



Planning Management Committee 9th January 2019

Draft Development Management Charter

Purpose of report

This report presents a draft Development Management Charter intended to replace the current Development Control Charter which was last updated in 2011. It is being reported to the Planning Management Committee for comment, so that any comments can be taken into account in a final draft which will then be reported to the Planning Policy Committee seeking approval.

Attachment

Appendix 1: Draft Development Management Charter

1.0 Introduction

- 1.1 The current East Northamptonshire Council Development Control Charter was last updated in 2011 and as a result of significant intervening changes, it is now considered by Officers to be out of date. Key changes which have occurred since 2011 are:
- The replacement of Planning Policy Guidance and Statements with the National Planning Policy Framework and Practice Guide;
 - Changes to national planning performance targets and introduction of thresholds for special measures designation;
 - New legislation/statutory instruments e.g. relating to permitted development and development management procedure;
 - Changes to Development Management team structure and working practices including adoption of paperless working.
- 1.2 The Development Control Charter is considered to be a useful document in principle, as it explains in simple terms to customers what services the Development Management team provide, what customers can expect in relation to those services and the targets we strive to achieve.
- 1.3 It is clearly important that the charter is up to date, so that customers are not accessing incorrect information. The draft document at appendix 1 is a revised version of the charter reflecting the changes listed above.

2.0 Equality and Diversity Implications

- 2.1 This report is purely seeking comment at this stage and a revised draft will be reported in due course to the Planning Policy Committee. Nevertheless, it is not considered that the revisions being proposed to the charter raise equality and diversity implications.

3.0 Privacy Impact Implications

3.1 There are no privacy implications arising from the proposals.

4.0 Legal Implications

4.1 There are no legal implications arising from the proposals.

5.0 Risk Management

5.1 There are no significant risks arising from the proposals.

6.0 Resource and Financial Implications

6.1 There are no resource or financial implications arising from the proposals.

7.0 Constitutional Implications

7.1 The charter would not necessitate amendment of the Council's Constitution.

8.0 Implications for our Customers

8.1 The draft charter would enable customers to access up to date information regarding Development Management services. The charter includes links to other sources of useful information and the explanation of timescales and processes would help the customer plan their proposed development project effectively and allow them to gain the maximum benefit from our services.

9.0 Corporate Outcomes

9.1 The draft charter supports the corporate outcomes by helping to deliver high quality service delivery and officer development by clearly setting out what a customer can expect from the Development Management service and setting targets against which officer and team performance can be monitored, managed and continually improved.

10.0 Recommendation

10.1 The Committee is requested to provide any comments they have on the draft charter, so that these can be taken into account before a final draft is presented to the Planning Policy Committee.

Legal	Power: Development Management Procedure Order 2015				
	Other considerations: National Planning Practice Guide				
Background Papers: Development Control Charter, 2011 available on the Council's website					
Person Originating Report: Roz Johnson, Planning Development Manager ☎ 01832 742045 ✉ rmjohnson@east-northamptonshire.gov.uk					
Date: 20 th December 2018					
CFO		MO 20/12/18		CX	



East
Northamptonshire
Council

Development Management Charter



Working proactively to secure developments that will improve the economic, social and environmental conditions of the district

If you would like to receive this publication in an alternative format (large print, tape format or other languages) please contact us on 01832 742000.

	Contents	Page
	Executive Summary	4
1.0	Introduction	5
2.0	Statement of Intent	6
3.0	Scope	6
4.0	The Need for Planning Permission	7
5.0	Pre-Application Discussions: Asking for Information and Advice	7
6.0	Formal Planning Application	9
7.0	Planning Conditions and Monitoring	14
8.0	Requests for Minor Amendments	15
9.0	Appeals	16
10.0	Enforcement	16
11.0	Complaints and Performance	16
12.0	Monitoring and Reviewing Progress	17

Appendices

	Appendix A – Targets for performance	18
--	---	-----------

Executive Summary

How East Northamptonshire looks and is developed is important to local residents. The Development Management Service helps to achieve sustainable development by providing advice to applicants and the community, making decisions on planning applications, checking development, and taking enforcement action when the rules have been broken.

Our aim is to provide excellent customer service and to continually improve the service that we provide to all parties.

This Charter explains the work we do and what you can expect from each stage of the process. It also sets out the targets we work to.

1.0 Introduction - The Development Management Service

The purpose of this document is to explain what we do, our commitment to achieve certain targets and what you can expect from us.

1.1 In Development Management we manage the development and use of land and buildings in the public interest. To do this we:

- Enter into pre-application discussions;
- Consider planning and related applications;
- Respond to planning appeals;
- Take action when development is carried out without permission.

1.2 The main outcome that we seek to achieve through development management is to contribute to the achievement of sustainable development. The National Planning Policy Framework sets out the three overarching objectives of sustainable development which are:

*'a) **an economic objective** –to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** –to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** –to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (NPPF para 8).'*

1.3 Effective delivery of the service is also an important outcome to us, as it will ensure good value for money for our residents and a good reputation with our customers. To provide an effective development management service we work in partnership with consultees, including Town and Parish Councils.

1.4 By publishing our targets we aim to continue to improve our Development Management Service and make it as responsive as possible. We will monitor our targets to ensure they are met.

2.0 Statement of Intent

- 2.1 We will work positively and proactively to secure sustainable development. Our aim is to make the best decision about each application, not necessarily the quickest. This means taking into account a proposal's impact on the environment, the economy and the community. It may also mean balancing the needs of the applicant against the effect a development might have on neighbours and other people living nearby.
- 2.2 Our service is controlled by Government legislation which means that at times we can have little choice about how we provide our service. In addition we have national performance standards that we have to work to.

3.0 Scope

- 3.1 We recognise that applicants, neighbours, and the public are all customers of the Development Management Service. We will treat everyone in accordance with the Council's Customer Service Standards of:
 - Integrity
 - Equality of opportunity
 - Courtesy and fairness
 - Clear communication
 - Responsiveness
 - Reliability

You can find further information about these standards on our website at: https://www.east-northamptonshire.gov.uk/info/10102/customer_service_standards/1744/customer_service_standards.

- 3.2 We want to ensure that our service is as accessible as possible. Many people may have little or no experience of how the system works. Our website includes a lot of useful information to help you at: <http://www.east-northamptonshire.gov.uk/planning>.
- 3.3 Advice is also available through the Planning Portal at www.planningportal.gov.uk. We also provide a Planning Helpdesk service between the following hours, for general queries and information about planning:
 - Monday, Tuesday, Thursday and Friday 9.00am to 1.00pm
 - Wednesday 9.45am to 1.00pm

4.0 The Need for Planning Permission

- 4.1 Some forms of development are classed as 'permitted development' and do not require you to submit a formal planning application. Further information and guidance can be obtained at: https://www.planningportal.co.uk/info/200125/do_you_need_permission.
- 4.2 Our planning helpdesk will be able to provide general advice, but will not be able to confirm whether or not a proposal is permitted development. If you would like the Council to provide a legally binding determination of whether or not planning permission is required for a proposal, you may submit an application for a lawful development certificate. Further details can be found on our website at: <https://www.east-northamptonshire.gov.uk/planning>.
- 4.3 In some instances a planning condition or designation may limit permitted development rights. If you would like us to check whether this is the case for a particular property, please submit your request in writing and we will aim to respond within 10 working days.

Service Target 1 – Queries regarding permitted development restrictions

We will aim to respond to written queries regarding permitted development restrictions within 10 working days.

5.0 Pre-Application Discussions: Asking For Information and Advice

- 5.1 We encourage applicants to discuss their proposals before a formal application is made; through these discussions we can try to resolve any obvious problems, encourage better quality applications and achieve the highest quality of development.
- 5.2 So that together we can make the process effective, worthwhile, timely and consistent it is important that we recognise what we each need to do. We have therefore produced a 'Pre-application Protocol', which explains the process and also how our fees for pre-application advice will be calculated: <https://www.east-northamptonshire.gov.uk/downloads/file/10505/pre-application-advice-protocol>.
- 5.3 We ask any potential applicant or developer to set out a summary of their proposals in writing. We are not able to deal with requests for pre-application advice by telephone. The amount of information that you need to provide will depend upon the scale of your proposal. As a minimum we ask that you provide a location plan clearly outlining the land in question. The more information you provide at the enquiry stage, the more detailed our advice can be.

- 5.4 When we receive a request for advice we will acknowledge receipt and confirm who the case officer will be. The Officer allocated to the enquiry will review our previous planning decisions and the history relating to the site and identify the key planning constraints and policies which would be relevant. They generally, but not always, make a site visit.
- 5.5 We aim to provide a full written reply within 30 working days on more straightforward cases.
- 5.6 We have a further Protocol in place for major applications –‘Protocol for Dealing with Major Planning Applications or Applications of Significant Interest’ (https://www.east-northamptonshire.gov.uk/site/scripts/download_info.php?downloadID=1106&fileID=3639).
- 5.7 For larger/major applications with more significant implications we will seek to make an initial response either in writing or at a meeting within 30 working days. In this we will identify what we both need to do and any further information required. Please note that we will expect to be involved in pre-application discussions about layout and design and also Heads of Terms for any planning obligation (which is a form of legal agreement) that may be required. We would also wish to see community engagement in pre-application discussions including involvement of appropriate Members of the Council, which will need to be in accordance with the Council’s Protocol for Member Involvement which is set out at part 5.4 of the Council’s Constitution: (https://www.east-northamptonshire.gov.uk/downloads/download/151/the_councils_constitution).
- 5.8 The advice provided by Case Officers is their professional opinion, and whilst we do seek to ensure that this is accurate and objective, it is provided without prejudice to a decision on a formal application. We can never guarantee you the outcome of the process as other information may come to light following consultations, representations or more detailed consideration of the proposal; this might result in a different view being taken. You should not make any property purchases or start building works based solely on pre-application advice.
- 5.9 When we give advice about minor and householder development we will seek to identify who else you should consult before making a formal application; for example the Highway Authority, Environment Agency, Natural England and Historic England. We will not, as a matter of course, carry out these consultations for you. This should ensure that your formal application can be dealt with more quickly. For larger/major applications when necessary we will involve relevant organisations in pre-application discussions.
- 5.10 We do not generally publicise pre-application requests or advice, however you should be aware that the Council may need to disclose the information in response to requests made under the Freedom of Information or Environmental Information Regulations.
- 5.11 Please remember that you should try to make sure that you leave time for informed discussions and comments on your proposals during the pre-application stage. It is in your interest to reach an agreed position with us before any planning application is submitted because we will normally only enter into discussions at the application stage if

only modest or minor amendments would be needed to overcome our objections to a scheme.

Service Target 2 – Pre-application advice, non-major applications

We will aim to answer written requests for pre-application advice for minor and other development within 30 working days of receipt.

Service Target 3 – Pre-application advice, major applications

We will aim to provide initial advice/full answer in response to written requests for pre-application advice for larger/major development within 30 working days of receipt.

6.0 Formal Planning Applications

Submitting a Planning Application

- 6.1 It is your responsibility to make sure that your application is submitted correctly. When filling out the forms, you should follow carefully the advice given in the relevant guidance notes on making an application. You should also ensure that you include all of the supporting information required by the National and Local Validation Checklist (https://www.east-northamptonshire.gov.uk/site/scripts/documents_info.php?categoryID=200170&documentID=1572).
- 6.2 Even a simple mistake can prevent us from registering the application. We can provide help or advice on completing the application forms. For an additional fee we can also provide copies of Ordnance Survey site plans. We encourage you to submit your application online via the Planning Portal website, as this will make the process quicker: <http://www.planningportal.gov.uk>. If the application that you are submitting includes a significant amount of information we would also appreciate it if you could supply a CD direct to us to help us upload the information direct to our website.
- 6.3 We check each application to make sure that all procedural requirements have been met. If valid, the application will be registered. A receipt of the application and fee acknowledgement will be sent to the applicant/agent. In the acknowledgement letter, the applicant/agent will be told the name and telephone number and e-mail address of the case officer, a target date for when we should have made a decision and the applicant's rights will be explained.

- 6.4 When an agent or an adviser is appointed, to avoid confusion, we will deal only with the agent rather than the applicant in all correspondence and discussions.
- 6.5. Incomplete applications cannot be registered. The applicant/agent will be given a specified time in writing to complete the application. Where possible we will contact the applicant/agent by e-mail. We cannot begin to process the application until it is valid for registration. It is therefore in the interests of the applicant to respond quickly to requests for the required information.

Service Target 4 – Validation of Applications

We will aim to validate applications within 5 working days from the receipt of a complete application.

Processing of an Application by the Case Officer

- 6.6 Once an application has been registered, a Case Officer will be allocated. The Case Officer will become responsible for the processing of the application and will if required make a site visit. The applicant will not normally be notified of the visit unless access to the property is restricted.
- 6.7 The Case Officer will identify, in consultation with other parties, any additional information required as soon as possible. Sometimes this is identified by those commenting on the application and is needed to help them understand the proposals.
- 6.8 Unless the applicant has entered into a 'Planning Performance Agreement' with the Council (an agreement which sets out timescales, actions and resources for the determination of an application), we will not normally enter into discussions with the applicant except where only modest or minor amendments would be needed to overcome objections due to the need to meet performance targets. This means that it is important to engage with us at the pre-application stage. Discussions during the application stage will not normally take place where:
- The development is unacceptable in principle;
 - A complete redesign will be needed to overcome objections;
 - Clear pre-application advice has been given, but the applicant has not followed that advice;
 - No pre-application advice has been sought;
 - The development does not comply with the Development Plan or other published standards;
 - The additional information could not reasonably be returned to the Council within 14 working days.
- 6.9 For complex/major proposals where it is likely that amendments and further information may need to be submitted during the course of an application, applicants are encouraged to enter into a Planning Performance Agreement (PPA) with the Council

prior to submission of an application. The PPA will set out timescales and expectations for both parties. A fee will be required and this will vary dependent on the complexity of the application.

- 6.10 Where an application is amended it is up to the Local Planning Authority to decide whether further publicity and consultation is necessary. In deciding we will refer to current guidance set out in the National Planning Practice Guide. Where re-consultation is considered necessary we will re-notify neighbours and/or relevant consultees, allowing 14 calendar days for additional comments to be made.
- 6.11 The Government's target is for Councils to determine 60% of major applications within 13 weeks and 70% of non-major applications within 8 weeks. We will aim to deal with all applications in accordance with these standards, as it is fairer to both applicants and other interested parties to know how quickly an application will be decided. We are therefore committed to the timely and efficient determination of planning applications.

Service Target 5 - Determination of Applications

We will deal with applications in accordance with national and local performance indicators for the determination of applications.

- 6.12 We cannot support a process of submitting continuing amendments to an application which delays the decision making process beyond the Government's target period. We will only agree to deferments of an application in exceptional circumstances. Applications will normally be determined as soon as possible unless they are withdrawn.
- 6.13 We will keep applicants informed about the progress of their application and we encourage regular contact with the Case Officer. If the application cannot be dealt with by the target date, we will explain why we need more time.
- 6.14 We will seek the applicant's agreement to extend the time for decision making as soon as we are aware that an overrun is likely, and explain the reason to the applicant.

Notification of an Application to Neighbours and Consultees

- 6.15 We have published an advice note that explains our neighbour notification and publicity policy 'Planning Applications a Guide to Publicity and Neighbour Notifications'. (https://www.east-northamptonshire.gov.uk/downloads/download/142/a_guide_to_publicity_and_neighbour_notification). This note explains people's rights to be informed about applications, how they can get detailed information, how they can make comments, and how comments will be treated.

- 6.16 We will provide assistance to people wishing to comment on a planning application through our Planning Helpdesk service. All planning applications and supporting plans can be viewed on the Council's website at www.east-northamptonshire.gov.uk/planning. All planning decisions will be posted on the Council's website. We are a paperless office, so hard copies of plans/decision notices are not held.
- 6.17 Information about planning applications will be provided on a weekly list which is available on the Council's website. Certain applications (as defined by planning legislation) are also published in a publication which circulates in the area concerned (usually either the Nene Valley News or the Northamptonshire Telegraph). When required, a site notice will also be displayed. Those people directly notified in writing about a specific application will be told how they can make comments on it, and will be allowed at least twenty-one days in which to do so. If amendments are made to the application which necessitate re-consultation, neighbours will be re-notified and allowed a minimum of 14 calendar days to comment.
- 6.18 We will expect statutory and other consultees to reply to consultations within 21 days. Whilst we will try to be sympathetic to requests for an extension of the time period for comment we are not able to guarantee that we will be able to agree to such requests. We will monitor how long consultees take to reply and take necessary action where the lack of response delays the timely consideration of applications.

Commenting on an Application

- 6.19 Anyone can comment on a planning application. However, for the comment (known as representation in planning terms) to be 'material' (i.e. able to influence any decision), it must be based on valid planning reasons. We will not take into account objections that are not specific or based upon proper planning considerations. Our website contains advice on 'material' planning considerations (<https://www.east-northamptonshire.gov.uk/viewplanningapplications>) and further help can be obtained from the Planning Helpdesk at the Council Offices.
- 6.20 All comments must be made in writing, should be signed (unless sent via e-mail) and dated, and should clearly state the grounds on which the representation is made. Anonymous representations will not be considered, although you can make comment via a planning consultant or solicitor if you wish. Pre-printed form letters of representation will be accepted for consideration if they are individually signed and dated.
- 6.21 You may make comment on a planning application via the Council's website. We will accept e-mails as letters of representation provided that the sender provides their full name and postal address.
- 6.22 Representations can be submitted in the form of petitions and will be considered provided that:
- Each page of the petition is headed with the aim of the petition;

- The name and address of those signing are provided and are readable;
- The grounds of representation are material and are clearly stated; and
- The name and address of the petition co-ordinator is included.

- 6.23 Please note that representations will be published on our web site, however we will redact what we consider to be personal/sensitive data.
- 6.24 Representations received are summarised and considered in both Delegated Reports and reports to the Planning Management Committee and taken into account before a decision is made (see following section).
- 6.25 Representations received between the end of the formal consultation period and the date of the Delegated Decision or Planning Management Committee may still be taken into account at the Planning Case Officer's discretion.
- 6.26 Sometimes the report writing deadlines mean that the latest date for making comments falls after the report has been drafted. In such cases any comments will be reported to the Committee on a written update sheet along with any 'late' comments.
- 6.27 If you have commented on an application, we will notify you if it is to be decided by the Planning Management Committee.

Making the Decision

- 6.28 We will make a decision on a planning application by one of two different methods.
- 6.29 Straightforward, small-scale applications are mainly decided through the Scheme of Delegation. Under this process the Head of Planning Services (or other authorised Officers) will act on behalf of the Council in accordance with clearly stated and published guidelines. This brings efficiency and effectiveness to decision making on non-controversial applications.
- 6.30 Planning applications which are required to be considered by the Planning Management Committee will generally include those applications involving complex proposals, or which are potentially controversial, or which conflict with the policies of the Council, or where an objection has been received from the Town or Parish Council (unless after consultation with Ward Members, the Ward Members agree that a delegated decision can be made), or a Member requests (within an agreed timescale) that an application is determined by Committee.
- 6.31 The Planning Management Committee normally meets once a month. Details of any meeting and items on the agenda are published on the Council's website at www.east-northamptonshire.gov.uk and can also be obtained from the Planning Helpdesk. The Committee holds its meetings in public and allows applicants and interested parties to speak at the Committee in accordance with the procedures set out in Part 5.4 of the Council's Constitution: <https://www.east-northamptonshire.gov.uk/constitution>.

- 6.32 Once a final decision has been made on an application, the decision notice will be issued to the applicant and will be uploaded to the Council's website. Any conditions attached to a permission, reasons for refusal, or any additional information or advice will be set out clearly and the reasons for them explained. The decision notice will also explain the applicant's right of appeal against a decision to refuse planning permission or against conditions attached to a permission. The Planning Inspectorate can only consider appeals by the applicant and not by third parties.
- 6.33 Some decisions may not be made until the applicant and other relevant parties have entered into a planning obligation (a form of legal agreement). If an obligation is believed to be needed, the applicant will be told as soon as possible so that discussions about the form and content of the obligation can be agreed during the consideration of the planning application, or ideally at pre-application stage. We will seek to recoup the full cost of the preparation of a planning obligation from an applicant.
- 6.34 We will normally expect a legal agreement to have been completed in a timely manner so that the decision can be issued within the Government's target period.
- 6.35 No work should start on site until the applicant has received the formal decision notice that confirms the Council's decision in writing and any pre-commencement conditions have been discharged (see section 7).

7.0 Planning Conditions and Monitoring

- 7.1 Permissions will usually be conditional and some conditions may require the submission of further details to the Council for approval. 'Pre-commencement conditions' require details to be agreed before any works start on site. In accordance with national guidance we will seek to only use pre-commencement conditions when the requirements of the condition (including the timing of compliance) are so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission. We are required to notify applicants/agents of our intention to use pre-commencement conditions on planning permissions (excluding outline permissions) prior to issuing a decision. In order to avoid unnecessary delay, applicants/agents should ensure they respond to confirm their acceptance/comments/objection to our proposed pre-commencement conditions as soon as possible. Applicants should be aware that if we consider a pre-commencement condition essential, but they object to it being imposed, the planning application will be refused.
- 7.2 Information regarding how to apply to discharge conditions and the fee required can be obtained from the Council's website: https://www.east-northamptonshire.gov.uk/site/scripts/documents_info.php?categoryID=200170&documentID=1572.
- 7.3 It is important that applicants appreciate that the Council has 8 weeks to deal with applications to discharge conditions (and in complex cases it can take longer than this).

You will need to have programmed in sufficient time when planning your buildings works.

- 7.4 We can often deal with straightforward matters which only need to be assessed by Officers of the Council relatively quickly; however we will require more time for more complex matters which may need us to seek external advice. No work should start on site until written approval is given to all pre-commencement conditions.

Service Target 6 – approval of details required by condition

We will aim to reply to your submission of condition details within 8 weeks.

- 7.5 All works must be carried out in accordance with the plans which have been approved as part of the planning permission and conditions on the decision notice. It is important that our requirements are met and the permission is correctly implemented. You may otherwise be in breach of the terms of the planning permission.
- 7.6 The Council's Planning Enforcement Team will regularly check to see which developments have commenced and will then actively monitor whether information has been submitted in relation to conditions.

8.0 Requests for Minor Amendments

- 8.1 New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, there are the following options for amending a proposal that has planning permission:

- Making a 'non-material amendment'
- Amending the conditions attached to the planning permission, including seeking to make 'minor material amendments'

- 8.2 There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. Further guidance on these options can be found in the National Planning Practice Guide: <https://www.gov.uk/guidance/flexible-options-for-planning-permissions>. Alternatively, the Case Officer for the relevant planning application may be able to give informal advice regarding which of the above processes may be most suitable to consider your proposed amendment, or whether alternatively a revised planning application will be required. Details of how to apply and the relevant fees can be obtained from the Council's website: https://www.east-northamptonshire.gov.uk/site/scripts/documents_info.php?categoryID=200170&documentID=1572. Please note that a non-material amendment cannot be made to a listed building consent.

9.0 Appeals

- 9.1 If an application is refused or an applicant is not happy with a condition then there is a right of appeal. The procedure for dealing with appeals is set by the Planning Inspectorate and can be viewed at: <https://www.gov.uk/government/organisations/planning-inspectorate>. We will ensure that all the timescales set by the Planning Inspectorate are complied with. As required we will notify all objectors and consultees of any appeal in a timely manner.
- 9.2 The Government has set performance targets for Local Planning Authorities which require that less than 10% of major and non-major decisions made by them are overturned at appeal. We will report appeal decisions and any costs awards to the following meeting of the Planning Management Committee.

Service Target 7 – Appeal Success

We will monitor our success rate in relation to planning appeals and seek to ensure compliance with national performance standards relating to the quality of decisions.

10.0 Enforcement

- 10.1 We have a duty to investigate complaints about breaches of planning control and have powers to act if the rules have been broken. The Council's Enforcement Policy which sets out how we respond to complaints about breaches of planning control can be viewed at: https://www.east-northamptonshire.gov.uk/downloads/file/9111/planning_enforcement_policy_2017.

11.0 Complaints and Performance

- 11.1 We hope that you will be satisfied with the Development Management Service that we provide. If you have any suggestions, concerns or difficulties we want to hear from you. We are committed to improving our service and dealing promptly with any shortcomings.
- 11.2 We will consider all complaints made about the way in which a planning application or letter of representation has been dealt with. Disagreement with a decision of the Council will not, in itself, be a ground for complaint and in many situations there is a separate procedure for an applicant to appeal against such decisions.
- 11.3 In the first instance you should discuss the matter with the Case Officer, who will be familiar with the proposal.

- 11.4 The Council has a Corporate Complaints procedure which has been designed to ensure that all complaints are dealt with fully and properly by the most appropriate person in the organisation. Written complaints will be acknowledged and then fully and promptly investigated. The complainant will be given a written response explaining the outcome of the investigation and any action that we propose to take.
- 11.5 If you feel that we have not followed the correct procedures you can ask the Commissioner for Local Administration (The Local Government Ombudsman) to investigate the matter. The Ombudsman would however, normally expect a complainant to have first followed the Council's formal complaint procedures.

12.0 Monitoring and reviewing progress

- 12.1 We will keep this Charter and Appendix under review, to ensure the information and our performance targets remain relevant. We will monitor our performance against our targets to ensure we continually improve our service.

Appendix A – Performance Targets

Service Target 1 – Queries regarding permitted development restrictions

We will aim to respond to written queries regarding permitted development restrictions within 10 working days.

Service Target 2 – Pre-application advice, non-major applications

We will aim to answer written requests for pre-application advice for minor and other development within 30 working days of receipt.

Service Target 3 – Pre-application advice, major applications

We will aim to provide initial advice/full answer in response to written requests for pre-application advice for larger/major development within 30 working days of receipt.

Service Target 4 – Validation of Applications

We will aim to validate applications within 5 working days from the receipt of a complete application.

Service Target 5 - Determination of Applications

We will deal with applications in accordance with national and local performance indicators for the determination of applications.

National Targets

- Major – 60% in 13 weeks or agreed extension of time
- Non-major – 70% in 8 weeks

Service Target 6 – approval of details required by condition

We will aim to reply to your submission of conditions within 8 weeks.

Service Target 7 – Appeal Success

We will monitor our success rate in relation to planning appeals and seek to ensure compliance with national performance standards relating to the quality of decisions.

Document Version Control

Author (Post holder title)	Roz Johnson (Planning Development Manager)
Type of document (strategy/policy/procedure)	Policy/Procedure
Version Number	2
Document File Name	Development Management Charter
Issue date	December 2018
Approval date and by who (SMT / committee)	
Document held by (name/section)	
For internal publication only or external also?	Internal and external
Document stored on Council website or Intranet?	Website
Next review date	December 2019

Change History

Issue	Date	Comments

NB: Draft versions 0.1 - final published versions 1.0

Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)

Distribution List

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)

Links to other documents

Document	Link

Additional Comments to note

--