 1.5 The Manual will therefore be kept in the 'Development Control Procedure Manual' folder of your computer's 'R' drive as a *read only* document.
- 1.6 The Manual will help officers deal with changes to the Service required as a result of external forces, such as new legislation and government advice etc.. The Manual will also enable officers to more effectively challenge the way things are done and suggest new and improved ways of working in order to provide a continuously improving Service to all of our customers.
- 1.7 All officers are therefore encouraged to play an active part in keeping the Manual relevant and up-to-date. New staff are encouraged to share their knowledge and experience with other employers so that the Council can benefit from good practice used elsewhere.
- 1.8 Comments and suggestions for new procedure notes and revisions to existing ones, whether changes to the actual procedure or up-dating names and contact telephone numbers etc., should be submitted to your line manager or the Business Unit Manager using the appropriate form. The template for this form, "Procedure Manual Changes.dot", can be found in the 'Development Control Procedure Manual' folder on the 'R' drive.
- 1.9 All new procedure notes and revisions to existing ones will be considered and, where appropriate, agreed by the Development Control Service management team for inclusion in the Manual.
- 1.10 Finally, a note of warning. Compliance with the procedures set out in the Manual is not optional. Compliance is a requirement to be followed at all times by all officers.

November 2001

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Development Control Service Charter

Development Control- what we promise you

Southwark Council is dedicated to building an environment that is accessible and beneficial to everyone.

Through our development control procedures we aim to protect and improve the quality of the environment and to maximise opportunities to increase the social and economic prosperity of the borough.

This leaflet explains what you can expect from us and what you can do to help us assist you.

putting customers first

What we offer

We recognise that our customers have a diversity of backgrounds and interests and that because of this diversity there will sometimes be conflict between the demands and wishes of one individual or group and those of another individual or group. Wherever possible we will try to negotiate to resolve any conflicts. However, the nature of the planning process is that frequently we will have to make a decision that is likely to disappoint someone.

In reaching these decisions we will ensure that they are made fairly, consistently and openly and that we will provide a clear and fair service to all of our customers at all stages of the planning process.

Advice and Information

- We offer professional advice on all development control town planning matters. Where necessary, or where we cannot help you, we will suggest other Council departments and services where advice and information can be obtained to help you.

Before you make a planning application

- We will provide the forms you need to make an application.
- We will advise you about the fee that you will have to pay.
- We will supply detailed Guidance Notes to every applicant.

Pre-application discussions

- We encourage pre-application discussions before you submit your formal application to help guide you through the planning process.
- If you have written to us asking to have a pre-application meeting we will contact you to hold that meeting within 21 days of receiving your letter.
- We will tell you what details you need to submit to us prior to the meeting so that we have time to prepare adequately for the meeting.

Dealing with your planning application

- We will acknowledge that we have received your application within 3 working days.
- If you have had a pre-application meeting, we will endeavour to allocate your application to the same officer.
- If your application is completed correctly we will write to you with details of the planning officer assigned to your case.
- If your application is not completed correctly we will write to you and tell you why and what you need to do to make the application complete.
- If amendments are requested in order to make your proposal acceptable you will be given clear reasons as to why they are required.

How the decision will be made on your planning application

- We will try to give you a decision on your application within 8 weeks of the 'start date' given to you, however if your application needs to be decided by committee or requires amendment it may take longer.
- Should your application need to be decided by committee we will notify you of the date, time and venue of the meeting and provide you with a copy of the report.
- We will write to you notifying you of the decision within 1 working day of the decision being made.
- If planning permission is refused we will give you clear reasons for the decision.

An opportunity to comment on planning applications

- We will consult widely on planning applications to give the local community an opportunity of considering and commenting on development proposals.
- We will consult in a number of ways by means of the weekly list of planning applications, which is available in libraries and on the website [www.southwark.gov.uk/planning]; notices in the local press; the display of notices on the development site; and by individual consultation letters to neighbours and local groups who we consider are likely to be affected by a development proposal.
- You will normally have at least 21 days to send us your written comments. We will write to you to confirm that we have received your comments.
- You can inspect the application plans and other supporting documents at our offices [see section on [How to contact us](#) for details].
- We will take into account all comments which are relevant planning considerations in reaching our decision.
- If the application needs to be decided by committee we will notify you of the date, time and venue of the meeting and provide you with a copy of the report.

- We will write to you notifying you of the decision within 5 working day of the decision being made and send you a copy of the decision notice.

Conservation areas, listed buildings, archaeology and trees

- We aim to protect the natural and built environment and heritage of the borough. We will do this through the designation of conservation areas and, in partnership with English Heritage, the identification of buildings to be recommended for listing.
- We will keep the borough's built heritage under review to consider the designation of other areas for conservation area status and will respond to suggestions from local people and groups for the designation of new conservation areas.
- We will consult widely to seek the views of local people in respect of areas we propose to consider for designation as conservation areas.
- We will prepare a character statement for every new conservation area designated to give advice and guidance on the implications of the designation.
- We will notify all occupiers of buildings within newly designated conservation areas within 4 weeks of the designation.
- If you are the owner of a listed building we will provide you with detailed advice and guidance to help you when are considering changes to your building.
- The borough has a rich historical past and we will ensure that full archaeological investigation is carried out on sites before development commences.
- We will use our powers to impose conditions on planning permissions and to make Tree Preservation Orders to protect trees that make a valuable contribution to the visual amenity of areas.

Complaints made about possible breach of planning control

- We will send you an acknowledgement letter of your complaint and the action we will take within 3 working days.
- A planning enforcement officer will visit the site. In priority cases this will be within 5 working days of receiving your complaint. In other cases a first site visit will be made within 15 working days.
- We will fully investigate all complaints and aim to reach a decision within 8 weeks after acknowledging your complaint.
- Our decision will be sent to you in writing within 5 working days after it has been made.
- If we decide that planning control has not been breached or that formal enforcement will not be taken against a breach we will write to you and explain the reason why.
- Should we decide to take formal action against a breach of planning control we will tell you what steps will then be taken.

How you can help us to help you

When you send in your planning application

- Ensure you have fully completed all parts of the application form and certificates and signed them.
- Ensure that the fee is correct.
- Send to us all relevant information before any pre-application meetings.
- If you need assistance or have a query regarding your application please make an appointment to see the planning officer allocated to your case.

When you comment on a planning application

- Ensure that you provide us with your full postal address, including postcode.
- Ensure that you keep your comments to those that are relevant to planning considerations.
- If you wish to discuss the application in detail please make an appointment to see the officer dealing with the application.

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When you complain about a possible breach of planning control

- Ensure that you provide us with as much detail as possible about the possible breach including the specific address of the site or property and any harmful effect the possible breach is having on you or your neighbourhood.
- Ensure that you provide us with your full postal address, including postcode, so that we may contact you for further information and keep you informed of the progress of our investigation.

What you can read for additional information

- For larger projects, awareness of Southwark Council's *Unitary Development Plan (UDP)* will help to identify some aspects of your development that may or may not be suitable for construction in the Borough.
- A series of information and guidance notes are available that go into detail on the procedures mentioned and will help your understanding of the Planning Procedure.

If you have a complaint or compliment about the service you have received

- We welcome your views on the service we provide, both where you think there is room for improvement and also where you think we have done well.
- We will also regularly survey our customers for feedback on their satisfaction with the service provided and to identify areas for improvement.
- We will continuously review comments received about the service provided so that we can develop those areas that are working well and improve those areas where there are continuing problems.
- If you have a complaint about the service you have received this will be fully investigated. A detailed response will be sent to you within 10 working days. If we cannot reply within 10 working days we let you know the reason for the delay.

How to contact us

The office is open to the public from **9.00am until 5.00pm** Monday to Friday.

Between these times you will not need to make an appointment to see someone who can give you **general planning information** about making an application or the planning history relating to sites and properties in the Borough. You will also be able to see the Statutory Register of all planning applications that have been decided by the Council and those which are still being considered.

Between **1p.m – 4.00pm** a duty planning officer is available to give more **technical planning advice**. Please be aware that at busy times you may have to wait to see the duty officer.

Please note that the duty planning officer is only available to give general technical advice. If you wish to talk in detail about a specific planning application you should make an appointment to see the officer dealing with that application. If you wish to talk in detail about a development you are considering you should make an appointment to see a specific officer. Officers will normally be available to see you at most times during office hours so long as it is by prior arrangement.

Our address, telephone and fax numbers are as follows:

London Borough of Southwark
Regeneration Department
Planning – Development Control
Council Offices
Chiltern
Portland Street
London SE17 2ES

Development Control Service Procedure Manual



Tel: 020 7525 5403

Fax: 020 7525 5593

April 2002

<i>Procedure Note:</i> 1.1	<i>Date of Issue:</i> 20 th November 2001
<i>Section:</i> 1. General	
<i>Title:</i> E-Mail Groups Within Development Control Service	

1. PURPOSE

- 1.1 To facilitate quick and efficient communication to, and the sharing of information between, all staff in the Development Control Service where that information is relevant to and impacts on service delivery.

2. APPLICATION

- 2.1 All staff in Development Control Service.

3. PERFORMANCE INDICATOR / SERVICE TARGET

- 3.1 None specific.

4. PROCEDURE

- 4.1 The use of various e-mail groups on the intranet for the communication of important information to all, or specific groupings of, staff in the Development Control Service will ensure the quick and efficient delivery of that information to all appropriate staff.
- 4.2 Staff should make use of the e-mail groupings set out in Appendix 1 to ensure that no staff are left out of the process of information exchange.
- 4.3 Unit Managers are to ensure that all staff changes are notified to the Folder Administrator.
- 4.4 The e-mail groups listed in Appendix 1 can be selected from the "global address book" which is displayed by clicking the 'To' button when sending a new e-mail or forwarding or replying to an e-mail you have received and you wish to include specific staff groups in your reply etc.. The e-mail groups are all listed together in bold type in the "global address book".

5. APPENDICES

- 5.1 Appendix 1: List of Development Control Service e-mail groups and names of staff in each group.

<i>Procedure Note:</i> 1.1	<i>Date of Issue:</i> 20 th November 2001
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6. REFERENCES

6.1 None.

Appendix 1 – see next page.

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Procedure Note: 1.1

Date of Issue: 22nd July 2003

Appendix 1

Title:

Intranet E-mail Groups within Development Control Service.

DevConG1 ↓ Manager: Mark Dennett		DevConG2 ↓ Manager: Phil Chambers		DevConG3 ↓ Manager: Alison Brittain	
Mark Dennett	55430	Phil Chambers	55447	Alison Brittain	55424
Jeremy Howell	55906	Kieran Gilmore	55427	Adrian Dennis	55445
Salah Kettani	55560	Donald Hanciles	55428	Luke Downend	55419
Andrew Mulindwa	55460	Michaela Mercer	55365	Matthew Mason	55470
Glen Rollings	55440	Carolyn Southall	55457	Lisa O'Donnell	55364
Michele Sterry	55453	Sonia Watson	55416	Paul Quayle	tba
David Williams	55446	Vacant Hay 10		Carolyn Turk	55421
				Vacant Hay 9	
DevConAdminRecords ↓					
Clo Alleyne	55408			[Fast-Track Team ↓]	
Hyacinth Bailey	55463	DevConEnforcement ↓		Karen Page	55434
Christine Brattle	55414			Elaine Quigley	55461
Sue McDougall	55402	Julius Adedipe	51137	Elizabeth Rich	55410
Ian Ogden	55599	David Barratt	55458	Charlotte Yarker	55405
Yinka Oguntona	55334	Vacant	55449		
David Roberts	55301				
Angela McPherson	55334			DevConCons&Archae ↓	
				Keiran Bartlett	55433
DevConAdminTeams ↓				Tracey Chapman	52289
Ida Aljoe	55451			Chris Colville	52289
Rayo Badamas	55452			Sarah Gibson	55448
Grace Bowen	55426			Julie Greer	55392
Claire Cook	55551			Joanna McAuley	55406
Hyacinth Lewis	55439				
Simone McLean	55551				
Other useful telephone numbers					
Andy Cook - Development and Building Control Business Unit Manager					55437
Teresa De'Oliveira - PA to Andy Cook					55657
Sophie Thomas & Gary Witney - S.106 Planning Obligations monitoring					55443
Bob Jones - Building Control Manager					55588
DUTY PLANNER					55438
Fax - Development Control, Enforcement, Conservation, Archaeology and Team Admin					55432
Fax - Records and Finance					55593
Reception - for booking meeting rooms					55402
Planning Enquiries - DC support for planning history and general information, booking files, requests for application forms and OS extracts					55403
Building Control - General enquiries					55500
Regeneration Department - main number					55404

<i>Procedure Note:</i> 1.2	<i>Date of Issue:</i> 29 th April 2002
<i>Section:</i> 1. General	
<i>Title:</i> Copying of Plans of Current and Decided Planning Applications	

1. PURPOSE

- 1.1 To ensure that all staff are familiar with the legal requirements in respect of providing members of the public with copies of plans submitted with planning applications.
- 1.2 To improve customer satisfaction with the service.

2. APPLICATION

- 2.1 All staff in Development Control.

3. PERFORMANCE INDICATOR / SERVICE TARGET

- 3.1 None specific.

4. PROCEDURE

- 4.1 The copying of plans of current and decided planning applications on Parts I and II of the Statutory Register of applications is permitted by Section 47 of the Copyright, Designs and Patents Act 1988 with the authority of the Development & Building Control Manager of the Regeneration Department.
- 4.2 All requests for the copying of plans are to be passed to the Records & Finance Team of the Business Unit for action. There is a charge for this service.
- 4.3 Plans up to and including A3 in size will have a fixed cost for the first five plans copied and fixed cost per copy thereafter. These plans will be copied in house. Whenever possible the plans will be copied and given to the customer at the time of the request. If it is not possible to copy the plans at the time of the request the customer must be given an indication of when they will be ready for collection in person or for sending by post.
- 4.4 Plans over A3 in size will be charged at a fixed cost per copy which will include a handling charge as the Council does not have copying facilities for plans larger than A3. These plans will be copied by our approved external contractor. Payment for these plans must be made in advance and before the order is placed with our contractor. Plans copied by our contractor will generally be available within 3 days of the order being placed. The plans are to be sent to the customer by post unless the customer has indicated that he/she wishes to collect them from us, in which case the customer will be contacted and advised when the plans are ready for collection.
- 4.5 Details of current charges can be obtained from the Records & Finance Team.

Procedure Note: 1.2

Date of Issue: 29th April 2002

- 4.6 Customers are only permitted to have one copy of each plan.
- 4.7 Each copy must be stamped with the appropriate wording after it has been copied and before it is given to the customer. The stamp to be used has the following wording:

“This copy has been made by or with the authority of the Development and Building Control Manager, Southwark L. B. Council pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (“the Act”). Unless the Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.”

The stamp must be signed and dated in the space provided.

- 4.8 All plans copied must be copied in their entirety so that all details, including details of the copyright owner are shown. Under no circumstances must just a part of a plan be copied.
- 4.9 Customers must be advised that they are not permitted to make copies of any plans forming part of the Statutory Register other than in the approved manner set out above. Customers are not permitted to photograph plans forming part of the Statutory Register.
- 4.10 As the original application form and plans etc. [see appendix 1 para.1.3] form part of the Register of Applications they should be available for inspection by the public at all reasonable hours [see appendix 1 section 3]. Where a customer wishes to see the original application form and submitted plans and drawings relating to a decided planning application every effort must be made to ensure that they are made available for inspection when asked for.

5. APPENDICES

- 5.1 Appendix 1: Background information relating to the Statutory Register of Applications and the Copyright, Designs and Patents Act 1988

6. REFERENCES

- 6.1 Copyright, Designs and Patents Act 1988.
6.2 The Marking of Copies of Maps Order 1989.
6.3 The Town and Country Planning Act 1990.
6.4 The Town and Country Planning [General Development Procedure] Order 1995.
6.5 The Town and Country Planning [Control of Advertisements] Regulations 1992.
6.6 The Town and Country Planning [General Development Procedure] [Amendment] Order 2002.

Appendix 1 – see next page.

<i>Procedure Note:</i> 1.2 Appendix 1	<i>Date of Issue:</i> 29 th April 2002
<i>Title:</i> Copying of Plans of Current and Decided Planning Applications	

1. The Statutory Register of Planning Applications.

- 1.1 Article 25 of the Town and Country Planning [General Development Procedure] Order 1995 sets out the duty on the Council to keep a register of every application for planning permission relating to the Council's area. Article 25 requires that the register is kept in two parts.
- 1.2 Part I of the register must contain a copy of each application made or sent to the Council as local planning authority and not 'finally disposed of' [decided] together with any accompanying plans and drawings [Article 25(3)]. From 1st July 2002 this also includes any planning obligation [Section 106 T&CP Act 1990 as amended] or Section 278 [Highways Act 1980] proposed or entered into in connection with the application.
- 1.3 Part II of the register is required to contain in respect of every application for planning permission the following:
- [a] a copy [which may be photographic] of the application and of plans and drawings submitted in relation thereto;
 - [b] particulars of any direction given under the Act or the Order in respect of the application. This would include directions from English Heritage, the GLA and GOL;
 - [c] the decision notice of the local planning authority;
 - [d] decisions by the Secretary of State on appeal or call-in;
 - [e] decisions on applications for approval of reserved matters.
 - [f] a copy of any planning obligation or Section 278 agreement entered into or taken into account when making the decision and any modification to or discharge of an obligation or agreement entered into [from 1st July 2002].
- 1.4 Regulation 21 of the Town and Country Planning [Control of Advertisements] Regulations 1992 imposes a similar duty to keep a register of all applications made for advertisement consent and the decisions made on those applications.
- 1.5 Section 69[5] of the Town and Country Planning Act 1990 requires every register to be available for inspection by the public at all reasonable hours.

<i>Procedure Note:</i> 1.2 Appendix 1	<i>Date of Issue:</i> 21 st March 2002
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2 Copyright, Designs and Patents Act 1988.

- 2.1 The Copyright, Designs and Patterns Act 1988 at subsections (2) and (3) of section 47, states that:

"Where material is open to the public pursuant to a statutory requirement, copyright is not infringed by the copying or issuing to the public of copies of the material, by or with the authority of the appropriate person (the LPA), for the purpose of enabling the material to be inspected at a more convenient time or place or otherwise for facilitating the exercise of any right for the purpose of which the requirement is imposed".

- 2.2 The material on the Register is open to the public pursuant to a statutory requirement by virtue of Section 69(5) of the 1990 Act.
- 2.3 The Copyright (Material Open to Public Inspection) (Marking of Copies of Maps) Order 1989 provides that subsections (2) and (3) of section 47 only apply where the copies so issued are marked with the form of words set out in Article 2 of that Order.
- 2.4 Article 25(4) of the GPDO 1995 sets out the documents required to be included in Part II of the Register of applications and one of those requirements (4)(a) is a copy of plans or drawings submitted in relation to the application. It is clear therefore that plans and drawings are required to form part of Part II of the Register and that they be available for inspection "at all reasonable hours". It follows that the public is entitled to request copies of such drawings (in the same way as they may require a copy of the decision itself) and that such copies must be provided, subject to being stamped in accordance with the 1989 Marking of Plans Order.

3 Public Access to the Register

- 3.1 As Article 25(4) of the GPDO 1995 provides that Part II of the Register shall contain a copy of the plans and drawings submitted with the application it could be considered that having the plans and drawings on a separate case file does not accord strictly with the requirements of that Article.
- 3.2 Section 69 of the 1990 Act refers to the Register being available at "all reasonable hours". Given the requirement that plans and drawings form part of the Register, it could be argued that 3 days' notice for inspection of the case file [for those document on the case file that form part of the Register], is not "reasonable".

<i>Procedure Note:</i> 2.1	<i>Date of Issue:</i> 28 th February 2002
<i>Section:</i> 2. Planning Applications	
<i>Title:</i> Affordable Housing – Respective Roles of Development Control and Housing Officers in Negotiating Provision of Affordable Housing.	

1. PURPOSE

- 1.1 To ensure close and proper liaison between officers in Regeneration Department [Development Control] and Housing Department [Regeneration Initiatives Team] at all stages of the planning application process.
- 1.2 To ensure a clear and consistent approach to applicants and their agents in the negotiation of affordable housing.

2. APPLICATION

- 2.1 This procedure will be followed by all case officers and allocating officers in Development Control and by project officers in Regeneration Initiatives Team.

3. PERFORMANCE INDICATOR / SERVICE TARGET

- 3.1 Business Unit Performance Plan 2001/2002: Development Control, Objective 1, Action 1.4.
- 3.2 Council's Community Strategy – "Sustainable and developing communities" priority.

4. PROCEDURE

4.1 **Pre-application stage**

- 4.2 When contacted by an applicant or their agent the Development Control case officer should explain that whilst the provision of affordable housing is a planning requirement, the details of the affordable housing element of a development proposal will be determined by the Housing Department in conjunction with the applicant and a housing association.
- 4.3 The applicant/agent will be provided with a copy* of the SPG and asked to contact the project officer in the Regeneration Initiatives Team of the Housing Department [*contact Richard Burgess Tel. 020-7525-1209, at Housing Department, Municipal Offices, 9 Larcom Street, SE17 1RX*].

Procedure Note: 2.1

Date of Issue: 28th February 2002

- 4.4 The case officer must ensure the applicant/agent is made fully aware that the advice to discuss the provision of affordable housing with the project officer is not to be taken as implying either the principle or the detail of the proposed development is acceptable and that any favourable or positive discussions with the project officer do not bind the Council's final decision to either grant or refuse planning permission.
- 4.5 The project officer's role will be to advise developers of the detail of the policy and to keep the Development Control case officer informed of how discussions are progressing.
- 4.4 When the applicant or agent contacts the project officer that officer will:
- Recommend a particular registered social landlord (RSL) or, at least, provide the applicant with the approved list of RSLs.
 - Elaborate upon the SPG as necessary, especially in terms of the type and mix of housing and the application of the affordable housing formula set out in the SPG.
 - If appropriate meet the applicant, preferably with the RSL partner, once negotiations with the latter have begun.
- 4.5 **Planning Application stage**
- 4.6 The Regeneration Initiatives Team will be a standard internal consultee for all developments comprising 15 or more residential units**. The allocating officer in Development Control will ensure that the Regeneration Initiatives Team is identified for consultation.
- 4.7 If there has been no pre-application contact the applicant or their agent should be advised in writing, by means of the standard letter in **Appendix 1**, to contact the Regeneration Initiatives Team.
- 4.8 The project officer will keep the case officer informed of how discussions regarding affordable housing are progressing. The case officer must be aware that this may involve changes to the housing mix originally proposed in the planning application. The project officer will notify the case officer immediately of any such changes.
- 4.9 Under no circumstances will the project officer suggest to the applicant/agent any changes to the number of dwellings or dwelling-mix that alter the physical form or extent of the development proposed without first agreeing these with the case officer.
- 4.10 Where the case officer considers that the proposed development requires amendment in respect of the number of dwellings or the dwelling-mix this must be discussed with the project officer prior to discussions with the applicant/agent as the changes are likely to have a bearing on the project officer's own discussions with the applicant/agent and RSL. The case officer will set out proposed changes in writing to the applicant/agent and a copy of the letter must be sent to the project officer.

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- 4.11 Where possible the broad principles should be agreed by all parties before the application is reported to Committee. Any uncertainty about the identity of the RSL or type of affordable accommodation will be likely to result in the need for later changes to the scheme and possibly the need for the submission of a fresh planning application. The project officer will advise when negotiations with the applicant/agent are complete.
- 4.12 Where negotiations between the project officer and the applicant/agent reach deadlock and the applicant/agent insists that the matter be reported to Committee the case officer will seek the advice of their unit manager as how best to proceed. Legal advice should be sought about whether sound planning reasons exist to delay completion of the agreement or even refuse permission, If necessary.
- 4.13 **Committee Report**
- 4.14 This must confirm the inclusion of affordable housing within the development, the number and mix of affordable units and the identity of the RSL partner. The Housing Regeneration Initiatives Team must be listed as a consultee and their comments set out in the report.
- 4.15 **Post Committee - Preparing the Section 106 Agreement**
- 4.16 When Committee resolve to grant planning permission the case officer must formally instruct Legal Services to prepare the Section 106 agreement. The S.106 instructions will reflect any advice previously given to the case officer by the project officer.
- 4.17 Legal Services will prepare a draft legal agreement for consideration by all parties. The case officer must ensure that the project officer is provided with a copy of all drafts of the legal agreement. Any concerns raised by the applicant/agent about affordable housing aspects of the legal agreement are to be discussed between the applicant/agent and the project officer. The project officer will keep the case officer and Legal Services advised of any changes to the legal agreement resulting from these discussions.
- 4.18 Acceptance of the final draft of the legal agreement, insofar as it relates to affordable housing matters, by the project officer must be confirmed in writing to the case officer before Legal Services are instructed by the case officer to conclude the matter and issue the planning permission.
- 4.19 Any late request from the applicant for minor amendments to the application prior to the issue of planning permission must be copied to the project officer in case they have any bearing on the funding or timing of the implementation of the affordable housing.

Procedure Note: 2.1

Date of Issue: 28th February 2002

5. APPENDICES

5.1 Appendix 1:

Standard letter to be sent to applicants who have not held pre-application discussions.

5.2 The template for the standard letter [affordable housing-standard letter to applicant.dot] set out in Appendix 1 below can be accessed in the 'templates - standard letters' folder on your computer's 'R' drive.

6. REFERENCES

6.1 PPG 3 "Housing" - March 2000.

6.2 Circular 06/98 "Planning and Affordable Housing".

6.3 Southwark UDP Chapter 5 – Housing.

6.4 Southwark UDP SPG "Affordable Housing" - February 2002.

6.5 Circular 1/97 "Planning Obligations".

* This can be either a paper copy or the applicant/agent can be directed to the copy on the Council's website.

** A standard consultation letter will be added to the DC system.

Appendix 1 – see next page.

<i>Procedure Note:</i> 2.1 Appendix 1	<i>Date of Issue:</i> 28 th February 2002
<i>Title:</i> Text of standard letter to applicants.	

Dear

Planning and Affordable Housing.

Site:

Proposed Development:

Application Reg. No.:

I refer to the above planning application which is for the provision of 15 or more dwellings or is for residential development on a site with an area in excess of 0.5ha..

In accordance with Circular 06/98 'Planning and Affordable Housing' and PPG3 'Housing' the provision of affordable housing as part of the proposed development will be a material planning consideration in the determination of your application.

In February 2002 the Council agreed Supplementary Planning Guidance to the adopted Unitary Development Plan on the provision of affordable housing within the Borough. This SPG can be viewed on the Council's website www.southwark.gov.uk/udp. Should you wish to receive a paper copy, for which there is a charge, you can order one by telephoning 020-7525-5402.

Whilst the provision of affordable housing is a planning requirement the details of the affordable housing element of the development will be determined by the Council's Housing Department in liaison with myself. You are therefore advised to discuss the provision of affordable housing as part of the proposed development with, in the first instance, the Council's Housing Department's Regeneration Initiatives Team. Please contact Richard Burgess on 020-7525-1209.

I would emphasise that negotiations you undertake with the Regeneration Initiatives Team will deal solely with the provision of affordable housing and do not imply that either the principle or the details of your application are acceptable to the Council as local planning authority. Similarly, any favourable or positive discussions you have on the provision of affordable housing do not bind the Council's final decision to either grant or refuse planning permission.

Should you have any questions on this aspect of your application please do not hesitate to contact me.

Yours sincerely,

c.c Richard Burgess

Regeneration Initiatives Team, Housing Department

HOW THE COUNCIL WILL DEAL WITH YOUR PLANNING APPLICATION

WHAT HAPPENS AFTER YOUR APPLICATION HAS BEEN SUBMITTED?

We will send, within 3 working days, an acknowledgement letter advising you that the application has been received. If you have appointed an agent to act on your behalf all communications from the Council will be with the agent. We will then check that the forms have been completed and sufficient information has been provided for us to consider your application to be valid.

If your application is accepted as valid we will send you a letter which will provide you with the name and contact details of the planning officer who will deal with your application. If you have had a pre-application discussion with a planning officer your application will be allocated to the same planning officer whenever possible. The letter will also specify the 'start date' and the registered number given to the application.

If your application is not valid we will send you a letter advising you of this and giving the reason[s] why and what you need to do to make the application valid. Our target is to advise you that your application is either valid or invalid within 10 working days of receipt.

In order to minimise the chances of your application being considered invalid you should follow the advice set out in the Guidance Notes accompanying the application form in respect of the information to be submitted with your application. A good quality application following the advice in these notes will help us decide your application more quickly.

GIVING PUBLICITY TO YOUR PLANNING APPLICATION

We have a statutory duty to give publicity to planning applications so that adjoining occupiers and neighbours, the local community, other Council departments, organisations such as the Greater London Authority and English Heritage and other government bodies can comment on them.

At this early stage we will identify and notify those who need to be consulted on the application in order that they can make their comments. In some cases notices are displayed on the site or in the local press. Those consulted are given 21 days to send us their comments although we will still take into consideration all comments received up to the time when your application is decided. We will only take into consideration comments that are relevant to the planning considerations of your application.

We will place a copy of your application, including all plans and supporting information, on Part 1 of the Register of Applications. This is a public register of all current planning applications and is open for inspection by members of the public.

Your application will then be passed to the planning officer who will deal with your application.

CONSIDERATION OF YOUR APPLICATION BY THE PLANNING OFFICER

The planning officer will visit the site. In most cases the planning officer will be able to make an assessment of the effect of your proposal on the area and adjoining buildings and land from publicly accessible areas. You will be contacted by the planning officer if access to the application site is required. The planning officer may also seek further clarification from you about certain parts and details of your proposal.

The planning officer will assess your proposal against the policies in the Council's Unitary Development Plan [UDP], other relevant planning guidance produced by the Council and central government, the comments of those who have been consulted and any other material planning considerations. The UDP is an important document which guides development in the Borough. The Town and Country Planning Act 1990 requires that an application for development which is in accordance with the UDP shall be allowed unless material considerations indicate otherwise.

As part of this assessment the planning officer may ask you to amend your proposal in order to make it acceptable. If amendments are requested you will be given clear reasons as to why they are required. You will be given the opportunity to consider the amendments requested so that you can decide if you wish to amend your proposal or have it decided as it stands. If your application is amended we may have to re-consult those who have already commented on it.

The planning officer will try and negotiate to secure amendments to make your application acceptable whenever possible. However, if the planning officer considers that your application is fundamentally contrary to the policies in the UDP and is unacceptable in principle, or is not reasonably capable of amendment to make it acceptable, it is likely that your application will be decided as it stands. If you have had a pre-application discussion and the planning officer considers that you have failed to adequately take into account the advice given it is also likely that your application will be decided as submitted without further opportunity for negotiation.

HOW THE DECISION WILL BE MADE

When all the relevant information has been considered the planning officer will prepare a report which will set out the relevant planning policy, comments made by those who were consulted and the main factors to be considered. The report will include the planning officer's recommendation as to whether your application should be granted or refused.

The planning officer's report and recommendation will then be considered and checked by a senior planning officer. If the senior officer agrees that all relevant matters have been properly considered and that the recommendation is appropriate the report and recommendation will be passed forward for a formal decision. The formal decision will be made by either a planning manager under *delegated powers* or by the *Development Control Committee*. Most applications are decided under powers delegated to the planning managers by the Committee.

The great majority of decisions made follow the planning officer's recommendation. However, sometimes a decision is made that does not follow the recommendation or consideration maybe deferred for further information or clarification. If consideration of your application is deferred by the Committee or the planning manager acting under Delegated Powers we will advise you by letter of the reason[s] for this within 2 working days of the date of the meeting at which your application was considered.

We will try to give you a decision on your application within 8 weeks of the 'start date' given to you. However, major and more complex proposals are likely to take longer as will those that have been amended, require re-consultation or are to be considered by committee for a decision.

If your application is one that needs to be decided by the Committee we will notify you of the date, time and venue of the meeting. You will be given the opportunity to make representations to the Committee if you wish. We will also send you a copy of the planning officer's report and recommendation. We will also notify those who have made comments on your application of the committee date and they too will be given a copy of the planning officer's report and recommendation and the opportunity to make representations to the Committee. The planning officer dealing with your application will be able to tell you if your application is going to be decided under delegated powers or by Committee and will also be able to advise you when this is likely to be.

We will notify you in writing of the decision. Our target is to issue the decision notice within 1 working day of the decision being made. However, in a very small number of cases we will not be able to issue the decision until we have received clearance to do so from either the Greater London Authority, English Heritage or the Government. We will advise you if this applies to your application. The Greater London Authority, English Heritage or the Government can in these cases direct us to refuse your application even if we considered it to be acceptable. If granting planning permission is subject to the completion of a legal agreement the decision notice will not be issued until the agreement has been signed.

If we grant planning permission we may impose conditions that you will need to comply with. Some conditions may require you to submit further details of certain aspects of your proposal for approval before the development can be carried out [e.g. precise details of the materials to be used]. If you fail to comply with conditions we can take legal action against you to ensure that they are complied with.

If planning permission is refused we will be give you clear reason[s] for the decision.

We will place a copy of the decision on your application on Part 2 of the Register of Applications. This is a register of all planning decisions made by us and is open for inspection by members of the public.

APPEAL AGAINST THE COUNCIL'S DECISION

If we refuse permission you have a right of appeal to The Planning Inspectorate. If we grant permission subject to conditions you also have a right of appeal to The Planning Inspectorate against the imposition of a condition if you feel it is unreasonable.

We will provide you with details of your rights of appeal and the time period within which appeals must be made on the back of the decision notice.

Information Note: 3

Date of Issue:

March 2002

ENFORCEMENT OF PLANNING CONTROL

HOW THE COUNCIL WILL DEAL WITH YOUR COMPLAINT ABOUT A POSSIBLE BREACH OF PLANNING CONTROL

WHAT HAPPENS AFTER YOUR COMPLAINT HAS BEEN RECEIVED?

We will send you, within 3 working days, an acknowledgement letter advising you that your complaint about a possible breach of planning control has been received and the action we will take.

If you have provided us with sufficient information, to clearly identify the site and building involved, a clear description of the possible breach and its effect on you, our letter will confirm that we have sufficient information for our investigation of your complaint to begin. Our letter will describe our interpretation of the possible breach of planning control you are complaining about and will give you the opportunity to confirm whether or not our interpretation is correct. Our letter will also give you the name and contact details of the planning enforcement officer who will deal with your complaint. The letter will also state the enforcement investigation number given to your complaint.

If we feel that you have not given us sufficient information to enable us to properly investigate your complaint our letter will explain what further information is required from you. When we receive the further information we have asked for we will write to you again to confirm that we now have sufficient information for our investigation of your complaint to begin. It will give our interpretation of what you are complaining about and will give you the opportunity to confirm whether or not our interpretation is correct. We will also give you the name and contact details of the planning enforcement officer who will deal with your complaint. The letter will also specify the enforcement investigation number given to your complaint.

Not every case can be given top priority so we will give priority to investigating those complaints relating to: [a] works to listed buildings; [b] unauthorised development in conservation areas; [c] felling or lopping of protected trees; and [d] development causing a substantial and significant injury to residential amenity.

CONFIDENTIALITY OF YOUR COMPLAINT

Complaints received about a possible breach of planning control are not generally available to the public and we will not give any direct publicity to your complaint that will identify you as the complainant. However, in most cases it will be necessary at some stage for us to contact the person about whom you have complained in order to clarify facts and other information essential for our investigation. Where this happens the planning enforcement officer will not identify you by giving details of your name or address, although in most investigations it is quite clear that the complaint will have been made by a particular person or neighbour.

We cannot therefore guarantee your anonymity throughout the course of our investigation, especially if an enforcement notice is served and an appeal is made against it or where it is considered necessary for you to provide a witness statement in legal proceedings against a breach of planning control that you have brought to our attention.

CONSIDERATION OF YOUR COMPLAINT BY THE PLANNING ENFORCEMENT OFFICER

The planning enforcement officer will check our files for any relevant planning history. The planning enforcement officer will then visit the site. Our target is to carry out a first site visit on all priority cases within 5 days of receipt of your valid complaint. In other cases our target is to carry out a first site visit within 3 weeks of receipt of your valid complaint

In many cases the planning enforcement officer will be able to carry out the investigation by looking at the site from publicly accessible areas. In some cases it will be necessary for the planning enforcement officer to assess your complaint from your property. The planning enforcement officer will contact you if access to your property is required for the investigation. The planning enforcement officer may also seek further clarification from you about certain details of your complaint.

In most cases it will also be necessary for the planning enforcement officer to contact the person against whom you have made the complaint. This needs to be done in order to check facts and information relevant to our investigation.

The planning enforcement officer will assess your complaint against the relevant planning history, planning law, planning policies in the Council's Unitary Development Plan [UDP], other relevant planning guidance produced by the Council and Central Government and any other material planning considerations. The UDP is an important document which guides development in the Borough.

In some case the person you have complained about will chose to submit a planning application in order to retain the building works that might have taken place or to continue a use that has already started. If this happens you will be consulted on the planning application for your views. In cases such as this the enforcement investigation will be put on hold until the planning application is decided.

WHEN AND HOW WILL THE DECISION BE MADE.?

We will try to complete our investigation and reach a decision on your complaint within 8 weeks of our letter confirming that we have begun our investigation of your complaint. However, the more complex investigations are likely to take longer and where it is decided to take formal enforcement action the process can take many more months before a final end to the matter is reached.

We will make a decision when all the relevant information has been considered by the planning enforcement officer and a report has been written. This report will set out the relevant planning history, planning law, planning policy, and any comments that you have made about how the development you have complained about affects you or the area in which you live or work. The report will include the planning enforcement officer's opinion and recommendation as to whether or not there has been a breach of planning control and, if so, what action if any will be taken against it.

The planning enforcement officer's report and recommendation will then be considered and checked by a senior planning officer. If the senior officer agrees that all relevant matters have been properly considered and that the recommendation is appropriate the report and recommendation will be passed forward for a formal decision. The formal decision will usually be made by a planning manager under Delegated Powers.

Only in exceptional circumstances will the report be considered by the Council's Development Control Committee. If your complaint is one that needs to be decided by the Committee we will notify you of the date, time and venue of the meeting. You will be given the opportunity to make representations to the Committee if you wish. We will also send you a copy of the planning enforcement officer's report and recommendation. We will also notify the person[s] against whom the complaint was made and they too will be given a copy of the planning enforcement officer's report and recommendation and the opportunity to make representations to the Committee.

We will notify you in writing of our decision. Our target is to let you know the decision within 5 working days of it being made.

If we decide that there has not been a breach of planning control, or that there has been a breach but it is not considered appropriate to take formal enforcement action, we will explain the reason[s] why.

If we decide that there is a breach of planning control and that formal action to stop it should be taken we will tell you and advise you of what will then happen.

APPEAL AGAINST THE COUNCIL'S DECISION.

You do not have any right of appeal against our decision if we decide that there has not been a breach of planning control, or where we accept that there has been a breach but consider that it is not appropriate to take formal enforcement action.

If we decide that there is a breach of planning control and take formal action to stop it by serving an enforcement notice the person or persons on whom the notice is served do have a right of appeal to The Planning Inspectorate

PRE-APPLICATION DISCUSSIONS

THE VALUE OF PRE-APPLICATION DISCUSSIONS

We encourage pre-application discussions before a formal planning application is submitted in order to help applicants through the process. This is particularly useful for larger and more complex schemes and can help you by identifying the information and details that should be submitted with your application. This can minimise potential delays later in processing the application.

Pre-application discussions can also help you and by allowing us to identify areas of potential concern about your proposed development so that you can give consideration to amending your proposal before submitting your application and so achieve a better quality of development.

We consider that for pre-application discussions to be of benefit to you it is essential that broad, but clear, details of your proposal are submitted in writing to us before any discussion takes place with a planning officer. This will allow us to gather together relevant background information and ensure that officers from other parts of the Council who will have an input into the consideration of a subsequent planning application can also be involved in the negotiations at an early stage.

WHAT INFORMATION SHOULD YOU PROVIDE FOR A PRE-APPLICATION DISCUSSION?

Much will depend on the type and scale of development you are proposing.

For development only involving the change of use of a building we would want to see an Ordnance Survey plan that clearly shows the development site and a written description of your proposed development. Your written description should state the intended use[s] of all parts of the building and a description of existing uses. If the building is vacant information as to how long it has been vacant and what attempts have been made to market the premises will also be helpful. Photographs of the site showing it in the context of surrounding area will also be very helpful.

For development involving the redevelopment of a site by the erection of a new building we would want to see an Ordnance Survey plan that clearly shows the development site and a written description of your proposed development. Your written description should state the intended use[s] and should also include sketch plans and drawings giving a general idea of the location of new buildings and their height and bulk in relation to adjoining buildings. Information about vehicular access points will also be important at this stage. As with proposals for a change of use a description of existing buildings and uses on the site and, if they are vacant, information as to how long they have been vacant and what attempts have been made to market the premises will be helpful. Photographs of the site showing it in the context of surrounding buildings can be very helpful.

For larger and more complex schemes you should submit a design statement showing how the concept of the development has been developed in the context of the surrounding area in general and adjoining buildings in particular should be submitted.

Proposals that affect listed buildings or conservation areas will raise specific design issues. You should give consideration to this before the discussion. If you are not sure if your site affects a listed building or a conservation area please telephone our Planning Enquiry service on 020-7525-5403.

Whatever information you have it is far better, and much more helpful, to send it to us in advance of the meeting rather than to present it to us first at the meeting.

WHAT SHOULD YOU DO IF YOU WANT A PRE-APPLICATION DISCUSSION?

If you wish to have a pre-application discussion please write to us at *London Borough of Southwark, Planning – Development Control, Regeneration Dept., Council Offices, Chiltern, Portland Street, London SE17 2ES* with the details of your proposal. If you have submitted sufficient information we will contact you to arrange a meeting. It is our target to hold the meeting within 21 days of the receipt of your letter.

WHAT RELIANCE CAN YOU PUT ON THE ADVICE YOU WILL BE GIVEN?

The advice and guidance that we will give you at the pre-application stage is given in good faith. However, we do advise you that no member of staff can give you a definitive undertaking at this stage as to whether or not your proposal will be granted planning permission. However, we will be able to give you a clear indication as to whether or not your proposal is likely to be in accordance with the policies in our Unitary Development Plan [UDP] and therefore whether or not your proposal might be considered acceptable in principle. If it is not considered to be in accordance with our UDP we will explain why we think it is not.

You should not therefore rely on the advice as binding the Council in the decision that will formally be made as this decision will also be dependent on taking in account many other factors, including matters raised through the consultation process, which may not be apparent at the pre-application stage.

WHAT YOU SHOULD DO BEFORE SUBMITTING YOUR PLANNING APPLICATION

You should take into account the advice we have given you before you finalise your proposal and submit your planning application. You are also advised to consider how it fits with the policies in the UDP and Supplementary Planning Guidance to the UDP as one of our main considerations of your application will be an assessment as to how it fits with the policies in the UDP. The UDP can be read on the Council's web-site www.southwark.gov.uk/udp.

When completing your planning application you should follow the advice in the guidance notes that accompany the planning application form and should also include any additional information that you have been advised should be submitted to enable us to give your application full and proper consideration.

HOW WE WILL DEAL WITH YOUR PLANNING APPLICATION

Development Control Service Procedure Manual



If you have had a pre-application discussion with a planning officer we will allocate your planning application to the same planning officer whenever possible.

If you have had a pre-application discussion and the planning officer considers that you have failed to adequately take into account the advice given it is likely that your application will be decided as submitted without further opportunity for negotiation.

Information Note: 7

Date of Issue: 6th January 2003

DUTY PLANNER SERVICE

THE DUTY PLANNER SERVICE

If you have a general and straightforward question about a town planning matter you can contact the Duty Planner for advice between 10.00am and 4.00pm Monday to Friday. The service is provided to personal callers without an appointment and to telephone callers.

The role of the Duty Planner is to give general technical advice on planning matters to customers. This includes the following:

- whether or not your development proposal will require planning permission,
- the planning policies that will be taken into account in considering your proposal,
- whether or not your proposal is likely to be in accordance with our planning policies as set out in the Unitary Development Plan and, if not, why it is not,
- the kind of information that you will need to submit with your planning application,
- basic interpretation of plans submitted with a current planning application.

If you have called at our offices to view the plans of a current planning application that we have consulted you on the Duty Planner will only be able to give you limited information and advice. If you want to discuss the application in detail you are advised to make an appointment to see the planning officer dealing with the application as this officer will be better able to help and advise you.

It is our view that if your meeting with the Duty Planner is likely to last for more than 10 minutes then it would be more appropriate for you to make an appointment to see a planning officer.

ADVICE THE DUTY PLANNER WILL NOT BE ABLE TO GIVE YOU

Whilst many enquiries can be answered immediately questions about planning frequently raise more complex issues which cannot easily be answered without more detailed research or reference to other staff or sources of information.

In order that we can provide the appropriate standard of advice the Duty Planner will therefore not be able to:

- have a detailed discussion with you about a development you are proposing or comment in any detail on plans and drawings that you have prepared,
- respond fully to your question where another officer needs to be contacted for advice and information,
- where access is needed to the case file or other information that is not immediately accessible.

If you call at our offices without an appointment with plans of a proposal for us to comment on the Duty Planner will ask you to leave the plans with us for comment if you are willing to accept written comments. It is our aim to send to you our written comments within 10 working days of your visit to our offices.

If you wish to have a meeting to discuss your proposal the Duty Planner will make an appointment for you to see a planning officer. The meeting will be arranged to take place within 15 working days of your visit to our offices. You will be required to leave a set of your plans and drawings with us in readiness for consideration at the meeting.

IF YOUR QUESTION CANNOT BE ANSWERED IMMEDIATELY BY THE DUTY PLANNER

If the Duty Planner is not able to answer your question there and then you will be told so. The Duty Planner will take your name and contact details and will get back to you, or arrange for someone else to call you, within 2 working days with the answer. If it is not possible to provide you with the information you will be given the name and contact details of someone who will be able to help you.

ADVICE AND HELP OTHER STAFF CAN GIVE YOU

Please note that many frequently asked questions can be just as easily answered by our receptionist or planning enquiries staff. Please speak to them first to see if they can help you before asking to speak to the Duty Planner. The information they can give you includes the following:

- how to complete a planning application form,
- information about planning applications fees,
- request for planning application forms,
- the planning history relating to specific sites and properties,
- copies of decision notices and other information from the Statutory Register of current and decided planning applications,
- dates of Development Control Committee meetings,
- whether a decision has been made on a recent planning application,
- whether a building is listed or situated in a conservation area,
- contact names and telephone numbers of planning officers,
- address and telephone number of other Council services.

Information Note 8 provides more information on the Reception and Planning Enquiries service.

IF YOU NEED TO MAKE AN APPOINTMENT TO SEE A PLANNING OFFICER

You can make an appointment to see a planning officer between 9.00am and 5.00pm Monday to Friday.

WHAT RELIANCE CAN YOU PUT ON THE ADVICE YOU WILL BE GIVEN BY THE DUTY PLANNER?

We will do our best to ensure that the advice and information given to you is correct but you should remember that the advice and guidance from the Duty Planner is given in good faith and is dependent upon the information immediately available and also the information given by you.

However, no member of staff can give you a definitive undertaking at this stage as to whether or not a proposal requires planning permission and, where permission is needed, the likelihood of it being granted. The advice from the Duty Planner Service does not bind the Council in anyway as to any future decision or action that the Council might make in respect of your enquiry.

Development Control Service Procedure Manual



If you require a formal and binding decision as to whether or not your proposal requires planning permission, perhaps to satisfy a solicitor, freeholder or lender in a property transaction, then you are advised to submit an application for a Certificate of Lawful Use or Development. The Duty Planner can advise you further about this process.

Information Note: 8

Date of Issue:

May 2002

RECEPTION & PLANNING ENQUIRIES SERVICE

RECEPTION SERVICE

Our offices are open to the public between the hours of 9.00am and 5.00pm Monday to Friday.

During these hours our reception and planning enquiries staff will be able to help you by providing you with:

- information held on the Register of Planning Applications which includes details of planning applications being considered by the Council and the decisions on those that have been decided,
- copies of guidance notes and booklets about planning and related matters,
- contact names and telephone numbers of planning officers,
- address and telephone number of other Council services,
- copies of and information from the Unitary Development Plan and Supplementary Planning Guidance,
- planning application forms,
- and letting you inspect the plans and information submitted with current planning applications.

If our receptionist is unable to help you she/he will ask a member of our planning enquiries staff to speak to you.

PLANNING ENQUIRIES SERVICE

Many requests for planning information and frequently asked questions about planning can be easily answered by our planning enquiries staff. The information they can give you includes the following:

- how to complete a planning application form,
- information about planning applications fees,
- the planning history relating to specific sites and properties,
- copies of decision notices and other information from the Statutory Register of current and decided planning applications,
- dates of Development Control Committee meetings,
- whether a decision has been made on a recent planning application,
- whether a building is listed or situated in a conservation area,
- making arrangements for you to view our publicly accessible files
- take details of a complaint about a possible breach of planning control.

ADVICE THE RECEPTIONIST AND PLANNING ENQUIRIES STAFF WILL NOT BE ABLE TO GIVE YOU

Our reception and planning enquiries staff will not be able to explain how we apply planning policies in the Unitary Development Plan, explain plans or other information relating to current

or decided planning applications or assess your proposal against the advice and guidance set out in the information and guidance notes available.

IF YOUR QUESTION CANNOT BE ANSWERED

If our reception or planning enquiries staff cannot answer your questions they will ask the Duty Planner to see you. The Duty Planner is available to give general technical advice between 1.00pm and 4.00pm Monday to Friday. The service is provided to personal callers without an appointment and to telephone callers. For more details on the Duty Planner Service please see Information Note 7.

If the Duty Planner is not available our reception and planning enquiries staff will take a note of your enquiry and will arrange for a planning officer to contact you with the information you require. If you prefer they can make an appointment for you to see a planning officer between 9.00am and 5.00pm Monday to Friday.

If you have called at our offices to view the plans of a current planning application that we have consulted you on the Duty Planner will only be able to give you limited information and advice. If you want to discuss the application in detail you are advised to make an appointment to see the planning officer dealing with the application as this officer will be better able to help and advise you.

WHAT RELIANCE CAN YOU PUT ON THE ADVICE YOU WILL BE GIVEN?

We will do our best to ensure that the advice and information given to you is correct but you should remember that the advice and guidance provided by our staff is given in good faith and is dependent upon the information immediately available to them and also the information given to them by you.

However, no member of staff can give you a definitive undertaking at this stage as to whether or not a proposal requires planning permission or, where permission is needed, the likelihood of it being granted. The advice given does not bind the Council in anyway as to any future decision or action that the Council might make in respect of your enquiry.

If you require a more formal confirmation of the advice you have been given you should write to us and we will try and respond in writing within 10 working days. When writing please state your question and the advice you were given together with the name of the member of staff who gave you the advice.

If you require a formal binding decision as to whether or not your proposal requires planning permission, perhaps to satisfy a solicitor, freeholder or lender in a property transaction, then you are advised to submit an application for a Certificate of Lawful Use or Development. The Duty Planner can advise you further about this process.

Development Control Service
Procedure Manual

