



East
Northamptonshire
Council

Protocol for dealing with major planning applications or applications of significant interest



Meeting national performance targets to
improve the speed of decision making

Protocol for Dealing with Major Planning Applications or applications of significant interest

1.0 Background

- 1.1 We recognise that the scale and complexity of major applications requires a different approach from smaller scale applications.
- 1.2 This protocol sets out how we will seek to improve the process and achieve consistency in our approach by providing greater certainty for all concerned in major applications. However, there may be instances when the full requirements of this protocol may not be necessary, as some major applications are more straight forward than others.
- 1.3 The Government has set national performance targets to improve the speed of decision making. According to these 60% of major applications should be determined within the 13 week period. We will aim to meet this target as it provides for good customer care for both applicants and other people with an interest in the application in knowing how quickly a decision will be reached.

2.0 What is a major application?

- 2.1 A major application is defined by the Government as any of the following:
 - A residential development of 10 or more houses or 0.5 hectares of site area or where the number of dwellings is not specified.
 - For non-residential, proposals covering a floor area of 1000 sqm or more or a site area greater than 1 hectare in size.

3.0 Pre application discussions

- 3.1 We positively encourage developers submitting a major application to discuss their proposal with us prior to the application being formally submitted. This will help to identify the key issues and ensure that the right information and material is submitted with the application so that it can be processed quickly.
- 3.2 As a minimum developers are encouraged to submit a site location plan, a description of the proposed works, an analysis of the site identifying the constraints and opportunities at this early stage. We would like to get actively involved in the layout of the site, therefore an indicative plan would be helpful to enable us to get involved before the plan is at the final design stage. In addition, developers should submit an explanation of how their proposal accords with the development plan.
- 3.3 We will allocate a case officer to the proposed development. The officer will consider whether the proposed development site would need an Environmental Impact Assessment and may either request further information or ask for the submission of a request for a screening / scoping opinion. During this initial stage the officer may also attend an internal Development Team meeting to discuss the proposal and any emerging issues. The Development Team includes an officer from economic development, planning policy, housing, conservation, building control and development control. The Case Officer will inform all Ward Members.

- 3.4 Following this initial assessment, the case officer will either provide an initial response to the proposal, or arrange a meeting with the applicant / developer and other relevant organisations depending on the potential issues, for example Highways, Environmental Health, Conservation.
- 3.5 At this meeting the merits of the scheme will be explored, including whether the scheme accords with the provisions of the development plan. In addition any Section 106 contributions and validation requirements will be discussed to ensure that the developer is aware of all of the supporting information and the Heads of Terms that will need to be submitted with the application. (An example of a typical Heads of Terms can be seen in Appendix 1). The case officer will also highlight the importance of community engagement in pre-application discussions. This includes involvement of appropriate Members of the Council (these are the Ward Member(s) and Members of the Development Control Committee responsible for other areas), which will need to be in accordance with the Council's Protocol for Member Involvement in Pre Application Discussions. (To be considered in parallel with this protocol, web link to be provided). Developers are advised that community engagement should be in line with our adopted Statement of Community Involvement. In particular it will be important to involve Town and Parish Council's in any discussions related to public open space and the County Council in discussions related to education.
- 3.6 Following the meeting detailed in 3.4 & 3.5 above the case officer will follow up with a meeting note and the developer may then be in a position to submit the formal application. Alternatively a series of further meetings will be arranged if necessary, to continue the discussions on any relevant issues. The frequency of meetings will be agreed with the case officer and developer at the time of the initial discussion.
- 3.7 A timetable for the pre-application process is set out in Appendix 2.

4.0 Submitting the application – what to expect

- 4.1 We are committed to ensuring that all relevant information for applications is submitted at the beginning of the process. Piecemeal submission of documents leads to confusion and delay, as further consultation with the local community and statutory agencies takes place. Through the pre-application process we will have been able to give advice on what information is required to support the application to ensure that it is registered quickly. A list of the local requirements for major applications is attached at Appendix 3 - please note that not all requirements may be relevant.
- 4.2 The target for validating applications is within 5 working days of receiving a complete application. The application, once validated, will be allocated, wherever possible, to the case officer who conducted the pre-application enquiry.

5.0 Processing major applications

- 5.1 The case officer will then begin consultations with the local community, interested parties and statutory consultees. This will be in addition to any consultation that has been undertaken at the pre-application stage. In addition a site notice will be

displayed and a notice published in the Nene Valley News. The Officer will also aim to carry out a site visit within 10 working days of receiving the application.

- 5.2 The case officer will encourage the involvement of Members and Town and Parish Councils as necessary.
- 5.3 The case officer will also instruct Legal Services, where appropriate, to prepare the Section 106 Obligation in accordance with the agreed Heads of Terms.
- 5.4 Following the expiry of the consultation period, the case officer will contact the Developer's Agent to discuss the consultation responses and request any amendments if required. Please note that amendments to the scheme will normally only be requested if a new issue has emerged or the amendment is minor. The case officer will not request a fundamental amendment if the scheme has been submitted contrary to advice given in pre-application discussions. In such circumstances the application is likely to be recommended for refusal.
- 5.5 The case officer will then prepare their report and the application will be reported to the next available Development Control Committee, or will be dealt with under delegated powers. These are usually held every three weeks on a Wednesday evening. Reports are completed two weeks before the meeting so we need sufficient time for the application to make the agenda. The report to the Development Control Committee will also include the details within the Heads of Terms. Any recommendation to approve will be subject to the prior completion of the Section 106 Obligation and any other appropriate conditions that are deemed necessary.
- 5.6 A timetable of the application process can be seen in Appendix 4.
- 5.7 During the process of assessment and determination the progress of the Section 106 Agreement will be monitored by the case officer via contact with Legal Services and feedback will be given to the applicant. A timetable of the Section 106 process can be seen in Appendix 5.



APPENDIX 1
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 Email info@east-northamptonshire.gov.uk
www.east-northamptonshire.gov.uk

Heads of Terms Planning Obligations

Site address:
Applicant Name (s): Address:
Telephone: Email:
Please complete attached form setting out the obligations agreed.
If you require a Section 106 Agreement the following must be included when submitting this form: <ul style="list-style-type: none"> - Land Title - A4 / A3 Site Plan with land in question outlined in red x2 (this is in addition to any others required)
Please note any legal fees must be paid before completion of the Agreement.
Your Solicitor contact details: Contact: Company: Address: Telephone: Email:
Details of additional parties to agreement or any relevant information:
This form is to be completed and included in your application submission. If you have any queries on how to complete this form, or require further information please contact the planning department on 01832 742225 or email: planning@east-northamptonshire.gov.uk
Sign Date

Obligations Agreed		
Contribution Type	Amount / Provision	Timescales / Phasing
Education		
Affordable Housing		
Open Space		
Community Facilities		
Libraries		
Transport and Highways		
Healthcare		
Greenway		
Other		

APPENDIX 2

Pre-application process for major applications, or applications of significant interest

Stage (involving applicant)	Officer task	Time period for task
Applicants approaches Council	Log pre-app and check site history and establish constraints	Within 5 working days of receipt of QRY (internal term for pre-planning advice)
	Officer to acknowledge QRY setting out timescales and the procedure (this can be a standard template) Advise all the Ward Members of the QRY as necessary / appropriate.	Within 5 working days of receipt of QRY
	Consider whether the proposal requires Environmental Impact Assessment, and if so, request the applicant to submit a screening / scoping opinion.	Within 5 working days of receipt of QRY
	Attend first available Development Team meeting to discuss principles and general policies.	Within 14 days of receipt of QRY
Arrange meeting with Applicant to discuss proposal and emerging issues.	In advance of the meeting request additional information if required and obtain comments from the relevant parties. Arrange the attendance of relevant parties (such as highways, design officer, environmental health), including the ward member, as appropriate, and a technician (to enable preparation of submission requirements)	Within 20 working days of receipt of QRY
Meeting	Discuss the material considerations and merits of the scheme. Discuss the heads of terms & validation requirements Officer to encourage the applicant / developer to carry out community consultation, i.e. Town Council and local community and all Ward Members.	Within 28 working days of receipt of QRY
	Officer to follow up meeting with a formal meeting note.	Within 5 working days of meeting
Applicant either submits an application, or meetings continue with relevant parties until the scheme has been agreed informally.	Monitor the pre-app file.	

Local validation requirements

The following list of local requirements may be required for a major planning application (this is in addition to the national requirements); the list in full can be seen on the following link <http://www.east-northamptonshire.gov.uk/pp/silver/viewsilver.asp?id=2308>

- Design and Access Statement
- Air Quality Assessment
- Biodiversity Survey and Report
- Flood Risk Assessment
- Heritage Statement
- Housing Statement
- Land Contamination Assessment
- Landscaping Details
- Lighting Assessment
- Noise Assessment
- Photographs and Photomontages
- Planning Obligations (Heads of Terms)
- Statement of Community Involvement
- Structural Survey
- Supporting Planning Statements
- Sustainability Appraisal and Energy Statement
- Town Centre Impact Assessment
- Transport Assessment
- Travel Plan
- Tree Survey / Arboriculture Implications
- Utility Assessment
- Ventilation and Extraction Statement

Application process, upon formal submission, for major applications or applications of significant interest

Time period	Officer tasks
Week 1	Application received, EIA development? Validated, registered and allocated to Officer. Consultations identified and carried out. Case history and constraints set out for planning officer.
Week 2	Site visit carried out. Discuss proposal with Principal Planning Officer. Advise applicant if S106 is required and send instructions to legal.
Week 3	Monitor consultation responses.
Week 4	Consultations reviewed, letter to applicant to request additional information, meeting held with applicant if necessary. Request any amendments within 10 working days
Week 5 / 6	Await amendments; carry out reconsultations, over a 14 day period, if necessary. Schedule application for next available committee
Weeks 6 – 13	Application reported to committee monitor S106 procedure

APPENDIX 5

Section 106 Procedure	Officer Responsible
Instructions sent to Legal with relevant information in week 2 of the application process.	Planning Officer
Legal then draft the Legal Agreement and return to the Planning Officer for checking; this should be done within 10 working days.	Legal Services
Check draft and detail amendments (if any) and return to Legal within 5 working days. Inform Section 106 Officer.	Planning Officer
Send out draft agreement to the applicant and County Council (if necessary) within 5 working days.	Legal Services
Any changes that come back need to be agreed with a Planning Officer.	Legal Services
Once agreed it needs to be sent out for sealing.	Legal Services
On return signed the dated agreement needs to be passed to Planning Officer.	Legal Services
Once received by the relevant Planning Officer they formally issue the decision notice and send it out to the applicant/agent within 5 working days.	Planning Officer