



Colne Valley Regional Park Engagement with Planning Workshop

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9th March 2023





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Overview

Local Plan for Buckinghamshire

- Progression with the Local Plan for Buckinghamshire.
- NPPF Consultation
- How to get involved in LP4B
- Next Steps

Planning applications

- Help you understand how the planning system works and how you can get involved

Aim of this section

- To help you understand the current position regarding progression with the Local Plan for Buckinghamshire.
- Update on the Government's consultation to the proposed changes to the NPPF.

Local Plan for Buckinghamshire

- Upon inception on 1st April 2020 Buckinghamshire Council were required to produce a new Local Plan for its area within 5 years of vesting day.

Calls for sites

- 2 x Brownfield calls for sites
- 1 x Call for all sites
- Site submission mapping and commencement of analysis
- Housing Economic Land Availability Assessment
[\(Housing and economic land availability assessment - GOV.UK \(www.gov.uk\)\)](https://www.gov.uk/government/news/housing-economic-land-availability-assessment)

NPPF and LURB...

NPPF Consultation

- 22 December 2022 - government published a consultation on proposed reforms to the National Planning Policy Framework.
- The consultation ran until 2 March 2023 – BC responded.
- The consultation notes that the proposals are designed to support the following policy objectives: -
 - Building beautiful and refusing ugliness
 - Securing the infrastructure needed to support development
 - More democratic engagement with communities on local plans
 - Better environmental outcomes
 - Empowering communities to shape their neighbourhoods
 - All this is needed to deliver more homes in the right places, supported by sustainable and integrated infrastructure for our communities and our economy



- Plans prepared under the existing system will have to be submitted by 30 June 2025. New-style plans will take 30 months to produce.
- Supplementary Planning Documents will be replaced by Supplementary Plans, which will have the same weight as Local Plans.
- The Duty to Cooperate will be removed and replaced by an alignment policy. 'Justified' soundness test to be moved and examinations will assess whether the LPA's proposed targets meet need so far as possible
- No changes to the standard method until there is a better understanding of future needs from the census results, expected in 2024.



- That it is not necessary to review the Green Belt to meet needs. Furthermore, LPAs are allowed to take into account past over-delivery, and subtract it from future needs.
- No need to demonstrate a 5YHLS where a plan is less than 5 years old. No buffers to be applied when calculating the 5YHLS. The Housing Delivery Test (HDT) appears to still apply in the first 5 years. However, deliverable permissions can contribute to the HDT.
- Neighbourhood Plans that meet their needs and are less than 5 years old mean that the benefits of development that conflicts with the Neighbourhood Plan is likely outweighed by the adverse effects.



- National Development Management Policies (NDMP) are still proposed, broad areas of coverage and principles for the NDMP are identified.
- Changes to the plan-making system appear largely unchanged from those featuring in the May 2022 proposals. The implications for Buckinghamshire are:
 - - Because we will not submit a plan before 30 June 2025, we must prepare a plan under the new system.
 - - Further clarity around the new system will appear in 2023/2024 and the new system is anticipated to come into force in 2024.

How to get involved with LP4B

- [Planning policy | Buckinghamshire Council](#)
- [Register for the planning policy consultation database | Buckinghamshire Council](#)

Next steps

- NPPF consultation outcome and any associated legislative changes.
- Work continues on the sites submitted in the call for all sites.
- Commence the HELAA analysis process.

Aim of this section

To help you understand how the planning system works and how you can get involved:

- Making sound planning decisions
- What requires planning permission?
- What approval is needed?
- Different types of application.
- What we do when we receive an application.
- Consultation & Notification.
- What the case officer does.
- How are Members consulted and make comments?
- Commenting on applications; what is taken into account.
- Requesting applications are considered at Planning Committee.



Making sound planning decisions:

- Planning isn't just about stopping bad stuff from happening.
- It's proactive, through the Local Plan and providing discretionary planning advice it encourages development that delivers:
 - the right things.
 - in the right places.
 - at the right time.



What requires planning permission?

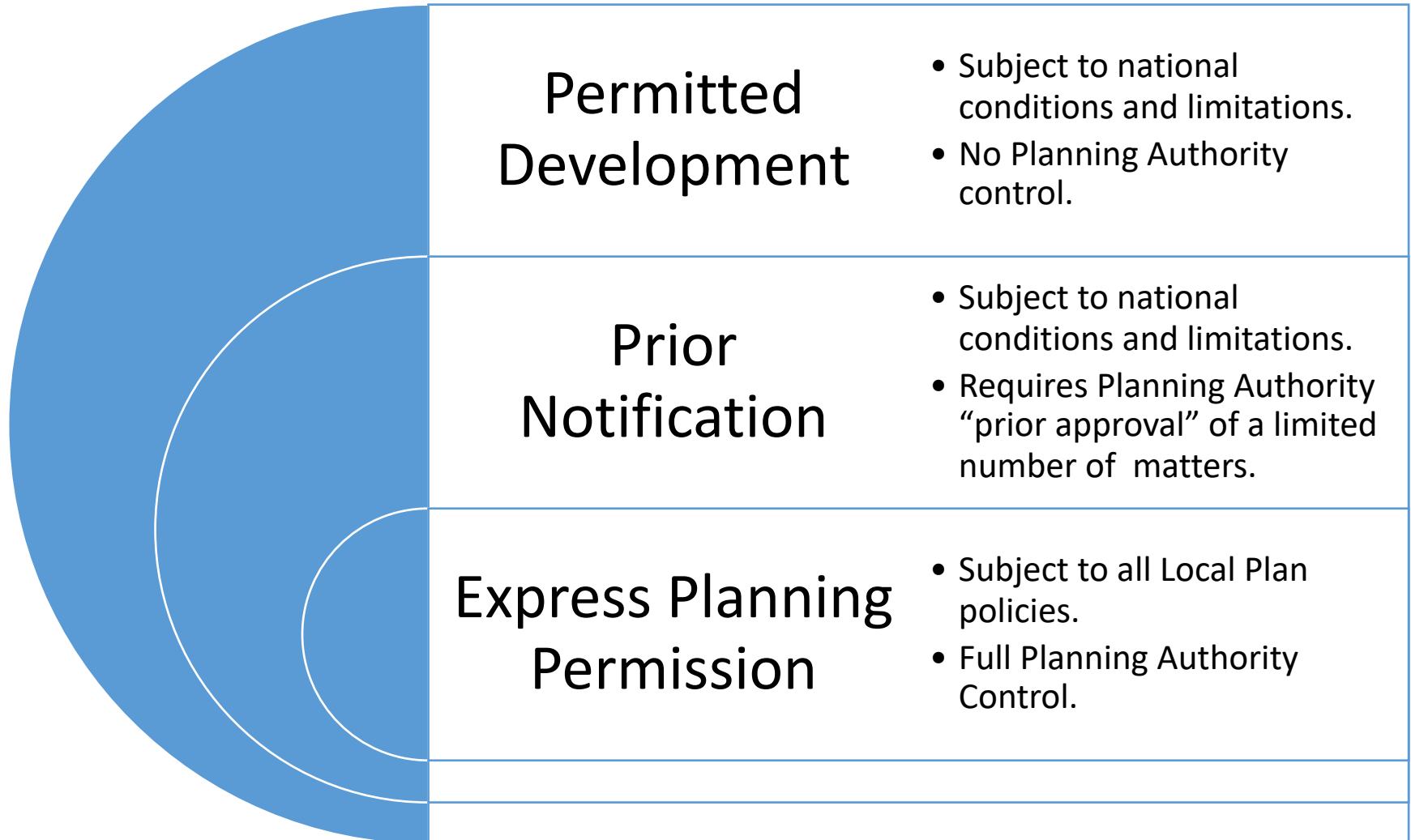
“Development” requires planning permission.

The definition of “**development**” is set out in Section 55 of the Town and Country Planning Act 1990.

Basically it falls into two parts:

Operational Development, (building things) and,
Material Change of Use.

What approval is needed?



Summary

- All “**Development**” requires planning permission.
- Some “**Development**” is automatically gated and some requires express planning permission from the Local Planning Authority: Buckinghamshire Council.
-but a lot can be done under “**permitted development**”.

Different Types of Planning Application

The government “categorise” and record planning permissions by their scale.

- **Major:**
 - 10+ dwellings / over half a hectare
 - Office / light industrial - 1000+ m² / 1+ hectare
 - General industrial - 1000+ m² / 1+ hectare
 - Retail - 1000+ m²/ 1+ hectare
 - Gypsy/traveller site - 10+ pitches
- **Minor:**
 - 1-9 dwellings / under half a hectare
 - Office / light industrial - up to 999 m²/ under 1 hectare
 - General industrial - up to 999 m²/ under 1 Hectare
 - Retail - up to 999 m²/ under 1 hectare
 - Gypsy/traveller site - 0-9 pitches.
- **Other:**
 - Householder applications

Different Types of Planning Application

- Full Planning Permission.
- Outline Planning Permission.
- Reserve Matters: can include:
 - appearance - the way it looks/ the exterior of the development .
 - means of access - routes to and within the site.
 - landscaping – trees, hedges and hard landscaping such as paving.
 - layout - way the development is laid out in relation to buildings and spaces outside the development.
 - scale - size of the development.
- Retrospective Planning Permission.
- Non-Material Minor Amendment (28 days).
- Variation of a Planning Condition.
- Householder Planning Applications.
- Approval of Details Reserved by Condition.
- Permission in Principle

Other Applications, Consent and Notifications.

As well as “planning permission” we also deal with things like:

- Advert Consent,
- Listed Building Consent,
- Hedgerow removal notices,
- Works to trees protected by a Tree Preservation Order,
- Works to trees in a Conservation Area,
- Various different permitted development prior notifications.
- Certificates of lawfulness of existing use or development,
- Certificates of lawfulness of proposed use or development.

Different Types of Application

- There are over 50 different types of application and notification.
- All with different timescales and legal criteria.

What do we do when we receive an application?

We check it meets the relevant legal requirements, known as “validation”

- **National List:** red edged site, location plan, site plan, etc.
- **Local List:** Set by Buckinghamshire Authority.

Then we publish the information on our website.

We tell the relevant people we have received it;

- Consultation & notification.

Consultation (with specialists)

“Statutory” consultees:

Legislation defines who are “statutory” consultees.

- They don't have to respond but the Local Planning Authority has a legal duty to consult them. These include:
 - The Highway Authority,
 - Environment Agency,
 - Natural England.
 - The Local Lead Flood Authority (major applications) .
 - And many more.

Consultation (with specialists)

“Non-Statutory” consultees:

- Any “in-house” specialists the Authority choose to consult to assist them in reaching a determination. Such as:
 - Conservation Officer,
 - Urban Designer,
 - Education Services.
 - Environmental Services, etc.
- External non statutory consultees:
 - Those used to review any specialist reports submitted with an application;
 - a retail impact statement,
 - a viability assessment, or,
 - an agricultural holding appraisal, etc.

Notification (non-specialists)

The process of bringing development proposals to the notice of a wider non-specialist public.

“Statutory” notification:

- Legislation defines this process. It includes:
- Parish and Town Councils,
- Adjoining neighbours: letters or site notices,
- In some cases adverts in the local paper .

“Non-Statutory” notification:

- Buckinghamshire Councillors.

The purpose of the notification is to allow relevant issues to be identified, so that they can be fully considered by the case officer.

Public Notification; Is not any form of public “vote.”



The purpose is to allow all the issues to be identified.

The number of letters of representation “for ” or “against” does **NOT** dictate the outcome of the application.

What a case officer does:

- The case officer usually makes site visit.
- Considers the consultee comments.
- Considers the other representations received.
- Case Officer makes an assessment.
- Amendments may be negotiated.
- A report is written considering all the issues and a recommendation is made.
- A decision is then taken; usually under powers delegated to officers; or those applications would benefit from scrutiny are determined by a Planning Committee.

How do I find out more information?

Planning application plans and details are published on the Council website. At present they are accessed through the different legacy versions of “Public Access” serving the different geographical areas of Buckinghamshire Council

Geographical Area	Public Access
East and South (legacy Chiltern and South Bucks Area)	https://isa.chiltern.gov.uk/online-applications/
West (legacy Wycombe Area)	https://publicaccess.wycombe.gov.uk/idoxpa-web/
North and Central (legacy Aylesbury Vale Area)	https://publicaccess.aylesburyvaledc.gov.uk
Minerals & Waste (legacy Buckinghamshire County Council)	http://publicaccess.buckscc.gov.uk/online-applications/

Together these form our “**Planning Register**”

How do I comment?

- Comments should be made directly into “Public Access” (or Consultee Access).
- Any comments received are public documents.

Public Access

- You need to register the first time you use each “Area” Public Access.

Buckinghamshire Council
Chiltern & South Bucks Areas

Search My Profile Login Register

Before an application is determined, statutory planning documents & relevant background papers will be available to view here. After determination, the application form & certain background papers will no longer be viewable.
Please contact us via email at planning.csb@buckinghamshire.gov.uk for advice or more information.

Planning – Simple Search
Search for Planning Applications by keyword, application reference, postcode or by a single line of an address.

Simple Advanced Weekly/Monthly Lists Property Map

Applications

Status: All

Enter a keyword, reference number, postcode or single line of an address.

Search

Buckinghamshire Council
Minerals and Waste Planning

Search My Profile Login Register

Planning – Simple Search
Search for Planning Applications, Appeals and Enforcements by keyword, application reference, postcode or by a single line of an address.

Simple Advanced Weekly/Monthly Lists Property Map

Search for:

Applications Appeals Enforcements

Buckinghamshire Council
Wycombe Area

Search My Profile Login Register

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Applications Appeals Enforcements

Status: All

Enter a keyword, reference number, postcode or single line of an address.

Search

Buckinghamshire Council
Aylesbury Vale Area

Search My Profile Login Register Apply Online

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Simple Advanced Weekly/Monthly Lists Property Map

Search for:

Applications Appeals Enforcements

Status: All

Enter a keyword, reference number, postcode or single line of an address.

Search

Registering for Public Access

Any problems email:
planning.digital@buckinghamshire.gov.uk

What should you say?

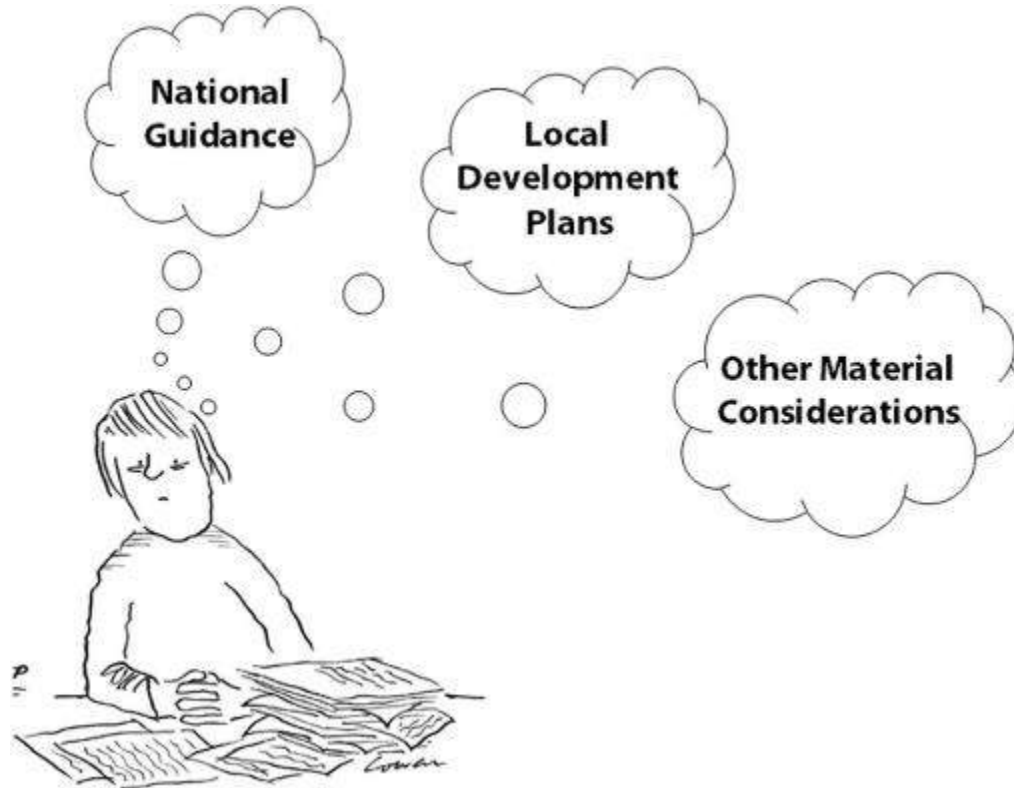
Firstly, you don't have to comment on every application.

What issues do you feel should be considered and why?
Try to focus on material planning considerations.

Explain why you think it is acceptable or unacceptable
(provide any evidence you have to support your views).

You do not need to quote policies, its identifying the
issues that is important.

What has to be taken into account?



What material considerations can be taken into account?

Matters (**of public interest**) which can be taken into account:
(although the list is not exhaustive).

- Loss of privacy
- Loss of light
- Car parking
- Traffic generation
- Noise and disturbance
- Character of the area
- Green Belt
- Conservation Area
- Design, appearance and layout
- National and local policies

What is not taken into account?

Private Interests or matters covered by other legislation cannot be taken into account:

- Loss of value to property
- Loss of view
- Personal disagreements
- Boundary disputes
- Covenants
- Commercial competition
- Construction Disturbance
- Sunday trading
- Matters controlled under other legislation such as Building Regulations & Environmental Health

Amended Plans or Additional Details

There may be further consultation if amended plans are received.

This will be at the case officers discretion, as they are best placed to assess how significant any changes are.

If further consultation takes place you will be consulted, setting out how long you have if you wish to comment.

Which applications are considered at Planning Committee?

- Planning Committee is a limited resource and a cost. 98% of planning applications are determined through delegated authority. The level of delegation has been set to ensure that the objective of referring a case to committee where this additional public scrutiny will add value to the process.
- Planning Committees should therefore be focusing their limited resources on the applications of local or strategic significance which would benefit from scrutiny.
- So it should not be used for the cases that are 'obvious' approvals or 'obvious' refusals, its for those in the grey area in the middle.
- Members are unlikely to call an application to Committee simply because they have become aware of a neighbour or other objection.

Which applications are always considered at Planning Committee:

The constitution requires that some applications are always referred to Planning Committee.

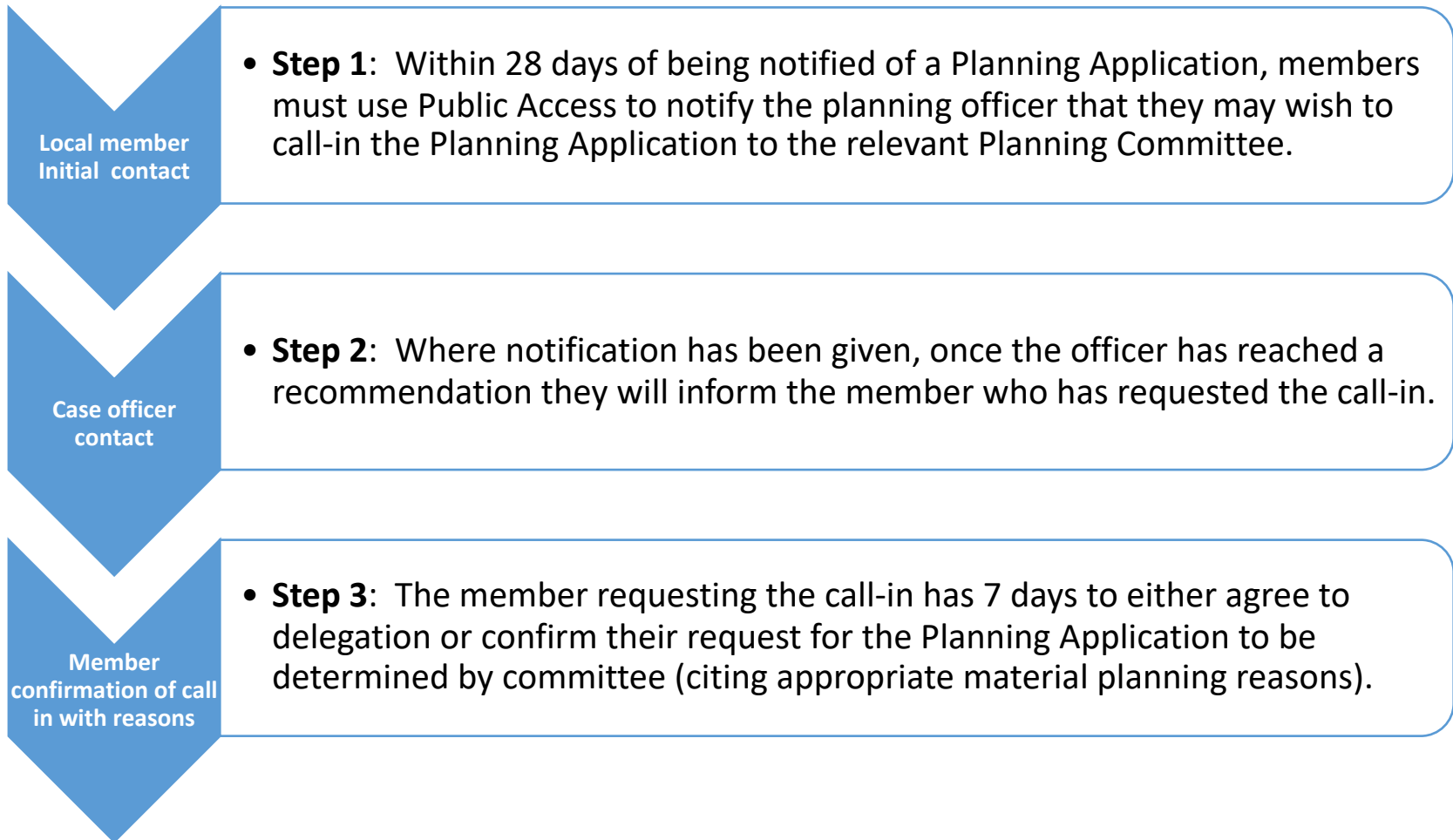
These are applications submitted by:

- Buckinghamshire Council (known as a Regulation 3 applications),
- a councillor,
- a Chief Officer,
- a Corporate Director,
- a Service Director, or,
- a Planning Officer.

How are applications referred to Planning Committee:

- a) Triggered by either:
- a members request for scrutiny (call-up) of an “**outline**”, “**full**” or “**reserved matters**” planning application, or,
 - any application submitted by officers (other than a Chief Officer, Corporate or Service Director or Planning Officer);
 - The Service Director, in consultation with the appropriate Planning Committee Chairman, decides that the application would benefit from scrutiny and refers it.
- b) The Service Director Planning and Environment decides not to exercise their delegated powers as they consider the matter would benefit from further scrutiny.

The call-in process:



Any Questions?

If you have any questions please contact;

Issue	Officer
Public Access and Consultee Access	planning.digital@buckinghamshire.gov.uk Jayne Froome: Digital Planning Team Leader
Matters relating to planning applications	Mark Aughterlony: Development Manager Mark.Aughterlony@buckinghamshire.gov.uk
Matters relating to “major” planning application or any “minerals & waste” applications	Claire Bayley: Development Manager (Majors) Claire.Bayley@buckinghamshire.gov.uk