

Customer advice note 3

What happens to my planning application

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DEVELOPMENT MANAGEMENT ADVICE NOTE 3

WHAT HAPPENS TO MY PLANNING APPLICATION?

This is one of a series of advice notes to help our customers use the Development Management Service in Croydon. The service is responsible for the determination of planning applications and the enforcement of the planning regulations.

1 Introduction

- 1.1 This advice note explains what happens to an application when we receive it: how we process it, site visit procedures, how we negotiate and the procedure for amendments. Whilst the note refers mainly to applications for planning permission, the procedures generally apply to all types of planning application.

2 Validation

- 2.1 When an application is received, we check that all of the relevant forms, documents and plans plus the correct planning fee have been supplied before the application is formally registered. For advice on what you need to submit see our advice note "How do I submit my planning application?".
- 2.2 If anything that is statutorily required is missing from the application or if any of the statutory requirements are insufficient to properly describe the proposals, we will write and inform you within five working days. We cannot register the application until all of these details are received. We expect any missing elements to be returned within 28 days. It is therefore important to submit all the information that we require at the beginning of the process.

3 Registration

- 3.1 Once the application is complete, the application will be entered onto the statutory register and you will be advised in writing of:
 - the registration date;
 - the application number (it is most helpful if you can quote this in any discussions or correspondence with us);
 - the name of the planning case officer who is dealing with the application; and
 - a date (usually either 8, 13 or 16 weeks later, depending on the type of application) by which time we would hope to have made a decision.
- 3.2 The registration stage also involves a number of other important processes, such as preparing a weekly list of applications, checking the site history and deciding which Statutory or Non Statutory organisations need to be consulted. The publicity and consultation arrangements are discussed more fully in the next section.

4 Publicity and consultation

- 4.1 When an application is registered, special publicity requirements are identified to ensure that site notices and press advertisements are correctly worded to meet the requirements of planning legislation. The notices and adverts give details of where the application can be inspected and a date by which comments should be made. A decision on a planning application will not be made until this publicity period has expired.

5 Publicity

- 5.1 Generally, the Council will publicise Planning Applications by displaying Site Notices on street furniture on roads close to applications sites which it considers might be affected by a development. You will not receive an individual letter notifying you of an application if you live adjacent or close to an Application Site. Some of the applications that we deal with are not publicised (for example, lawful development certificates) because they deal with legal matters, rather than decisions about the acceptability of a proposal.

5.2 When Planning Applications are accompanied by an environmental impact assessment, would affect a public right of way, are major developments, affect a listed building or its setting, affect a conservation area or they are of wide public interest they will be publicised in the statutory notices section of the Croydon Guardian and by a Notice posted on or near the site which specifies the specific circumstance of the application . All site notices should be readable by the public without having to enter the application site. A replacement notice will usually only be posted if the original is removed or lost within seven days of it being posted and we are notified of this. However, it is not always necessary for the Council to replace such a notice and the decision as to whether a replacement site notice is displayed will depend on the circumstances of the case. White site notices are posted to publicise new applications and yellow, pink and green site notices are used for each subsequent amendment to applications where publicity of amendments is required.

6 Consultation

6.1 The views of a range of public bodies are sought on planning applications. Other sections within the council may also be asked for advice or information to assist with the determination of the application.

7 Site visit by the case officer

7.1 Every planning application will be allocated to a planning case officer. As soon as possible after the application is received a case officer will visit the site, to display the Site Notice and make a careful assessment of what is proposed and what impact it will have on the surrounding area and any neighbouring properties.

7.2 Access to properties is not always necessary in order to carry out a site visit. If access is required the planning case officer will normally see if anyone is in on his or her visit. If not they will leave a card so that arrangements can be made to gain access as soon as possible. All our staff carry identity cards that have their name and their photograph. If council staff are calling at your home, place of business or meeting you on site, you are entitled to see their identity card so that you can satisfy yourself that they represent the council. If you receive a refusal to such a request, then do not admit that person and immediately telephone the police

8 Negotiation on applications

8.1 Overall over 80% of all planning applications received by us are granted permission. A significant number of these will involve some form of negotiation. Our preference is for negotiation to take place before you submit your application (as part of a formal pre application process) as this speeds up the process.

8.2 A very important part of the planning case officer's role is to make a recommendation on the acceptability or otherwise of the planning application. Having considered all relevant factors the planning officer might conclude that the proposal is unacceptable for a number of reasons. In this case a further judgement is required on whether negotiations should be carried out in an attempt to make the scheme acceptable.

9 When we negotiate

9.1 A number of factors will influence this judgement, but the main ones are policy considerations and the scale of the amendments required. If the proposal is clearly contrary to policy, it is unlikely that negotiations can overcome this. In these cases the planning case officer will proceed to progress your application to a determination. Similarly if the scheme is substantially sub-standard, perhaps in a number of different respects, the presumption is that it will be progressed towards a decision without negotiations being undertaken. The reasons for refusal will advise the applicant or agent what the problems are so that they can seek to address these in a re-submitted application, if they wish to do this.

- 9.2 If your scheme only requires a relatively minor change to make it acceptable, the presumption is that negotiations will be undertaken to obtain satisfactory amended plans before the application is put forward for a decision.

10 Amended plans procedure

- 10.1 If you are asked to amend your plans, we will require a response within 14 days. Applicants submitting amended plans, which can also include new information and/or additional plans to supplement the originals, will be required to submit four copies of all the material. If we do not receive the amendments in time we will determine the application as it stands. If you cannot amend the plans within 14 days you should withdraw the application and start afresh. This will not entail a further fee so long as the application is of the same description and character and is re-submitted by you within 12 months of the date of its original submission.

11 Publicity for amendments

- 11.1 The decision as to whether amended plans need to be given publicity will be judged on the individual circumstances of each case. Any amendments that will significantly affect the appearance or layout of a proposal and would be of interest to neighbours or others will be publicised. However, minor changes to plans, that would not have a materially different impact on neighbours or the area generally, would not normally be publicised. This judgement is made to prevent unnecessary delay in the processing of applications and to avoid the unjustified expense of re-publicising minor changes to a scheme. Where publicity is considered appropriate for amended plans, it follows a similar procedure as that for the original application but the publicity period is usually 14 days.

12 What happens next?

- 12.1 Once the planning case officer has considered the proposals, received any amendments and the consultation period has expired, it is time to report the application for a decision. More information is contained in our advice note "How does the council decide planning applications?".