



A Guide to Town and Country Planning

For Town & Parish Councils



**NORTH
NORFOLK
DISTRICT
COUNCIL**

| A better place

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Guidelines for Town & Parish Councils

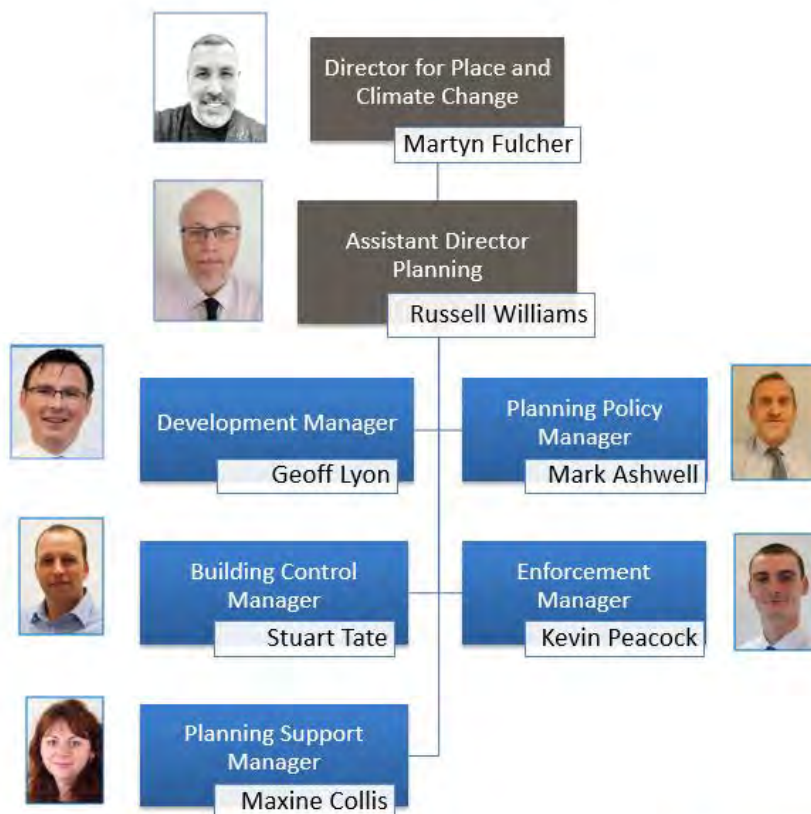
The function of the Planning Service is to guide the way our towns, villages and countryside develops. This includes the use of land & buildings, the appearance of buildings, landscaping considerations, highway access and the impact that the development will have on the local environment.

There are many other organisations, with expert knowledge, that are also involved in the planning process. Organisations such as Anglian Water, Natural England, English Heritage, to name but a few, as well as other authorities including Norfolk County Council which may provide guidance on a variety of considerations relative to Norfolk, from highways to social care, education and transport.

A) Overview

1) Planning at North Norfolk District Council

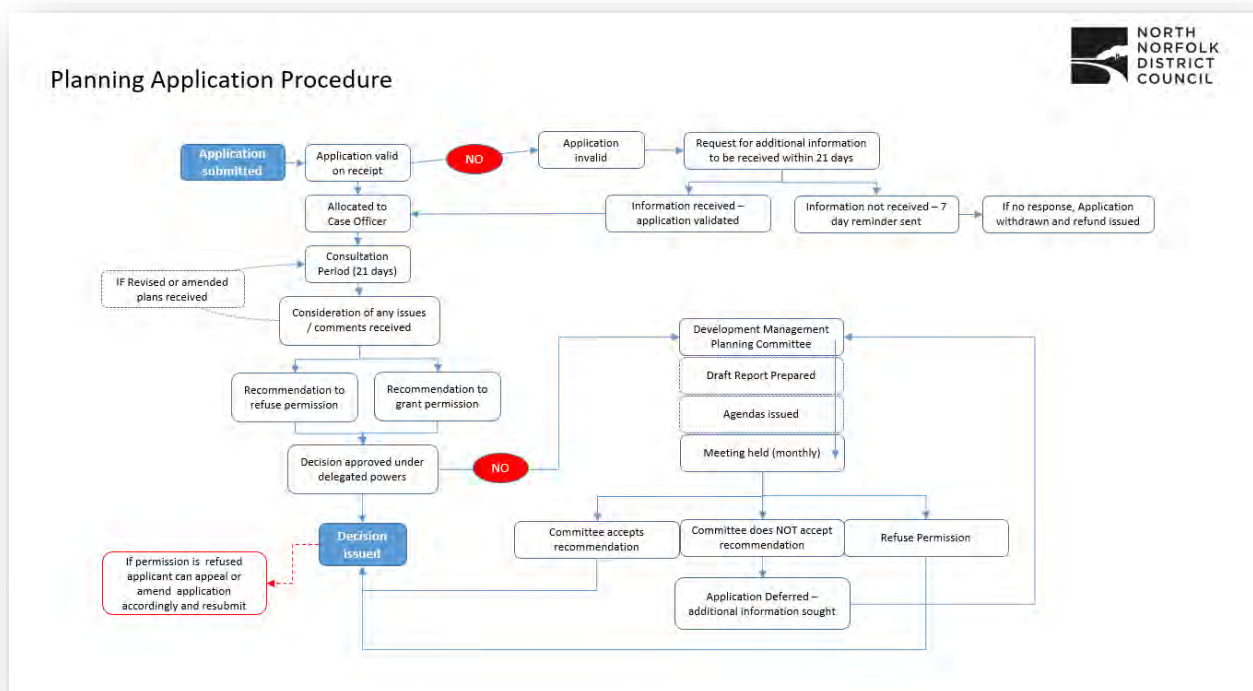
At North Norfolk District Council (NNDC), The Planning Service come under Place and Climate Directorate umbrella. The entire Planning Service is managed by the Head of Planning and there are several teams, within that service area that manage the various aspects of Planning and Development.



Key teams are:

- **Planning Policy** (incorporates; planning policy, development of the Local Plan, neighbourhood plans etc) – Planning policy, through the Local Plan, sets the policies that will govern how planning applications are assessed.
- **Conservation, Design and Landscape** (covers ecology, trees, landscapes, listed building and heritage) All parties are integral to the development management function as consultees. This team will deal with Listed Building applications,
- **Development Management** – deals with the majority of planning applications, including pre-applications, prior approvals, reserved matters, decision discharges and where required appeals. This team also undertakes consultations with both internal and external consultees.
 - **Planning support (PPU)** forms part of the function of Development Management dealing with administrative aspect of the planning process. This also includes the software upkeep and development.
- **Building Control** - It is a legal requirement for building work to meet the Building Regulations (2010) and our building control team check that work complies with the Building Regulations and associated legislation. This function sits outside of the statutory requirement for local authority provision so builders/householders can use external building control services if desired.
- **Enforcement** - The main purpose of the planning enforcement team is to investigate alleged breaches of planning control and, where appropriate, to negotiate or pursue formal enforcement action.
- Other services within the Planning Service area includes the **Property Information Team** covering street naming and numbering, Land charge searches and the Local Land and Property Gazetteer (LLPG) function.

2) The Planning Application Process



Key milestones in the process are

- **Validation** - the application is received and all information and payment are supplied. Once an application has been checked by a team leader and assigned to a case officer it is 'registered' and becomes a 'public document' viewable through our public access system. All accompanying documentation, including plans and supporting evidence are also made public.
- **Consultation** - alongside statutory consultees (like T&PCs) team leaders will decide who else needs to be consulted. This very much depends on the application, the site position, surrounding areas and likely impact on the environment. Consultation is a 3-week process. Short extensions of time can sometimes be agreed in cases that are complex or controversial. The public can also submit responses to comment, support or object to an application. Most people will know about applications through the installation of site notices outside of the site or property in the application.
- **Consideration** – this is the process of reviewing consultation responses, checking the application, reviewing policy and constraints. An officer may conclude a planning application is acceptable as it is submitted or may be acceptable subject to some amendments or conditions that may need to be complied with, prior to commencement or during the build.
- **Decision** – a decision notice should be issued within 8 weeks of validation for a general application or 12 weeks for a major application. Not all applications are decided by elected Council Members, in fact most (around 80-90%) are decided through the process of delegated authority with the decision being made and approved by experienced planning officers.

Other key elements of the Planning process are;

Appeals – where applicants are not satisfied with the Council's decision or conditions imposed on an application, an appeal can be submitted to the Planning Inspectorate (within certain time limits). There is no third party right of appeal.

Enforcement – the function of the Council that follows up on breaches (or potential breaches) to the planning procedure. This may be unlawful development or failure to follow the agreed plan, conditions or constraints required as part of the final decision.

2. a) Planning applications

There are many types of applications, many of which are listed below. Further details are available via the links to the Planning Portal website or via this link: [Home | Is planning permission needed? \(north-norfolk.gov.uk\)](#)

- Full planning applications [Planning applications - Planning applications - Planning Portal](#)
- Outline planning consent [Outline planning consent - Consent types - Planning Portal](#)
- Reserved matters [Reserved matters - Consent types - Planning Portal](#)
- Householder planning applications [Householder planning consent - Consent types - Planning Portal](#)
- Listed Building Consent applications [Listed building consent - Consent types - Planning Portal](#)
- Conservation Area Consent applications [Home | Making changes in Conservation Areas \(north-norfolk.gov.uk\)](#)
- Advertisement Consent applications [Advertisement consent - Consent types - Planning Portal](#)
- Applications for Certificates of Lawfulness [Lawful development certificate - What to do next - Planning Portal](#)
- Prior Approval applications [Prior approval - Consent types - Planning Portal](#)
- Applications to vary or discharge matters reserved by planning conditions [Approval \(Discharge\) of conditions - Consent types - Planning Portal](#)
- Pre-apps [Pre-application advice - How to apply - Planning Portal](#)

2.b) Consultation

There are numerous aspects of an application that are taken into consideration when deciding who to consult. Firstly, there are some statutory consultees – including Town and Parish Councils, which have to be consulted on certain types. Who else to consult depends on the type of application, the property and its impact on the surrounding areas. In total there are approximately 130 consultees that the Council can draw advice from.

During the planning process the general public are also encouraged to submit comments on the application. The advertising of the application is carried out in part through site notices which are placed at the location and give details of the consultation process, as per the Council's Statement of Community Involvement.

2.c) Decision

Around 90% of all decisions on planning applications are decided by officers without being reported to the Development Committee. Planning case officers make a recommendation to a Senior Officer, who then has delegated authority to make decisions. The case officer's recommendation may or may not be accepted and the decision is not made until the formal Notice of Decision is signed and issued.

Before making their recommendation, the Planning Officer will read all the consultation responses. They are also take into account local and national planning policies and guidance and any other material considerations. The Planning Officer will have undertaken a site visit to familiarise themselves with the location and surrounding area, noting other buildings in the locality. All decision notices are checked to ensure continuity.

However, decisions for the more controversial, complex or significant proposals are taken by the Councils Development Committee. These are public meetings held each month. Further details are available [here](#).

T&PC's receive notice of the decision via email or it can be viewed through the public access system.

2.d) Role of Development Committee

The Planning Development Committee meets monthly to determine applications referred to it. At the meeting, the Planning Officer will present the application. The applicant/Agent is permitted to speak in support of their application, if they wish to do so. The opportunity to speak against the application is also made available, subject to the terms of the Committee e.g. if they have pre-registered to speak (further details [here](#)). The Development Committee can also decide Listed Building applications, Tree / hedgerow preservation applications and applications affecting conservation areas.

2.e) The right to appeal

Applicants who are not satisfied with a decision the Planning authority has made, has the right to appeal. Further details of the appeal process are given [here](#). Town and Parish Councils are unable to appeal decisions unless they are the applicant.

2.f) What is permitted development?

Permitted development rights are essentially a scheme, created by the government, that allows you, in some circumstances to extend/renovate your home without the need for a full planning application. This can for example include proposals for rear and side extensions, porches, boundary walls/fences and solar panels.

However, the rights can be complex and advice should always be sought if in doubt. Advice can be obtained through our pre-application service, although non-specific guidance is available via the Planning Portal or Government website.

[Permitted Development Rights - Planning Permission - Planning Portal](#)
[When is permission required? - GOV.UK \(www.gov.uk\)](#)
Government Guidance [Title \(publishing.service.gov.uk\)](#)

2.g) What is a pre-application request?

The Council offers a 'pre-application' service. This is the process of obtaining advice prior to the submission of an actual planning application. This process does not usually involve any consultation and on this basis, Town & Parish Councils are not informed when a pre-application request is received. Pre-application submissions are also not placed in the public domain at the time of application.

Any response provided by the Council does not prejudice any future planning application decision or dispose of the planning application procedure. What it does do is however, is provide landowners/developers with enough information for them to decide whether or not to submit a planning application and/or what considerations they may need to take into account when preparing their application.

3) The role of Town & Parish Councils in the Planning Process

The role of the Town & Parish Council (T&PC) is to:

- Represent local views,
- Provide local knowledge,
- Raise areas of concern or provide support,
- Inform, debate, and add value to the process, and
- Contact and involve District Councillors (if required).

Town and Parish Councils are statutory consultees in the planning process and are informed of all planning applications, including any amendments to those applications, within their area. Each notice will be emailed to the Clerk as they are registered. At this point, most applications will be published on the Councils website via the [Public Access Portal](#).

The T&PC should comment on these planning applications in the same way as the general public, however, any comments by the PC should be agreed during a public council meeting.

Members of the public attending a T&PC meeting can comment, speak in support of or object to any application during an 'Open Forum' part of the meeting. Comments agreed by the Council, in the council meeting, can then be submitted by the Clerk via the public access portal.

The T&PCs are 'a consultee' and their response counts as a single opinion. The T&PCs can seek the views of residents of the Parish, particularly in controversial cases, and should reflect on local feeling during the deliberation process. It is suggested that, should there be widespread support or objection to an application, the T&PC can advise their parishioners to submit their own objection, or support, for a proposal through the planning access system or by contacting the Planning Department.

It is important for T&PCs to understand that their responses should only be based on planning matters. A good place to start is [The Local Plan](#) such that they can comment on any aspects of the application they feel contravenes or supports current planning policy.

Objections should be clear, concise, relevant, and accurate. Whilst NNDC considers the representations of the T&PC, this does not mean that an application will be decided in accordance with the views of the T&PC. Planning Officers must consider all consultee responses and weigh up the impacts/benefits of proposals in reaching their recommendation/decision.

Material considerations are a collection of important elements that a planning officer will take into consideration when deciding a planning application. T&PCs are encouraged to comment on whether they feel an application will have a positive or detrimental impact on these matters.

Material Planning Considerations can include: -

- Layout, density.
- Risk of flooding or pollution.
- Overlooking and loss of privacy.
- Overshadowing and loss light (daylight/sunlight).
- Access and traffic generation (highway safety).
- Local economy.
- Design, appearance and materials.
- Appearance, effects on street, specially designated area or building (e.g. conservation areas, listed buildings, ancient monuments, etc.).
- Adequacy of parking.
- Noise and smell.
- Landscape, contamination, loss of trees, etc.
- Cumulative impact.
- Past planning history or appeal decisions of the site.
- Central government policy and guidance (National Planning Policy Framework, Planning Practice Guidance).

The following list indicates some areas / considerations which do not make up part of the Planning process, therefore, whilst they may be deemed important to residents or T&PCs, commenting on such elements will not impact on the final decision.

- History of applicant.
- Loss of view.
- Commercial competition.
- Change from previous scheme.
- Impact on property value.
- Restrictive covenants.
- Ownership of land, right of access.
- Noise & disturbance from construction work.
- Land & boundary disputes.
- Land ownership.
- Damage to property.
- Private rights of way.
- Deeds & covenants.
- Private issues between neighbours.
- Lots of objectors.

However, the T&PC may make suggestions for planning conditions to be added to the application should the local authority grant approval.

If a 'No Objection' is lodged as a comment, NNDC assumes the Parish is satisfied all of the considerations are being met

Planning conditions will only be imposed by the local authority where they are: -

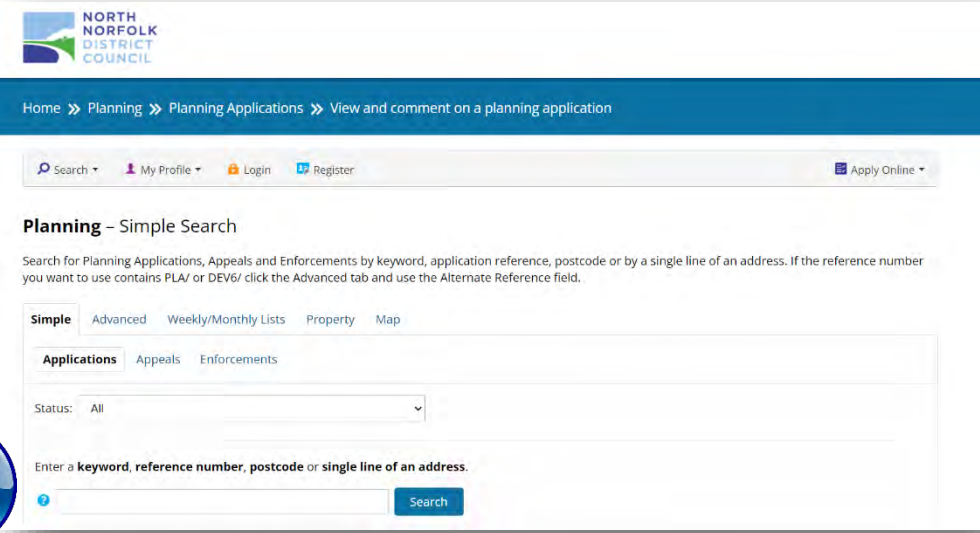
- Necessary
- Relevant to planning and to the development to be permitted
- Enforceable
- Precise
- Reasonable in all other respects

B) Accessing planning applications

Using the Councils public access system

The Council's Public Access System is a key tool for any Town or Parish Council. All 'live' planning applications are accessible via NNDC's website through our [Public access system](#)

If you know either the application number, part of the address or postcode you can find an application by using the 'Simple Search' option.



The screenshot shows the North Norfolk District Council website's 'Simple Search' page. The page header includes the council's logo and navigation links. The main content area is titled 'Planning - Simple Search' and contains a search bar with a dropdown menu for 'Status' (set to 'All') and a 'Search' button. A blue circular arrow icon points to the search bar.

If you wish to undertake a general search of those applications in your parish or ward, you can do so using the 'Advanced' tab.



Planning - Applications Search [Help with this page](#)

Search for Planning Applications, Appeals and Enforcements by matching at least one search option in the form below.

Simple **Advanced** Weekly/Monthly Lists Property Map

Applications Appeals Enforcements

Reference Numbers

Application Reference:

Planning Portal Reference:

Alternative Reference:

Application Details

Description Keyword:

Applicant Name:

Application Type:

Ward:

Parish:



Conservation Area:



Agent:



Select the criteria you need or alternatively just search for your Parish or Ward. This screen also allows you to search for applications made during a given timeframe – this is important as no timeframe is likely to provide very long lists!



Dates



Enter a date range (a start date and an end date) for the criteria that you are interested in. The date fields may be entered manually using the date format dd/mm/yyyy (e.g. 01/07/2019). Alternatively, click on the calendar button and pick a date.

Date Received:  to: 

Date Validated:  to: 

Date Actual Committee:  to: 

Decision Date:  to: 

Final Decision Date:  to: 

Press the SEARCH button to retrieve the applications. If nothing appears reconsider your selections (and spellings!)

The **Weekly/Monthly lists** tab can be used to find validations (new) applications and Decisions by Parish or Ward.

Planning – Weekly List

Search Planning Applications either validated or decided in a given week.

Simple Advanced **Weekly/Monthly Lists** Property Map

Weekly List Monthly List

Parish:

Ward:

Week beginning:

Show applications: Validated in this week
 Decided in this week

Search

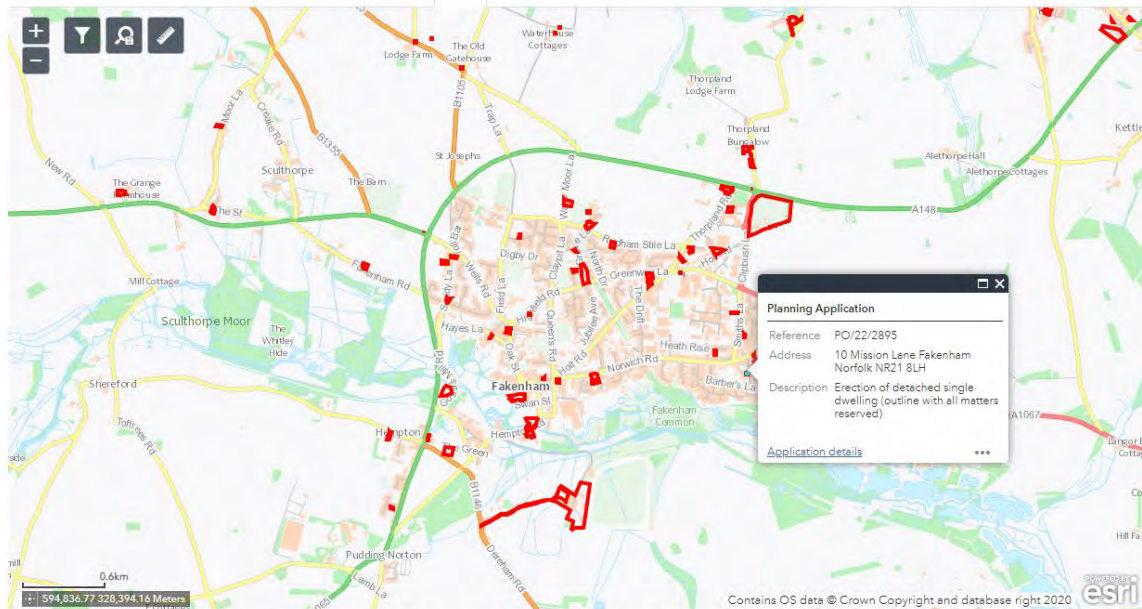
Another useful feature instead of the Advanced Tab is the **MAP** tab. You can use this tab to view applications by place. Clicking on the red planning outline reveals the application details.

Planning – Map Search

[Help with this page](#)

[Click here for help with using the map.](#)

Simple Advanced Weekly/Monthly Lists Property **Map**



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4) Other useful websites or publications

Obtaining advice from NNDC

NNDC operates a 'one front door' system meaning that all queries are channelled through its Customer Service Team (email or phone). With regard to general planning advice, the Customer Service Advisor will attempt to answer your query in the first instance, but if this is not possible, they will create a 'call-back' which is issued to the Planning Service. Your call is then forwarded to an appropriate officer within the Planning Service. They may call you or email a response.

If you wish to speak to someone about a specific application you should call the appointed **Case Officer** (details are contained within the Public Access System. We advise that call via customer services so that the call is logged and monitored to ensure a timely response should the case officer not be available at the time of your call. If you can provide a Planning application reference number when contacting the Council this does help to ensure we put you in contact with the right person. [Home | Contact us \(north-norfolk.gov.uk\)](#)

The Council also has web pages designed to help Town & Parish Councils and this includes direct links to useful planning information, documents and news. [Home | Town and Parish Councils \(north-norfolk.gov.uk\)](#)

[Planning Portal](#)

The Planning Portal is a website for submitting planning applications and finding planning guidance. It has some useful guidance notes including the '[interactive house](#)'. The Portal used to be government managed but is now owned by TerraQuest Solutions Limited. Planning Portal that was established by UK Government in 2002 to allow planning applications in England and Wales to be processed electronically. Many people do submit applications via this route but there is fee for doing so.