

Wiltshire Council
Where everybody matters

Town and Parish Council Training

15th/16th July 2013

Agenda -

- Development Services – what we do
- Your role
- Decision making
- The Development Plan and NPPF
- Material considerations
- Any questions
- Feedback on our service

Development Services

- Development Management
- Building Control
- Conservation
- Enforcement
- Local Land Charges
- Section 106 Monitoring
- Underpinned by Technical Support teams




Development Management

Walk through the process



Planning...

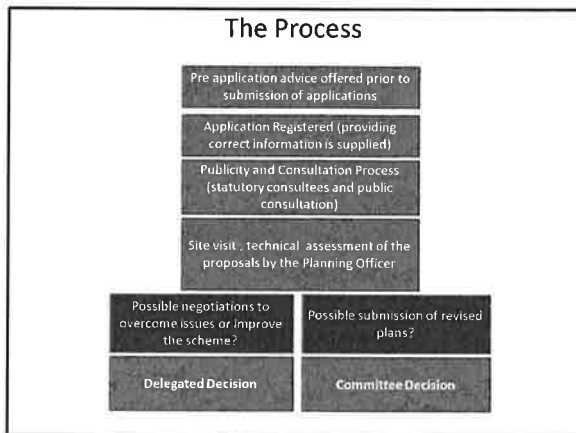
- Sets out a long term vision for places
- Provides a decision making framework to manage competing uses for land;
- Balances economic, social and environmental needs.
- Provides legitimacy through consultation and testing of evidence;
- Delivers change on the ground




Planning involves balancing issues



employment meeting housing needs long term strategies brownfield development retail "market forces" individual interest		climate change environmental issues localism today's pressures town cramming viability of town centres public interest
--	--	--




Town/Parish Councillors have an important role –




- involvement with the community and developers at an early stage
- Raising areas of concern
- Informed debate
- Wide range of issues and material considerations to balance
- Supporting or objecting (not always easy)

How Town/Parish Council's get involved in the process



- You will be notified of all new applications registered in your area
- Where necessary you can discuss applications with the case officers
- Where necessary you can discuss applications with the Division Member
- You can make representations to the local planning authority
- You will have an opportunity to speak at WC Planning Committee meetings when applications are 'called-in'

Who decides planning applications



- Over 99% of planning applications are decided by local planning authorities
- Within authorities, around 90% are dealt with under delegated powers – that is, by officers
- Planning Inspectorate or Secretary of State decide appeals (and some applications in the future)


But what's important is that...



Planning isn't just about:
Stopping the bad stuff from happening

It's proactive, about:
Encouraging development that delivers the right stuff for your community

The context for decision making




- Development requires planning permission
- Government (including the Inspectorate) and local authorities can grant or refuse permission
- The rules and power for local authorities to grant permission are given by Parliament

Some development is permitted by order of Parliament – "permitted development"


Making representations

- Start with the development plan policies and think about the outcomes
- Talk to the Planning Officers
- Take into account other material considerations, including:
 - National policy
 - Context and merits of the particular application
 - Technical consideration
 - Consultees views on planning aspects
 - Other material planning matters
- Come to a view



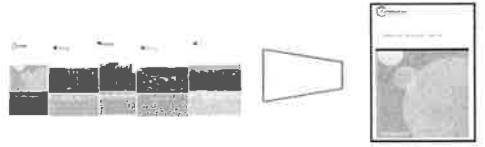
What is the development plan?

- Local Development Framework Development Plan Documents
 - Core Strategies
 - Adopted Area Action Plans
 - Other Adopted Development Plan Documents
- Neighbourhood Plans
- Saved policies and 'old style' saved plans
 - Local Plans
 - Minerals and Waste Local Plan



National Planning Policy Framework (NPPF)


- Bringing together all the existing policy into one policy document
- Pro-growth
- Golden thread - presumption
- Plan-led system



NPPF and decision making

Local planning authorities should:


- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.....unless
-adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole



Material considerations

Matters that should be taken into account in deciding planning applications as well as policy (NPPF, ministerial statements, emerging policy, supplementary planning guidance) can include:


- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking, highway safety and traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Disabled person's access
- Nature conservation
- Previous planning decisions



Non material considerations

Matters that should not be taken into account in deciding planning applications include:

- Loss of view
- Negative effect on the value of properties
- Land ownership or restrictive covenants
- Applicant's personal circumstances (unless exceptional such as relating to a physical disability)
- Business competition
- Too many already
- Damage to property fears
- Disturbance during building works
- Other matters controlled under building regulations or other non-planning legislation



Changes to Permitted Development

As from **30 May 2013** householders can build **larger single-storey rear extensions** under permitted development.

The size limits double from 4 metres to 8 metres for detached houses, and from 3 metres to 6 metres for all other houses.

These new rules do not apply within Conservation Areas, Areas of Outstanding Natural Beauty, World Heritage Sites or Sites of Special Scientific Interest, where the existing restrictions continue to operate



Changes to Permitted Development

Procedure

- The Council will receive basic information on the extension
- We will notify the neighbours adjoining the proposal
- Neighbours have 21 days to comment – if no comments received the extension is PD
- If comments received, passed to Planning Officer to make a judgment



Changes to Permitted Development

- New Change of Use Prior Notifications - Part 3 Class J Cou from office (B1 (a) Class) to single residential apartment (C3 Class)
- The applicant/agent has to provide:
 - (a) a written description of the proposed development;
 - (b) a plan indicating the site and showing the proposed development;
 - (c) the developer's contact address; and
 - (d) the developer's email address if the developer is content to receive communications electronically;
- Procedure
- These will be allocated to a Planning Officer



Changes to TCA applications

- We are looking to change the process for dealing with Trees in Conservation Area applications
- This will be based on the Prior Notifications
- We will notify the Town and Parish Councils of the application
- If no comments are received in 21 days, the works will be deemed permitted
- If comments are received, Landscape Officer will undertake a site visit and make an assessment

