



Development Control Charter for Suffolk County Council



2017

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1 Introduction

- 1.1 Suffolk County Council is responsible for determining planning applications for:
 - a) Mineral extraction,
 - b) Waste management facilities and
 - c) Its own development, for example, new roads, schools (not Academy run projects which are District applications) and fire stations.
- 1.2 This Charter sets out how the County Development Control Service will deal with these matters. It explains who is responsible for various activities and sets targets for achieving certain tasks.
- 1.3 The aim of the Charter is to inform people and organisations about the level and quality of service they may expect from the Service. Its primary objective is to provide a development control service that:
 - a) conserves and enhances the built and natural environment of the County and protects the amenity and safety of people living, working, or visiting Suffolk;
 - b) ensures that development is sustainable and accords with the National Planning Policy Framework and with policies and proposals within the Development Plan;
 - c) is consistent, fair, honest and open;
 - d) is efficient, effective and meets nationally agreed timetables and standards set out in this Charter.

2 Information and Advice Available Prior to Submitting A Planning Application

- 2.1 If you are thinking about making a planning application to the County Council, you are encouraged to discuss your proposals with our development control staff before submitting an application. This will help to clarify what information should accompany the application and will usually reduce the time taken to make a decision.
- 2.2 Applicants are also strongly encouraged, before submitting an application, to discuss their proposals with the local community and with any agency, organisation or body which would be a statutory consultee on the application.
- 2.3 This should ensure that there is an opportunity for the public and consultees to better understand the proposal, to make suggestions on how it may be improved and to identify the need for further information to allow the application to be properly assessed. Again this should significantly speed up the process after the application has been submitted.
- 2.4 The County Council has adopted a "Statement of Community Involvement" (SCI). It explains the need for pre application consultation by the applicant. The SCI is available on the County Councils website at
<http://www.suffolk.gov.uk/planning-and-environment/planning-applications/minerals-and-waste-development-planning/statement-of-community-involvement/>

- 2.5 An officer will normally be available during office hours (9am to 5pm Monday to Friday) to provide general information on planning advice over the telephone. However, for specific proposals, or if you wish to discuss the matter with the relevant case officer, it would be helpful to make an appointment. This will ensure that sufficient time can be made available to discuss your proposal and that enquiries are dealt with effectively.
- 2.6 A list of development control officers, their duties and telephone numbers is attached to this Charter ([Appendix A](#)).

Charter Standard 1 (Acknowledgement of letters and e-mails)

- 2.7 Where advice is sought by letter or email it will be acknowledged and a response will normally be made within 10 working days.
- 2.8 If, however, a full response cannot be made within this period because, for example, it involves consultation with other departments or outside bodies, or a site visit is necessary, then the letter will be acknowledged to that effect.
- 2.9 The advice will be informal only and will reflect the individual case officer's interpretation of planning policy. The information given will be as accurate and objective as possible. However, the final decision on any planning application will be made by the County Development Control Committee or the Director responsible for planning under delegated authority (except for proposals which affect land which is managed by the Director which fall to be determined by the Head of Legal), and will need to take account of any views expressed by consultees or members of the public.

Charter Standard 2 (Responding to telephone enquiries)

- 2.10 Telephone enquiries which cannot be dealt with immediately will be returned within 1 working day.
- 2.11 Where advice has been given orally on the need for planning permission or the suitability of a site for a particular development the case officer will record the advice given. The advice will be informal only and will reflect the individual case officer's interpretation of planning policy. The information given will be as accurate and objective as possible. However, the final decision on any planning application will be made by the County Development Control Committee or the Director responsible for planning under delegated authority (except for proposals which affect land which is managed by the Director which fall to be determined by the Head of Legal), and will need to take account of any views expressed by consultees or members of the public.

3 How the County Development Control Service will Deal with Applications

- 3.1 Planning applications must be submitted on the national 1APP planning application forms. These may be obtained from the Planning Portal
<http://www.planningportal.gov.uk/planning/applications/howtoapply/waystoapply>

Charter Standard 3 (Actions on receipt of applications)

- 3.2 When an application is received, a number of administrative tasks should be carried out. The following tasks will be done within 5 working days of receiving an application:
- a) The application will be checked to ensure that all the necessary forms, certificates and plans have been provided and that they are accurate.
 - b) The fee, which must accompany all applications, will be checked for compliance with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended).
 - c) The receipt of all applications will be acknowledged. Where insufficient information has been provided to allow the County Council to validate an application, further information will be sought from the applicant
 - d) A valid application will be forwarded to the relevant District or Borough Council who will register it on the Planning Register.

4 Consultations

- 4.1 To help the County Council make a decision on planning applications it will normally seek the views of other agencies, for example the Environment Agency or Natural England. In some cases, consultations are statutory and must be carried out but others are discretionary. The relevant case officer will decide who should be consulted.
- 4.2 Applicants will be expected to have consulted statutory consultees before submitting their application.

Charter Standard 4 (Consultations)

- 4.3 Consultations with relevant bodies will be undertaken within 10 working days of validating an application.

Charter Standard 5 (Requests for additional information)

- 4.4 Where insufficient information has been provided to allow the County Council to validate an application, further information will be sought from the applicant. Requests for further information will normally be made within 15 working days of receiving the application.
- 4.5 Even where an application has been validated, it may be that further information may need to be sought to allow the County Council or consultees to assess the application properly. Such requests will be made as soon as possible.

Charter Standard 6 (Consulting on amendments to applications)

- 4.6 It is common for amendments to be made to major applications before they are determined. In some cases, it will be necessary to carry out further consultations.
- 4.7 Where further consultation is carried out, consultees will be given a further 10 working days to make additional comments on the revised proposals.

5 Publicity

- 5.1 The County Council must publicise all applications it determines. The type of publicity varies depending upon the nature of the development proposed and is set out The Town and Country Planning (Development Management Procedure) (England) Order 2015 (the DMPO).
- 5.2 For mineral and waste disposal applications, the County Council must advertise the proposal in the press, on site and by neighbour notification. For most County Council developments in most cases only a site notice and neighbour notification is required.
- 5.3 Members of the public may view the application on-line at: <https://www.suffolk.gov.uk/planning-and-environment/> or by prior appointment at the Strategic Planning Department, Resource Management, Endeavour House, 8 Russell Road, Ipswich. IP1 2BX.

Charter Standard 7 (Publicity for applications)

- 5.4 All publicity will be carried out within 10 working days of validating an application. A minimum period of 21 days will be given for people to make representations. Where significant amendments are made to a proposal during the course of its determination, further notification will be carried out and a further minimum period of 10 working days will be given for comment.

6 Letters of Representation

Charter Standard 8 (Acknowledging letters of representation)

- 6.1 Letters of representation will be acknowledged within five working days of receipt. When reaching a decision, if delegated powers are used by officers, your written comments along with any others that are submitted will be fully considered. In the event that Development Control Committee will determine the application, all letters of representation will be reported to the Development Control Committee by including a summary of comments made and a plan showing the objector's property in relation to the site (where this is in the immediate vicinity of the site).
- 6.2 Where large numbers of letters have been received, the grounds for objection may be tabulated rather than reported in summary. Copies of all letters will, however, be made available for Councillors to read before the Committee meeting.

Charter Standard 9 (Informing representees of decision)

- 6.3 Anyone who has made representations (or organisers of petitions where known) on a planning application determined by the County Council will be informed of the decision within 10 working days of the date of the issue of the formal decision notice. A copy of the decision notice and committee or delegation report will be made available on line.
- 6.4 Statutory and non-statutory consultees who have made representations on an application will normally only be informed of the County Council's decision where

they have objected to a proposal, or where there is an agreed notification procedure with a particular consultee.

7 Committee Site Inspections

- 7.1 On occasions, the Development Control Committee may decide that it is appropriate to inspect the site before coming to a decision on an application. (Appendix □.

8 Procedure for Speaking at Development Control Committee Meetings

- 8.1 Members of the public, applicants (or their agents) and representatives of a Parish or Town Council may speak at Development Control Committee meetings. Further information on this is available on the County Council's web site at:

<http://www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/committees/development-control-committee/>

9 Issuing of Decision Notices

Charter Standard 10 (Issue of decision notices)

- 9.1 Where an application has been determined by the Development Control Committee, the decision notice (i.e. planning permission or notice of refusal of planning permission) will be issued within 10 working days of the date of the Committee meeting unless the decision is dependent upon some further action on the part of the applicant, e.g. where a Section 106 Planning Obligation is to be entered or where a satisfactory response is required from a statutory consultee.
- 9.2 The Director responsible for planning has delegated authority to determine certain applications (except for proposals which effect land which is managed by the Director which fall to be determined by the Head of Legal). The circumstances where such authority may be used are set out in the County Council's Constitution which can be viewed at:

<http://www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/the-constitution/>

Charter Standard 11 (Issuing delegated decisions)

- 9.3 Where delegated authority is used, the decision notice will be issued by the Head of Planning within 10 working days of the date on which the notice is prepared.

10 Monitoring and Enforcement of Planning Conditions and Unauthorised Development

10.1 Most planning permissions are granted subject to conditions. Once the development has commenced it will be monitored to ensure that it proceeds in accordance with the conditions imposed.

10.2 The frequency with which sites will be visited will vary depending upon the nature and scale of the development. Active mineral and waste management sites will be inspected in accordance with Suffolk County Council Local Monitoring and Enforcement Plan:

<https://www.suffolk.gov.uk/assets/planning-waste-and-environment/planning-applications/How-the-council-monitors-mw-developments/Jan-2016-Local-Monitoring-Enforcement-Plan.pdf>

10.3 Planning Authorities have a wide range of enforcement powers with which to deal with breaches of planning control, whether it is a breach of condition or an unauthorised development.

10.4 The County Council will use enforcement powers where is it considered expedient to do so. Enforcement action is not mandatory but will be for the County Council to use at its discretion. Further information on Enforcement is contained in the County Council's Local Monitoring & Enforcement Plan, which can be viewed on the County Council's web site at:

<http://www.suffolk.gov.uk/planning-and-environment/planning-applications/minerals-and-waste-development-planning/monitoring-and-enforcement-plan/>

Charter Standard 12 (Enforcement of planning control)

10.5 Where an alleged breach of planning control is reported to the County Council It will be acknowledged within 5 working days of the County Council receiving a complaint. The procedures for dealing with a complaint are set out in the Suffolk County Council Local Monitoring and Enforcement Plan:

<https://www.suffolk.gov.uk/assets/planning-waste-and-environment/planning-applications/How-the-council-monitors-mw-developments/Jan-2016-Local-Monitoring-Enforcement-Plan.pdf>

10.6 Where the Director responsible for planning is satisfied that a breach of planning control has occurred and that formal enforcement action should be taken, the person responsible for the breach will be informed:

- a) what breach has taken place,
- b) what action should be taken; and
- c) the time within which the action should be taken.

10.7 If the relevant person has not taken the necessary corrective action and the breach is continuing beyond the period given for compliance, the Director responsible for planning will take the necessary enforcement action.

10.8 From time to time, complaints are received that County Council development has been carried out without planning permission or in breach of planning conditions.

Charter Standard 13 (Inspection of breaches of planning control relating to County Council development)

10.9 Where such an alleged breach of planning control is reported to the County Council the site will be inspected within 5 working days of the notification.

10.10 Where necessary, information will be sought from the Chief Officer of the Directorate responsible for the development. If a breach of planning control has occurred, officers will seek to have the breach remedied in accordance with the planning permission. If the Directorate making the application is unable or unwilling to carry out the necessary works to remedy the breach, the matter will be reported to the Development Control Committee.

Charter Standard 14 (Informing complainants of proposed action)

10.11 If you have reported alleged breaches of planning control you will be kept informed as to how the County Council proposes to deal with the matter. Where the County Council decides that no breach has occurred or that it is not considered expedient to take any action you will be informed of the decision within 15 working days.

11 Complaints

11.1 The County Council has an established formal complaints procedure details of which can be obtained at

<http://www.suffolk.gov.uk/about/make-a-complaint-or-give-feedback/>

Charter Standard 17 (Handling complaints)

11.2 All complaints will be recorded and answered, where possible, within 10 working days of receipt. Complaints can be complex and it is often the case that the Council is unable to obtain sufficient information within 10 working days to be able to respond meaningfully to the complainant. It will instead explain why it has been unable to investigate fully and when the complainant can expect to receive a further response.

11.3 The complainant will be asked to provide certain details such as their name, address, telephone number and email address (if appropriate). This is to ensure that the system is operated fairly and to ensure that complaints are not being made falsely or maliciously. It will also ensure that the complainant is kept informed of progress on the alleged breach of planning control

12 Appendix A

Suffolk County Council
 Strategic Development, Resource Management
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX

	Officer	Telephone (All 01473)	Email address
Head of Planning	John Pitchford	264804	john.pitchford@suffolk.gov.uk
Minerals & Waste Planning and County Council Development and Built Environment			
Responsibilities: Processing planning applications for mineral extraction & waste disposal; Enforcement of breaches of planning control relating to minerals extraction & waste disposal, for development carried out by the County Council, e.g. new roads, schools, libraries etc. Monitoring of conditions imposed on planning permissions for such development.			
Development Manager	Anita Seymour	264747	anita.seymour@suffolk.gov.uk
Senior Planning Officer			
Planning Officer	David Richards	264743	David.richards@suffolk.gov.uk
Historic Buildings Officer	Mark Barnard	264755	mark.barnard@suffolk.gov.uk
Monitoring & Enforcement Officer	Jo Lloyd	265754	jo.lloyd@suffolk.gov.uk
Technical Support Officer	Shirley Brown	265068	planning@suffolk.gov.uk

13 Appendix B

Procedure for Conducting Committee Site Inspections

Purpose of Committee Site Inspections

1. The purpose of these inspections is to allow Councillors to see the site and its surroundings. This will help them to understand better the issues relating to a particular application and the representations received.
2. The inspection also allows interested parties, the applicant and representatives of the Parish and District Councils to draw attention to any particular features of the site, or the proposed development, which they consider to be particularly important.
3. The Councillors will not hear representations on the application at the time and will not enter into a discussion. Objectors will have the opportunity to put these in writing and there is an opportunity for objectors and the applicant to make representations to the Committee at the meeting when the application is determined.
4. Occasionally, objectors raise issues which are outside the scope of the application, are not relevant to it or go beyond the powers of the County Planning Authority. If this occurs the Chairman will inform participants accordingly. The Chairman will also inform participants if they are straying beyond the strict remit of the site inspection and may draw it to a close.
5. The County Council's procedure for conducting Councillor site inspections is as follows.

Those Invited to Attend

6. The following shall be invited to attend:
 - The applicant or his/her agent,
 - Any person who has objected in writing to the application,
 - The local County Councillor(s), and:
 - Representative(s) of the relevant Parish Council(s).
7. In some cases it may be appropriate to invite a Councillor or officer of the relevant District Council.

Procedure at Site Inspection

8. On occasions the Councillors and officers of the County Council will inspect the site or general area before the formal site inspection begins. Where a pre-site meeting inspection takes place the Councillors and officers will be unaccompanied, except where it is considered necessary for safety reasons that a representative of the owner/applicant should accompany them. In this latter case the company's representative will not participate in any discussion which takes place.
9. The purpose of this pre-site meeting is to provide Councillors with a better understanding of the layout of the site and its surroundings. This will help them to understand comments made by the applicant or an objector before the formal site inspection begins.
10. The Development Control Committee will appoint A Chairman to conduct the inspection. He/she will introduce the participants and explain the purpose of the inspection making it clear that the councillors will not make a decision on the application at the inspection.
11. The case officer will set out the main issues relating to the application, i.e. what the application involves, relevant planning policies, and relevant responses from consultees. A written hand out may be appropriate in which case this will be made available to anyone requesting a copy.
12. The applicant will be given an opportunity to point out any site features that he/she wishes to draw to the councillors' attention. The Parish Council representative (and District Council representative where invited) and objectors will then be given the opportunity to point out particular features of the site as they relate to the application. The Councillors will not hear representations on the application at the time and will not enter into a discussion.
13. There will then be an opportunity for Councillors to ask questions through the Chairman.
14. The Chairman will then conduct the site inspection giving opportunity, as he/she considers appropriate for any person to point out specific features of the site or the application proposals. The Chairman will then close the meeting.

Post Site Inspection Procedure

1. A written report will be prepared for the next appropriate Committee meeting. The Chairman may also make a verbal report on the site inspection at the meeting. In most cases the Committee will formally determine the application at that meeting. Objectors and consultees will be informed in writing of the Committee's decision.

14 Appendix C:

Commenting on applications for planning permission made to Suffolk County Council

A guide to making your views known to the Development Control Committee of the County Council including arrangements for speaking at Committee meetings

Procedure for making a representation

1. All representations, whether in support or against a proposal, must be made in writing to the Director responsible for planning, and be received within the period stated on the public notice. Although the Council is not obliged to take account of letters received outside this period it will normally do so up to the day of Committee. However, delaying your representation means that your comments might not be incorporated into the written report. Committee papers are normally finalised 2 weeks before the date of the relevant Committee meeting.
2. Your District Council is a statutory consultee for applications determined by the County Council. Some representees therefore seek to influence the District Council's comments on our applications by sending their letter to the District Council.
3. If you chose to do this please also send a copy of your letter to the County Council at the same time. The appropriate address is indicated in the notice. You should not assume that a letter sent to the District Council will be automatically forwarded to the County Council.
4. If you would like to discuss any aspect of a proposal before commenting you should contact the case officer whose telephone number will appear on the public notice. Letters of objection are publicly available and cannot be treated as confidential. Representations will be placed on the County Council's web site; signatures will be blanked out but not addresses.

What to include in your letter

5. Keep your letter as clear and concise as possible avoiding personal comments. The County Council may only take into account material planning considerations. By way of example, the following matters are material planning considerations:
 - planning policies
 - environmental and residential impact of a proposal
 - highway considerations
 - opportunity for mitigation of impact

6. The following are not material planning considerations:
- effect on property values
 - loss of personal view
 - personalities and ownership
 - What happens to your letter and comments?
7. The County Planning Authority exercises discretion in how it presents your representation to Committee.
8. Where only a few representations are received, comments that can be attributed to a representee are summarised and reported on an individual basis.
9. However, if a large number of representations are made and the issues are easily identifiable, then a matrix may be presented in the form of an appendix to the Committee report which identifies the objector and a summary of each major point of objection. Should very many representations be made or petitions received, the authority may have to identify the issues and numbers of persons making a particular point but not the individuals.
10. In all cases, letters of representation are made available for elected councillors to read at Endeavour House, five working days before the Committee meeting.
11. You can track progress of applications on-line at:
- <http://www.suffolk.gov.uk/planning-and-environment/planning-applications/comment-on-or-view-a-planning-application/>

Attending Committee

12. Committee meetings are held at Endeavour House, Russell Road, Ipswich, where there are adequate arrangements for people with mobility difficulties.
13. The Development Control Committee is open to the public and proceedings can be observed from a public gallery or reserved area. Fire and safety considerations determine the seating capacity of the gallery/area and when a particular proposal attracts considerable interest alternative arrangements should be made to accommodate those wishing to listen to the proceedings.
14. Members of the public can observe proceedings but not take part in the debate. However, a person who has made a written representation on a proposal may also ask to be heard. The following arrangements will then apply.

Speaking at Committee

- 15 The County Council's procedures for public speaking at Development Control Committee can be found by following the link below to the Council's web site:

<http://www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/committees/development-control-committee/>

How can I find out when the application will be considered?

16. When making a written representation you will be advised of the forthcoming dates of Development Control Committee meetings. You should make contact with the named officer by telephone to ascertain progress of the application. It is recommended that you telephone the planning officer handling the case five days before a meeting to check that the application is expected to be considered; sometimes an applicant may request an application is deferred or withdrawn at short notice, and your journey would be wasted.
17. The complexity of applications handled by the County Council, and in particular those relating to minerals, waste and major road schemes may mean that a significant proposal will not be presented to the first available meeting following submission of the application.

When will I know of the Director's recommendation on the planning application?

18. Development Control Committee reports are available on the County Council's website seven days before the meeting at:
http://committeeminutes.suffolkcc.gov.uk/searchResult.aspx?qry=c_committee~~Development%20Control%20Committee
19. Alternatively, contact can be made with the Committee Administrator on 01473 264371 for a copy of the Committee report.

What happens if the application is deferred?

20. An application may be deferred to enable further information to be assembled or to arrange a councillor site visit.
21. In either case the opportunity for any individual to speak again at the subsequent meeting, when a decision is taken, will be at the Chairman's discretion. If the opportunity is given to an objector to speak once again, a similar opportunity will be afforded to the other parties.

22. No decision is taken at councillor site visits, the purpose of the visit being to gather information to enable a more informed decision to be made at a subsequent meeting of the Committee.

What happens after a decision is made?

23. All persons who have written to the County Council will be notified of the outcome in writing. Where a petition has been submitted, the organiser or first name appearing will be so notified.
24. An applicant for a mineral or waste permission who is dissatisfied with the decision on an application may appeal to the Planning Inspectorate within six months of that decision. In the event of any such appeal the County Council will inform all those persons making a representation on the application and advise them of the arrangements for hearing the appeal. There are no rights of appeal for third parties, such as objectors or Town/Parish Councils.