

Planning Application Procedure and Decision Making

Developer's Guide Part 1

Interim Document November 2008

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1 Preface

This series of developer guide documents is intended to assist developers who are proposing to submit planning applications for residential and commercial schemes in Slough.

Part 1 Planning Application Procedure and Decision Making

Part 2 Developer Contributions and affordable Housing (Section 106)

Part 3 Transport and Highway Guidance

Part 4 General Development Guidance

It should enable applicants to appreciate what they will be required to do and what to expect from the Planning Service at various stages.

Its production is part of an Action Plan geared to improve our performance in determining major planning applications and ensuring that recent improvements are sustained in the coming years.

The key emphasis is on shifting all the work required on negotiating schemes to the "pre-application" stage so that once an application is submitted we can concentrate on the processing elements to meet the Government's "13 week" target.

It is being published as an Interim document. It is envisaged that in due course more comprehensive advice will be produced in the form of a Supplementary Planning Document, following consultation and statutory procedures.

This interim guide may be revised prior to the comprehensive document referred to above but no change will be made to developer contributions before the 28th February 2009. Any changes will be put on the Council web site.

It does not set out to include all information that a potential applicant may need but aims to provide links to other existing sources/documents as appropriate.

It is being submitted to the Council's Planning Committee for Members' endorsement and so they are aware of the basis on which applications before them have been prepared.

It is hoped that developers find the guide helpful and comments and suggestions would be welcomed.

Gerry Wyld

Head of Planning and Strategic Policy

2 Introduction and Purpose

In 2003 the annual Attitude Survey of Slough Council Services found that 72% of the response felt that the Planning Service was satisfactory after submitting a planning application. Whatever the decision maybe, Slough Council as Local Planning Authority aims to make decisions in a fair and consistent way and in a helpful and timely manner.

The Government imposes tough minimum performance standards for Local Councils to meet when deciding planning applications.

The Best Value Performance Indicator (BV109A) relating to Major applications* sets a national standard:

A minimum of 60% of all major applications to be decided within 13 weeks

- Major applications are defined as:

Residential: 10 or more dwellings on application sites of 0.5 hectares or more.

All other types of development: 1000 sq.m. of floor space or more, or an application site of 1 hectare or more.

The Planning Service continually seeks to improve the overall performance of its service particularly in relation to its handling of planning applications. In order to improve performance on major applications the Council's Planning Committee approved procedures and action plans for the future improvement of performance relating to major applications.

Performance will be improved by :

- Improving advice to developers
- Improving advice to applicants and agents, particularly at pre-application stage, better management of the application process
- Managing the decision-making process.

This 'Developer Guide' forms an important part of the Planning Sections drive to improve performance and overall customer satisfaction with the service.

3 Pre-application Advice

Slough's Planning Service encourages applicants and agents to seek pre-application advice from Officers before the submission of any planning application. Such pre-application advice may avoid the refusal of planning permission or save you time having to make amendments to a proposal. This is particularly important as the time available to submit amended plans is limited given the performance standards set by the Government and need to carry out further consultations where appropriate.

Pre-application advice can provide useful informal guidance on whether your application is likely to be successful, although such guidance can never prejudice the Council's formal determination of any planning application. At pre-application meetings Officers can discuss with you the information you need to submit in support of the application and the likely timescale in which the Council will be able to make a decision. The Council's validation checklist lists the supporting information needed for planning applications; please see below for details.

For large or complex development proposals it is considered good practice to carry out substantial pre-application discussions including consultation with national statutory and non-statutory consultees before submitting a planning application. For major planning applications the Council will want to agree a timetable for the submission and determination of the application based on the particular details of the application and the requirements for specific supporting documents. For very large or complex planning applications a planning performance agreement may be appropriate.

Where a legal agreement or unilateral undertaking is required, preparation of a draft agreement needs to commence before or soon after the application is submitted in order that such agreements are completed prior to the 13 week deadline for the determination of the planning application.

The next section deals with the types of information required for major applications.

4 Information required when submitting a major planning application

In order to help us improve our overall performance and to meet the standard set for us by the Government we would ask for your assistance in terms of providing all the right information we need when you submit your application. Failure to supply the correct information may result in your application being considered invalid or indeed at some future date your application being refused. The Council's validation checklist will need to be referred to. This is supplied with planning application forms and is on the Council's web site.

In addition to answering all of the relevant questions on the planning application form, and providing the relevant copies of plans, you will need to provide some or all of the following information depending on the type of development you may wish to carry out.

It is therefore important that pre-application discussions take place in order to come to an agreement on the level of information required for any particular major planning application.

1. Where pre-application advice has been sought from the Council a summary of your understanding of the advice given by the Council and how the proposal accords with that advice.
2. A statement showing which policies in the Local Plan; Core Strategy, the Structure Plan, Regional Spatial Strategy (The South East Plan) and National Planning Guidance/Statements (PPG/Ss) relate to the proposal.
3. A summary showing how the proposal accords with any relevant Supplementary Planning Guidance issued by the Council.

4. A Planning Statement and a Design and Access Statement in support of your application.
5. Statements and information in support of the application as requested by the Planning Officer and pre-application advice. This may include some of the following which are listed in the Council's validation checklist -
 - (a) A Transport Assessment/Statement (including traffic impact)
 - (b) A Travel Plan
 - (c) A detailed design statement and/or visual material eg: perspective drawings, streetscene.
 - (d) Affordable Housing Proposal
 - (e) Flood Risk Assessment/Surface Water Drainage Statement
 - (f) Refuse disposal details
 - (g) Archaeological Assessment
 - (h) Ecological Assessment
 - (i) A Tree report
 - (j) Landscaping proposals
 - (k) Sustainability Appraisal
 - (l) Environmental Statement
 - (m) Historic Building/Conservation Appraisal

Certain developments or sites may also require some of the following:

- Air Quality Assessment.
- Noise Impact Assessment.
- Foul sewage and utilities Assessment.
- Structural Survey.
- Ventilation/Extraction Statement.
- Tree Survey and Landscape Plan.

- Lighting Assessment/details of lighting scheme.
 - Planning Obligations.
 - Land Contamination Report.
 - Open Space/Recreation Assessment.
 - Retail Assessment.
 - Regeneration / Economic Assessment.
 - Sunlight/daylight assessment.
 - Lighting Assessment.
 - Public Safety Zone (Heathrow Airport).
 - Visual Impact Assessment.
6. Whether you have carried out local public consultation regarding your proposal and a statement of the method and result of this consultation with copies of correspondence.
7. Details of any consultations you have carried out with statutory and non-statutory consultee organisations.
8. Where pre-application advice indicates that a legal agreement/planning obligation (for example - a Section 106 Agreement or an unilateral undertaken under Section 106) will be required before permission is granted, please supply the following information.
- (a) The proposed 'heads of terms' of the legal agreement, or a draft agreement (this should be discussed with the Planning Officer before you submit it). The Council has developed standard clauses for legal agreements.
 - (b) Copies of the Title Deed and in the event that there any changes, charges, mortgages or any securities on the land, the name and addresses of the chargee/mortgagee/holders of the security (since it will be necessary for any such parties to be joined as parties to the agreement and/or consent to its terms or execute a consent to dealing as appropriate).
 - (c) A unilateral undertaking, - normally only appropriate where a payment is to be made. Please check with the Planning Officer.
 - (d) An undertaking to pay the Council's Legal costs in connection with the preparation of the agreement.
 - (e) The relevant contact address and name of the Solicitors dealing with the matter.

5 The decision making process

Delegation

Whilst the Council operates within a Scheme of Office Delegation, ALL major planning applications are dealt with by the Council's Planning Committee, which sits approximately once every four weeks.

Application process

Given the tight timescale for the determination of the major planning applications, and in order to meet Government standards, it will be necessary to set a target Committee date for your application when it is submitted. You will be notified of this date via an acknowledgement letter. It is also useful to discuss the target date with relevant Officers at the pre-application stage.

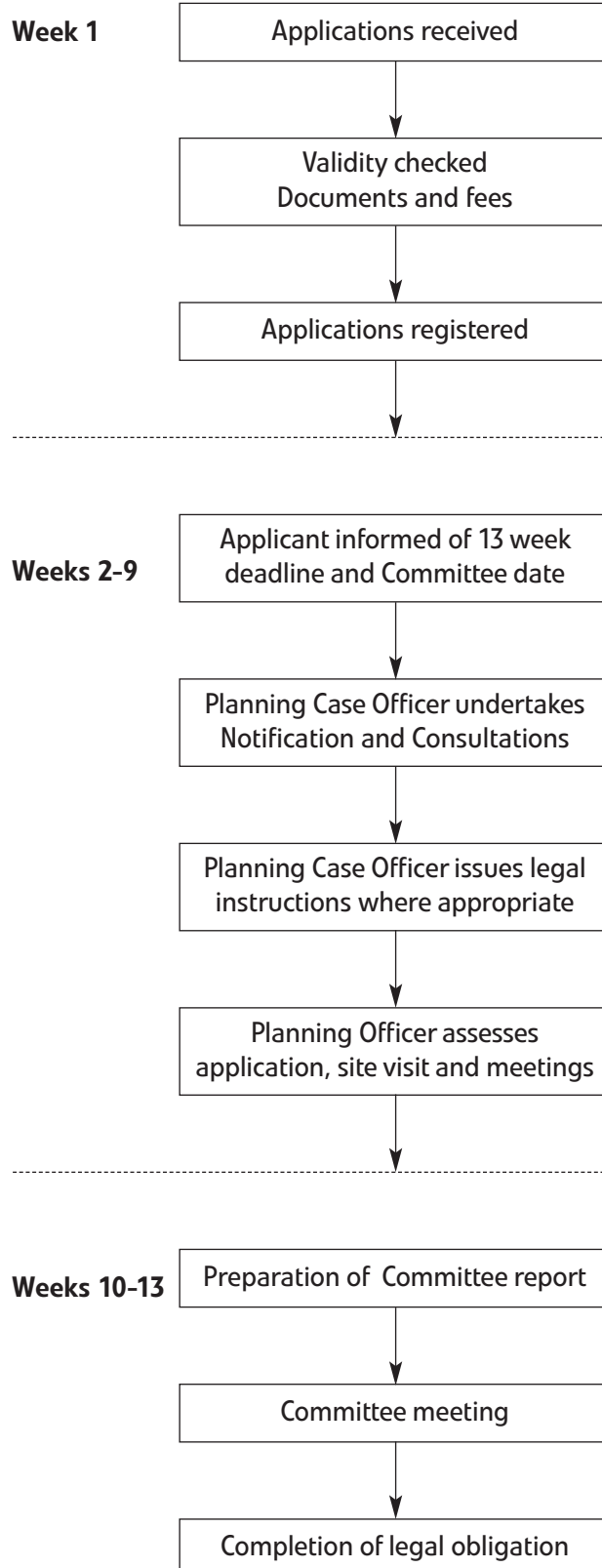
Before reaching a decision the Committee will consider the Planning Officer's recommendation and the comments received from consultees and third parties, as set out in an Officer's comprehensive report. Advice given by Officers prior to and during consideration of the application must be on an information and without prejudice basis pending informal consideration of the application by the Council.

A summary of the process for determining major applications is shown over in the flow-chart.

Public Participation at the Planning Committee

In some instances members of the public have a right to public participation in the Planning Committee. The public participation scheme sets out a procedure whereby an interested objector may notify the Council's Committee Services Section of their wish to speak at the Planning Committee. If this right is allowed then you as the applicant or agent may also have a right to address the Planning Committee. Details on the public participation scheme can be acquired from the Council's Committee Services Section.

Processing Major Planning Applications



6 Advice on Submitting Major Planning Applications

Please contact the **Planning Administration Team on 01753 875866**. The Team will put you in contact with the relevant Planning Case Officer who may deal with your pre-application advice or planning application.

A pack containing planning application forms; certificates, a list of fees payable and information on the number of copies to be submitted is available from the Planning Administration Team or they can be downloaded from the Council's web site www.Slough.gov.uk.

Planning application forms, certificates and text documents can be submitted via the Council's web site. At present submitted drawings, photos and technical documents should be paper copies sent by post.

For major applications some copies may, by arrangement, be on CD. Any documents on a CD must be clearly listed and titled for others to easily understand what they are.

Further information on the planning system is available from the Planning Portal; a national web site run by the Government Communities and Local Government Department - planningportal.gov.uk

7 Planning Policy

The Council makes decisions on planning applications in accordance with policies within statutory development plans, as defined by the Town and Country Planning Act 1990, and other material considerations. The first part of the Council's new development plan under the Local Development Framework process is the Core Strategy.

Detailed policies and guidance to implement the Strategy will complete the development plan and these will be produced in the next year or so. Until this series of documents is complete most policies in the Local Plan for Slough (2004) still apply; they have been formally 'saved' beyond the Local Plan end date of 2006 in accordance with Government regulations.

The other development plans are the Berkshire Structure Plan 2001-2016 (saved policies only) ; the Replacement Minerals Local Plan for Berkshire 2001 and the Waste Local Plan for Berkshire 1998. The Structure Plan will eventually be replaced by the South East Plan.

Government Planning Policy Guidance Notes or Statements, Regional Guidance, Regional Spatial Strategy (The South East Plan) and Government Circulars may also influence decisions made on planning applications.

Please ensure development proposals are in accordance with the relevant Development Plans and policies before submission. The Local Plan also identifies Conservation Areas, Listed Buildings and road widening lines which are linked to policies. Please note the list of road widening lines in the separate Transport and Highway Matters development guidance supersedes that in the Local Plan.

Under the new planning system the Local Development Framework documents will replace the Local Plan for Slough. These comprise the Core Strategy (now adopted), Development Plan Documents (detailed policies

and sites allocations), and Supplementary Planning Documents (guidance). Progress and consultation on these documents can be followed on the Council's web site.

Further information on the planning system is available from the Planning Portal; a national web site run by the Government Communities and Local Government Department - www.planningportal.gov.uk.

The Local Plan; Core Strategy and Berkshire Structure Plan can be viewed at the Council's website: www.slough.gov.uk under Environment and Planning > Planning > Statutory Development Plans or Planning Policy. Paper copies can be obtained from the Planning Section Slough Borough Council (details at front of document). The Waste and the Minerals Plan is available from the Berkshire Joint Strategic Planning Unit (Web site - berks-jspu.gov.uk) St Marys House c/o Town Hall St Ives Rd. Maidenhead SL6 1RF 01628 796749.

Other guidance used to interpret some Local Plan policies or to set out normal standards is contained in a series of Supplementary Planning Guidance documents. Many of these currently relate to householder or small scale development/change of use. These are available on the Council's web site or from the Planning Section. A list is in the Development Guidance document.

Other guidance or good practice issued by Government is referred to in the various parts of the separate Development Guidance document.

8 Building Regulations

The Council's Building Control Division will be happy to provide a building control service for all new development. Please contact them at an early stage to discuss your proposals. They can be contacted at:

Building Control
MyCouncil
Landmark Place
High Street
Slough
SL1 1JL

Tel: 01753 875810

Email: Buildingcontrol@slough.gov.uk

This document can be made available on audio tape, braille or in large print, and is also available on the website where it can easily be viewed in large print.

If you would like a copy of this document translated please ask an English speaking person to request this by calling 01753 875820. Alternatively please call Slough Translation and Interpreting Service on 01753 701157.

यदि आप इस दस्तावेज़ के अनुवाद की कामो हासिल करनी चाहते हैं तो कृपया अंग्रेज़ी बोलने वाले किसी व्यक्ति को कहें कि पॉस् 01753 875820 पर टेलीफोन करके निवेदन करें। या 01753 701157 पर मल्लोह ट्रांसलेशन एण्ड इन्टरप्रेटेशन सर्विस को टेलीफोन करें।

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