



Responding to Planning Applications - a guide for Parish Councils

Unauthorised development and condition monitoring

This includes development that may take place without planning permission or development that goes ahead contrary to the approved plans and conditions. In the Broads, regulations governing building work are different because of the national value of the area. That means that planning rules are sometimes stricter than in adjacent planning authorities to help us all preserve our unique environment and keep it special.

In all cases, where a breach of planning control is identified, the Authority will try to resolve issues amicably. The landowner/occupier will be advised of the options available to satisfactorily resolve the situation. Formal enforcement will only be taken as a last resort.

Parish members are well placed to detect unauthorised development and are a valuable source of information for the Authority's Enforcement Officers. Please inform us in writing.

Planning Officers (Compliance & Implementation)
Broads Authority, 18 Colegate, Norwich NR3 1BQ

Please provide as much information as possible including:

- the full address or other location of the site, with directions if remote or difficult;
- name of the owner or occupier if known;
- the nature of the case;
- when the use or the development started; and
- any other information that you can give.

This information will allow the site to be investigated. You will be kept informed of the findings and the likely action to be taken.

Not all development requires planning permission and formal action will not always be taken.

Together we can work towards keeping the Broads a very special place to live in, to work in or visit on holiday.

Planning on the web

The government has funded a state of the art planning website so that you have easy access to information at all hours. Information on planning applications, the planning process, guidance and advice, planning policies, conservation, tree preservation and planning enforcement is all available by using the Broads Authority's website www.broads-authority.gov.uk and clicking the planning link.

If you are looking for a particular application, have the reference number ready to enter.

PublicAccess is an on-line service that allows you to view details of planning applications being considered by the Broads Authority. Over time, planning history will build up and be available going back to 1989 when the Authority became a planning authority.

You can monitor the progress of an application, submit comments about an application and search a constantly updated list of planning applications received.

Contact us

- Please contact us through the Authority's "Contact Us" section on the website and type "Planning" in the title.
- If you prefer, phone 01603 610734.
- Planning applications can also be viewed at the Broads Authority's head office at 18 Colegate, Norwich, NR3 1BQ between 9am and 5pm, Monday to Friday.

There will not always be a planning officer on the premises, so please phone for an appointment if you require further help. If you are making a special journey, or have any special access needs, please phone the reception so that we can help you.

Commenting on development within the Broads Area

This leaflet explains how to comment on development within your parish. It sets out what you should do if you wish to object or support a planning application, how the Broads Authority will take your comments into account and the way it will influence how the decision is made on the planning application. In addition, advice is included on reacting to spotting unauthorised development within your parish.

Planning applications

The consultation

Parish councils receive copies of all applications submitted for sites within their boundaries.

The Broads Authority carries out this consultation and is the main point of contact for Broads area applications. All applications can be viewed on the Broads Authority's website. However, you may wish to discuss the details of a proposal with the planning officer dealing with the planning application (name to be found on the consultation letter). This can be done by email, telephone or by prior appointment.

Most applications comprise a set of documents:

- **Planning application form**
This is submitted by the applicant or agent and confirms the site address, what the proposal is, the type of application (full, outline, change of use, etc) and land ownership. In addition the form often contains information regarding proposed building materials, tree removal and vehicle access, so please take time to read it through carefully.

Plans

Most applications for new buildings/extensions will be accompanied by drawings illustrating the siting of the development and what the new building will look like. These plans are drawn to scale. The drawings are often annotated and may include information about materials, parking and landscaping. Some proposals have a large number of drawings and can be difficult to understand. If you have any difficulties you should speak to the planning officer.

Other documents

Letters and supporting documents providing more detail and technical information often form part of an application.

What type of issues are relevant?

The planning system exists to regulate the development and use of land in the public interest.

It can guide development to the right place and prevent proposals that are inappropriate. This regulation is achieved through agreed planning policies contained in development plans and through national planning legislation and guidance.

These planning policies are the most important consideration in deciding planning applications because they set out the rules of how land is developed. From September 2007 Broads Planning policies will consist of the Local Development Framework Core Strategy and 'saved' policies from the Broads Local Plan, adopted in May 1997. The Local Plan contains two types of policy:

- policies applying throughout the Broads; and
- policies applying to specific villages or sites.

Broads Planning policies are based on some important key principles. For example:

- to give priority to conserving and enhancing the Broads and to prevent development which damages wildlife, the landscape or the waterways;

Other useful leaflets *Public Speaking* • *Do I need Planning Consent* • *Planning Committee Members*
You are welcome to photocopy individual information sheets in this series.

Also available in large print. Please telephone 01603 610734

- to encourage appropriate small scale tourism schemes but to discourage large scale holiday or other developments;
- to be sympathetic to the needs of those who live or work in the Broads;
- to encourage upgrading, enhancement and appropriate redevelopment within the existing built environment of the Broads.

The planning application process allows development proposals to be tested against these policies to ensure that they will not result in harm to the very special nature of the Broads.

Generally, applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The majority (on average 82%) of planning applications determined by the Broads Authority are approved.

The following is a brief list of the types of relevant issues which can be considered by the Authority. If in doubt you can always check with the planning officer.

- compliance of the proposals with the Local Development Framework including 'saved' policies from the Broads Local Plans and county structure plan policies, regional planning policies and national planning policies, guidance and circulars;
- how the proposal fits in terms of design;
- how the proposal relates to the surroundings;
- whether the proposal would significantly overshadow or have a serious oppressive and overbearing impact;
- whether the proposal would result in the serious loss of privacy to adjoining properties;
- the effect on parking, traffic and road safety;
- unacceptable noise and disturbance to adjoining residents;
- the economic and social benefits of the proposed development;
- flood risk;
- impact on protected species.

Some issues are regularly raised by objectors that are not material planning considerations and so may not be taken into account in determining planning



applications. No matter how strong feelings are, if an issue raised is not relevant to the planning process then the Authority will not be able to take it into consideration. Planning matters **do not** include:

- the alleged character or behaviour of the applicant;
- the fact that the development has already begun;
- loss of views;
- devaluation of property;
- covenants affecting properties;
- nuisance caused by building work;
- land ownership disputes;
- trade objections from potential competitors.

How to comment

Written comments on planning applications must be submitted within the specified time period. A planning decision can be made 28 days after the Broads Authority received the application so comments must be sent quickly if they are going to count. If your parish council has a problem with the timescale specified, you should contact the planning officer dealing with the application immediately. However an application cannot be delayed if a consultee has not been able to respond in time.

Your written response should set out clearly and concisely your reasons for objecting or supporting the application. It will be attached to the planning application file as a public document which can be read by others, and published on the website, so do not write personal things which you might wish to have treated as private correspondence. The response can be submitted on line or by post.

What happens next?

The planning officer will negotiate with an applicant if this is likely to result in improvements. **This is why it is important to send your comments in as soon as possible.**

When valid planning objections have been received, the final decision as to whether the proposal is approved or refused is usually made by the Broads Authority Planning Committee. Proposals, which clearly conflict with Broads Local Plan policies, can be refused without going to Planning Committee. The Committee meets every 4 weeks and is open to the public. Meetings are normally held on a Friday, from 10am, at Norfolk County Hall, Martineau Lane, Norwich.

Prior to the Committee meeting an agenda is published containing a report on each of the planning applications being considered. Individual reports are prepared by the planning officer dealing with that particular application. The report will set out:

- the details of the proposal;
- comments received from consultees;
- an assessment of the proposal taking into account these representations and Broads Local Plan policy;
- a recommendation as to whether the application should be refused or approved.

These reports are available 8 days prior to the committee meeting. If you wish to see this report and/or attend the committee meeting it is vital to check on the website or with the appropriate planning officer the actual date the application is being considered. A copy of the relevant report can be obtained from the website or from the Planning Committee secretary at the Broads Authority. These reports are prepared some time in advance of the meeting and may not include comments from the parish if they have not been received in time, however members will be updated at the meeting of any subsequent comments.

You are welcome to attend any meeting of the Planning Committee as an observer. You are also welcome to speak at the Planning Committee subject to the guidance set out in the Public Speaking Leaflet.

At the Planning Committee meeting

A planning officer will present the application to members of the Planning Committee and the views of those wishing to speak under the Public Speaking Scheme will be heard. The presentation will include an assessment of the proposal and of the representations received. The Committee will normally discuss the scheme and make a decision at the meeting. In some instances, members may not be able to decide without more information or visiting the application site for themselves, in such cases a decision may be deferred.

In most cases Planning Committee will have sufficient information to be able to make a decision at the meeting and usually this will be in line with the recommendation made by the planning officer. If the application is approved, planning conditions will often form part of the decision and these will need to be complied with if the development goes ahead. Whether an application is granted or refused, full reasons will be given.

If you did not attend the meeting you can find out what happened by visiting the website or ringing the Planning Committee secretary at the Broads Authority.

After the decision

The right of appeal

Once a decision has been made **only the applicant** has the right of appeal against a refusal of planning permission, or against the conditions that have been applied to it.

An appeal is made to the Planning Inspectorate who will appoint an independent Inspector to hear the case. The Broads Authority will inform all those who submitted comments on the original planning application if an appeal is to take place.