



Department for
Communities and
Local Government

Streamlining the planning application process: consultation questions response form

We are seeking your views to the following questions on the proposals to streamline the planning application process.

How to respond:

The closing date for responses is 4 March 2013.

This response form is saved separately on the Direct Gov website.

Responses should be sent to: streamlining@communities.gsi.gov.uk

Written responses may be sent to:

Darren McCreery

Streamlining the planning application process – Consultation

Department for Communities and Local Government

1/3, Eland House

Bressenden Place

London SW1E 5DU

About you

i) Your details:

Name:	Chris Geddes
Position:	Associate Planner
Name of organisation (if applicable):	Planning Issues Ltd on behalf of Churchill Retirement Living
Address:	Millstream House, Parkside, Ringwood, Hampshire, BH24 3SG
Email:	chris.geddes@planningissues.co.uk
Telephone number:	01425 462116

ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response

X

Personal views

iii) Please tick the box which best describes you or your organisation:

District Council

Metropolitan district council

London borough council

Unitary authority

County council/county borough council

Parish/community council

Non-Departmental Public Body

Planner

Professional trade association

Land owner

Private developer/house builder

X

Developer association

Residents association

Voluntary sector/charity

Other

(please comment):	
-------------------	--

**iv) What is your main area of expertise or interest in this work?
(please tick one box)**

Chief Executive

Planner

X

Developer

Surveyor

Member of professional or trade association

Councillor

Planning policy/implementation

Environmental protection

Other

(please comment):	
-------------------	--

Would you be happy for us to contact you again in relation to this questionnaire?

Yes **X** No

ii) Questions

Please refer to the relevant parts of the consultation document for narrative relating to each question.

QUESTION 1

Do you agree with the proposal to reduce the number of minor applications which require a Design and Access Statement by raising the threshold?

Yes No

Comments - The proposal will reduce the burden on applicants, and in view of the requirements in the National Planning Policy Framework (for local and neighbourhood plans to include robust and comprehensive policies setting out expectation for design in an area) it will not compromise the design and accessibility of applications comprising 'minor development'.

QUESTION 2

Do you think that major development is the right threshold for requiring a Design and Access Statement? If not, what should the threshold be?

Yes No

Comments - The adoption of the long established definition of 'major development' as the threshold is considered to be reasonable, even if there is little to distinguish between the design implications of a planning application comprising 9 units and one comprising 10 units. Wherever the line is drawn it will be similarly arbitrary.

QUESTION 3

Do you agree with the proposals to require a Design and Access Statement for some smaller schemes in World Heritage Sites and Conservation Areas, in addition to major development and listed building consents?

Yes No

Comments - Some will argue that Design and Access Statements should be continue to be required for all planning applications (except those that are already exempt) in World Heritage Sites and Conservation Areas, given that the design implications of proposals, in such areas, can be equally as sensitive as proposals requiring listed building consent. However, as previously stated in Q1, the local plan policies on design and heritage should ensure proper consideration of these matters for small developments.

QUESTION 4

Do you agree with the proposed simplification of the statutory content of Design and Access Statements?

Yes No

No comments

QUESTION 5

Are there any further changes that could be made in respect of Design and Access Statements?

Yes No

No comments

QUESTION 6

Do you have any comments on the changes to local lists and validation, as set out in paragraphs 39-46 and reflected in the draft legislation in Annex 2?

Yes No

Comments - Whilst the proposed changes are supported as far as they go, it is considered that they may not be sufficient to overcome the mind-set of many planning departments that take that stance that planning applications should not be validated until all of the 'boxes have been ticked'; whether or not the information is genuinely necessary to validate the planning application. In order to overcome this, it is considered that local authorities need to provide much clearer guidance as to the circumstances where each piece of information is required. This would help to provide greater certainty and would reduce the number of instances where both applicants and the local authority would need to enter into 'validation disputes'.

QUESTION 7

Do you have any comments on the procedure for challenging information requests at the validation stage as set out in paragraphs 52-54 and reflected in the draft legislation in Annex 2?

Yes No

Comments - The reinstatement of the right of appeal where a local authority refuses to validate a planning application is supported. Whilst the consultation paper makes it clear that government is concerned that it should be a last resort, in practice this has always been the case; developers would much rather seek to resolve such issues through negotiation with the local authority, than go through the appeal route. It is, however, considered that the re-introduction of the appeal procedure (with the associated risk of costs) will hopefully bring about a positive influence on the approach taken by local authorities; resulting in the quicker validation of planning applications and more reasonable approach to the level of information that is genuinely required.

QUESTION 8

Do you agree with the proposal to remove the statutory requirement, when planning permission is granted, to provide a summary of reasons for approval and a summary of the relevant policies and proposal considered on written decision notices?

Yes No

Comments - In most instances the summary of the reasons for approval is simply a restatement of what has already been mentioned in both the officer's report (be it delegated or to the planning committee) and minutes of the meeting. Given that these are now readily available online or via the Freedom of Information Act, it is considered that any continuing requirement for such a summary would serve little value in terms of increased transparency in the decision making process, but rather only serve as a bureaucratic burden to local authorities. Perhaps more importantly, the proposed change will address the current problem whereby where third parties have sought judicial review of planning decisions based on the adequacy of the reasons given.

QUESTION 9

Do you have any comments on the assumptions and analysis set out in the consultation stage impact assessment in Annex I?

Yes No

Comments – It is considered unusual that the impact assessment has only looked at two possible options. Can there be a genuine ‘preferred option, when the only alternative is to ‘do nothing’? In the interest of increased transparency further options considered by government should have been evaluated; for example the abolition of local lists altogether.

Question 10

In particular, do you agree that £500 is an accurate reflection of the costs associated with creating a Design and Access Statement for minor development? If not, what do you consider to be a more realistic figure?

Yes No

Comments - Whilst the associated costs will vary considerably between preparing a Design and Access Statement for a planning application comprising 9 dwellinghouses and a single-storey extension, it is considered that £1000 would represent a better estimate.