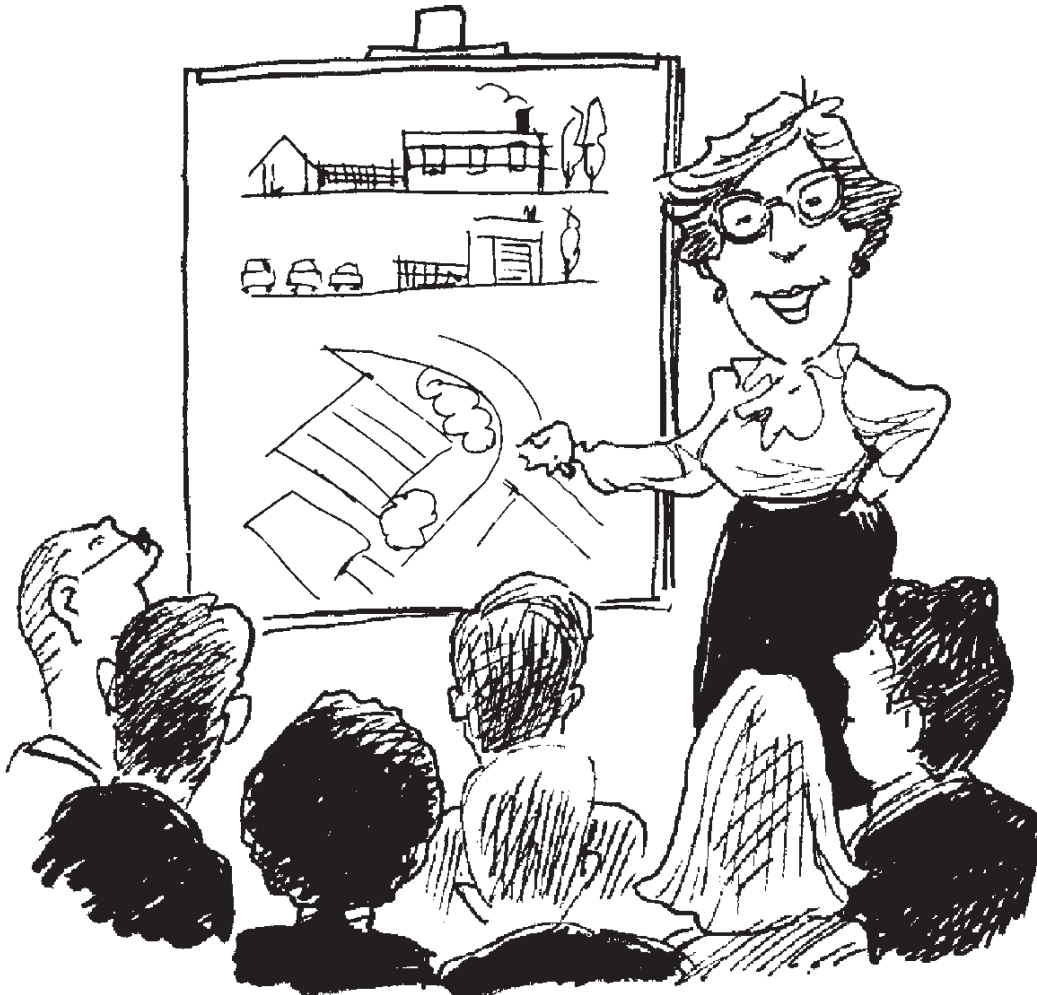


PLANNING GUIDANCE NOTE No.14

SUBMITTING A SIGNIFICANT PLANNING APPLICATION: GUIDELINES ON PRE-APPLICATION CONSULTATIONS



What is this leaflet about ?

This leaflet sets out the guidelines to potential developers on involving the public and others **before** a significant planning application is made to us. This is in addition to what the council does when it receives a planning application.

Why consult the community before making a significant planning application ?

Getting local people and others involved early can benefit everyone. People can air their views before plans are finalised and if developers address the issues raised, they can expect the Council to deal with the planning application more quickly.

What is a 'significant' planning application ?

It is the applicant's responsibility to find out if their planning application will be 'significant'. You can ask a planning officer for a written opinion on this before making an actual application. We will respond to these requests (made in writing) within five working days.

The following are guidelines as to the kinds of development that we will treat as 'significant':

- a. Major developments: housing developments of 10 or more homes or on a site of at least 0.5 hectares, and any other development with a floor area of 1000 square metres or more, or a site area of 1 hectare or more. Also changes of use above these thresholds.
- b. Developments requiring an environmental assessment.¹ These can include major industrial, infrastructure and waste projects, plus schemes such as golf courses, mining and intensive agriculture over certain sizes.
- c. A significant development that conflicts with the policies in our development plan or with more up-to-date government planning policy².
- d. A development which proposes closing or changing a public right of way.

Some proposed developments below these thresholds may also be treated as 'significant', because of the type of development, its sensitive location, or the effect of a development, when taken with previous developments of the same type in an area. Examples include developments affecting the site or setting of a listed building, protected trees or ancient woodland, the amenity of neighbours nearby, or causing local traffic congestion.

What is expected from developers ?

If you propose a 'significant' development, we expect you to consult the public before making a planning application. This consultation should be proportionate to the nature and scale of the proposed development. We strongly encourage you to discuss your consultations plan with a planning officer, as part of your pre -application discussions. At this stage, we will give you a list of addresses of people and groups we suggest you consult, and where appropriate, details of suitable venues.

Pre-application consultations are the responsibility of the potential developer to whom any comments about the proposals at this stage should be sent.

Any publicity, presentation material and questionnaires should concentrate on facts about the proposed scheme and avoid any bias. We can help assess any material you want to use.

As a guide, we may expect you to carry out a range of activities taken from the list below.

Publicity

- a. You should let local residents, businesses, regular users of land (for example, sports teams) and others (service providers, government agencies) know by letter about the proposed development. The letter should say when and where they can find out more, and include a clear map showing the location of the development, together with details of who to reply to and by when.
- b. You must place an advert in a local newspaper about the proposed development. It should say when and where people can find out more, and to whom and by when people can make comments.
- c. The closing date for comments should be no earlier than 10 days after the close of a consultation event or sending out any letters, whichever is later. You should accept comments made in writing or at a minuted meeting. You should circulate any extra information as a press release.

Involving the public at events or exhibitions

- d. You should organise at least one event or exhibition where anyone can find out more. Any staffed event should be no earlier than four days after you have published publicity material or sent out letters.
- e. Any event or exhibition must include display material with your proposals for the site, the scope for public comment, how you will deal with comments and an explanation of what will happen next. You should provide a comments box near any displayed plans.
- f. Any event must take place at a time or times that allows as wide a cross section of the public as possible to attend. This often means including weekends and evenings.
- g. You must hold any event on the application site or building, or at a venue as close as possible to the application site. Venues should be fully accessible but if not, you should make reasonable adjustments to allow access for people with disabilities. These can include libraries, but would generally not include the Town Hall. This is so that we can stay impartial.

¹ under Schedule 1 & 2 of the EIA Regulations.

² as may be set out in ODPM Planning Policy Guidance Notes and Statements, Ministerial Statements and speeches.

Contacting community representatives and others

- h. You should contact all local community groups and any other groups or organisations, for example, service providers and government agencies, who may also have a specific interest in a proposal. Table 3 gives you a starting point for identifying them. However, you should discuss this with a planning officer. The officer will give you all the contact details you need and highlight any hard-to-reach groups which you should make a particular effort to contact.
- j. You must let all borough councillors know if their ward includes the application site and any parish council whose parish includes or is next to the site. A code of conduct prevents borough councillors from expressing any views on proposals at this stage. They must stay impartial until any application is formally presented to them at a Planning Committee.

Our guiding principles on community involvement set out in the Statement of Community Involvement are also a useful reference as to the standards we would expect you to meet. There is a separate leaflet on these (Planning Guidance Note 15), or you can view them at www.darlington.gov.uk/planning

Outline applications

You should provide as much detail as possible about your plans, to allow the public to make meaningful comments. This will be easier if your proposals include, say, illustrative layouts.

When an outline application is the target, make sure you explain the nature of your intended application in any presentation and try to achieve responses that tackle the broad principle of development, rather than details, at this stage. You may need another publicity event to tackle a detailed submission, following an outline approval. You should check with planning officers before you make these applications.

You may not need to consult the local community on an outline scheme if we or our partners have carried out a recent exercise in preparing a planning or development brief or supplementary planning document.

Variations to significant schemes

If you change or modify a significant development that already has planning permission, you may also need another publicity event. Again, you should check with planning officers before you make these applications.

Sending us a significant planning application

Your planning application submission should include a statement setting out the work you have done to

involve the community. This should include:

- the extent of the area where you consulted, including a list of properties and businesses you contacted;
- a list of interest or pressure groups or other organisations you contacted;
- where any event was held and how long it lasted;
- a summary of all the comments received and issues raised;
- clear details of the comments which have resulted in amendments to the scheme and what those changes are, and which comments have not, and why
- highlighting any criticism by groups or individuals about the process you used to consult.

You should also keep all consultation responses.

If you do not keep to these guidelines

We cannot refuse to accept a planning application just because you haven't done enough (or any) community consultation before submitting a planning application. However, if this does happen, it could delay us considering your application. This is because we may need to refer relevant planning objections back to you. We may also tell all those we notify about the proposal at the application stage about your failure to keep to these guidelines.

If you fail to carry out any community consultation or do not do enough we will let councillors know this in the officer's report on your proposals. If, at this stage, there are still relevant public objections that you have not dealt with, the Committee will have to consider whether to refuse planning permission or defer making a decision.

Further information

The diagram overleaf shows the steps that need to be taken to help ensure successful pre-application consultations and publicity.

Look at the Planning section of the Council's website, www.darlington.gov.uk

Telephone the Principal Development Control Officer on 01325 388605 or Planning Policy on 01325 388644.

E-mail planning.control@darlington.gov.uk

Write to Planning Services, Development & Environment Dept, Town Hall, Darlington, DL1 5QT

Significant Planning Applications: Pre-Application Consultations & Publicity Process

