



Development Management Charter for Suffolk County Council



Table of Contents

1. Introduction.....	3
2. Information and Advice Available Prior to Submitting A Planning Application	3
3. How the County Development Management Service will deal with Applications.....	4
4. Consultations.....	5
5. Publicity	5
6. Letters of Representation	6
7. Committee Site Inspections.....	6
8. Procedure for Speaking at Development and Regulation Committee Meetings	7
9. Timescale for Determination of Applications	7
10. Issuing of Decision Notices	8
11. Monitoring and Enforcement	8
12. Complaints	8
13. Appendix A: Contact details	9
14. Appendix B: Procedure for Conducting Committee Site Inspections	10
15. Appendix C: Commenting on applications for planning permission made to Suffolk County Council	12

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/Borough applications) and fire stations.
- 1.2 This Charter sets out how the County Development Management 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 management 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 management Team 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 The Council will be offering a paid-for pre-application advice service in 2022, the details of which will be found on the website. This includes the information that is required to be submitted in advance of any formal pre-application discussion.
- 2.3 Whilst the development management team can assist with minor enquiries on an informal basis, it is expected that significant pre-application discussions will proceed solely through the formal, paid-for service.
- 2.4 In addition, 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. This accords with Government advice, as set out in National Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/before-submitting-an-application>

- 2.5 This informal engagement provides 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.
- 2.6 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 Council's website at:

<http://www.suffolk.gov.uk/planning-and-environment/planning-applications/minerals-and-waste-development-planning/statement-of-community-involvement/>

Acknowledgement of letters and emails

- 2.7 Where advice is sought by letter or email it will be acknowledged and a response will normally be made as early as possible, in accordance with the Council's Customer Commitment.
- 2.8 If, however, a full response cannot be made initially, because, for example, it involves consultation with other departments or outside bodies, or a site visit is necessary, then the initial response will acknowledge to that effect.

Responding to telephone enquiries

- 2.9 Telephone enquiries which cannot be dealt with immediately will be returned as early as possible, in accordance with the Council's Customer Commitment.
- 2.10 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, unless the proposal has been the subject of the Council's formal, paid-for pre-application advice service. In either case, 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 and Regulation Committee or the Director responsible for planning under delegated authority (except for proposals that 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 Management Service will deal with Applications

- 3.1 Planning applications must be submitted on the national 1APP planning application forms, through the Planning Portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/waystoapply>

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 in accordance with the requirements of the Statement of Community Involvement.
- 4.2 Applicants will be expected to have consulted statutory consultees before submitting their application.
- 4.3 Consultations with relevant bodies will be undertaken within 14 days of validating an application.
- 4.4 The Council will expect the applicant to proactively monitor consultation responses received, through the online planning register, and to seek to engage with statutory consultees to resolve any issues raised through the consultation process, and not be dependent upon the Case Officer to alert the applicant to such matters.

Requests for additional information

- 4.5 National and Local Validation Checklists can be found at:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-applications/submit-a-planning-application/>.

It should be noted that these checklists set out the minimum requirements and the County Council may require further information to enable your application to be determined.

- 4.6 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 21 days of receiving the application.
- 4.7 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.

Consulting on amendments to applications

- 4.8 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. However, undertaking adequate pre-application engagement/consultation should minimise the risk of the need for such amendments.
- 4.9 Where further consultation is carried out, consultees will be given a further 14 days (minimum) to make additional comments on the revised proposals. Such consultations will be undertaken in accordance with the requirements of the Statement of Community Involvement.

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 only a site notice and neighbour notification is required.

5.3 Members of the public may view the application online at:

<https://www.suffolk.gov.uk/planning-and-environment/>

Or by prior appointment at the Planning Department, Growth, Highways and Infrastructure, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX.

Publicity for applications

5.4 All publicity will be carried out in accordance with the requirements set out within the Statement of Community Involvement.

6. Letters of Representation

6.1 Acknowledging letters of representation

6.2 Letters of representation will not be acknowledged for reasons of economy. However, all representations will be uploaded to the public website: <http://suffolk.planning-register.co.uk/>. If you do not see your representation on the website within 14 days of submission, please contact planning@suffolk.gov.uk. 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 and Regulation Committee will determine the application, all letters of representation will be reported to the Development and Regulation 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).

6.3 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.

Informing representees of decision

6.4 Anyone who has made representations (or organisers of petitions where known) on a planning application determined by the County Council will normally be informed of the decision within 14 days of the date of the issue of the formal decision notice. A copy of the decision notice and the Committee or delegated report will be made available online.

7. Committee Site Inspections

7.1 On occasions, it may be considered appropriate to inspect the site before coming to a decision on an application (Appendix B).

- 7.2 The purpose of a site inspection is to enable Committee Members to view on the ground, site-related factors and/or characteristics that would not otherwise be apparent in the absence of such an inspection.
- 7.3 There are three principal ways in which a site inspection is called:
- a) In advance of the Committee meeting, by the Head of Planning in consultation with the Chair and Vice-Chair.
 - b) In advance of the Committee meeting, through a Divisional Member request, in consultation with the Head of Planning and the Chair and Vice-Chair.
 - c) At the Committee meeting itself, through a formal decision for a deferral to enable such a visit to take place.

8. Procedure for Speaking at Development and Regulation Committee Meetings

- 8.1 Members of the public, applicants (or their agents) and representatives of a Parish or Town Council may speak at Development and Regulation Committee meetings. Further information on this is available on the County Council's website at:
- 8.2 www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/committees/development-and-regulation-committee

9. Timescale for Determination of Applications

- 9.1 Most of the planning applications that the County Council determines are considered to be "Major" applications. The County Councils aims to determine 60% of these applications within 13 weeks or as agreed with the applicant and aspires to increase this to 98% of applications by 2023.
- 9.2 Where Regulation 25 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 apply, the target determination period will be 16 weeks, rather than 13 weeks.
- 9.3 The stated target periods for determination can be extended, where agreed by both parties. Such an extension may become necessary for a variety of reasons including, for example, the need to consider additional information or to consult on amendments to the proposed development.

10. Issuing of Decision Notices

- 10.1 Where an application has been determined by the Development and Regulation Committee, the decision notice (i.e., planning permission or notice of refusal of planning permission) will be issued within 14 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.
- 10.2 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:

www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/the-constitution/

11. Monitoring and Enforcement

- 11.1 The Council's approach towards the monitoring of compliance with planning conditions and the enforcement of planning control is set out in full in the Council's Local Enforcement Plan and Monitoring Policy.

12. Complaints

- 12.1 The County Council has an established formal complaints procedure, details of which can be obtained at:

www.suffolk.gov.uk/about/make-a-complaint-or-give-feedback/

Appendix A: Contact details

Suffolk County Council
Planning Department, Growth, Highways & Infrastructure,
Endeavour House,
8 Russell Road,
Ipswich,
IP1 2BX

Email: planning@suffolk.gov.uk

01473 265066

Appendix B: Procedure for Conducting Committee Site Inspections

Purpose of Committee Site Inspections

1. The purpose of these inspections is to allow Members of the Development and Regulation Committee 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 local Councillors, interested parties, the applicant and representatives of the Parish and District/Borough Councils to draw attention to any particular features of the site, or the proposed development, which they consider to be particularly important. Case Officers will be notified of any such requests in advance of the inspection. At the inspection itself, the only direct communication permitted will be between the Chairman and other County Councillors and between the Chairman and officers. Other invitees will not have the right to address the Committee at the Inspection.

3. The Councillors will not hear representations on the application at the time and will not enter into a discussion. Applicants and Third Parties, including Town and Parish Councils, will have the opportunity to put these in writing in advance of the inspection and there is also an opportunity for the applicant and Third Parties 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, strictly as observers:

- 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/Borough Council.

Procedure at Site Inspection

8. The inspection will be chaired by the Chairman of the Committee, or his/her/their Vice Chairman. In the absence of both the Chairman and Vice Chairman of the Committee, the Development and Regulation Committee will appoint a chairman to conduct the inspection. He/She/They 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.

9. 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 handout may be appropriate, in which case this will be made available to anyone requesting a copy.

10. The case officer will point out any site features and/or matters of the fact that the applicant, objectors/supporters, and the Town/Parish Council wish to draw to the Committee's attention. The councillors will not hear representations on the application at the time and will not enter into a discussion.

11. The Chairman will then conduct the site inspection giving the opportunity, as appropriate, for the case officer to point out specific features of the site or the application proposals. There will then be an opportunity for members of the Committee to ask questions through the Chairman.

12. The Chairman will then close the meeting.

Post Site Inspection Procedure

13. A written report and, where appropriate, photographs will be prepared for the next appropriate committee meeting, and these will form part of the officer's formal presentation. The Chairman of the Site Inspection 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.

Appendix C: Commenting on applications for planning permission made to Suffolk County Council

A guide to making your views known to the Development and Regulation 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 the Committee meeting. However, delaying your representation means that your comments might not be incorporated into the written report. Committee papers are normally finalised two weeks before the date of the relevant Committee meeting.

2. Your District or Borough Council is a statutory consultee for applications determined by the County Council. Some representees may send their response to the District or Borough Council to inform that authority's response.

3. If you choose 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/Borough Council will be automatically forwarded to the County Council.

4. Letters of objection are publicly available and cannot be treated as confidential. Representations will be placed on the County Council's website; signatures, email addresses and telephone numbers 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
- 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?

6. The County Planning Authority exercises discretion in how it presents your representation to Committee.

7. Where only a few representations are received, comments that can be attributed to a representee are summarised and reported on an individual basis.

8. However, if many 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.

9. In all cases, letters of representation are made available for elected councillors to read at Endeavour House five working days before the Committee meeting.

10. You can track the progress of applications online at:

www.suffolk.gov.uk/planning-and-environment/planning-applications/comment-on-or-view-a-planning-application/

Attending Committee

11. Committee meetings are held at Endeavour House, Russell Road, Ipswich, where there are adequate arrangements for people with mobility difficulties.

12. The Development and Regulation Committee is open to the public, and proceedings can be observed from a public gallery or reserved area. Fire and other safety considerations determine the seating capacity of the gallery/area. When a particular proposal attracts considerable interest, alternative arrangements should be made to accommodate those wishing to listen to the proceedings.

13. 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

14. The County Council's procedures for public speaking at Development and Regulation Committee can be found by following the link below to the Council's website:

www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/committees/development-and-regulation-committee/

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

15. When making a written representation, you will be advised of the forthcoming dates of the Development and Regulation Committee meetings. It is recommended that you check the website seven days before the date of each meeting to check that the application is expected to be considered; sometimes, an applicant may request an application be deferred or withdrawn at short notice, and your journey would be wasted. The agendas for the meetings can be found at:

www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/committees/development-and-regulation-committee/

16. 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?

17. Development and Regulation Committee reports are available on the County Council's website seven days before the meeting at:

www.suffolk.gov.uk/council-and-democracy/the-council-and-its-committees/committees/development-and-regulation-committee/

18. Alternatively, contact can be made with Democratic Services at: committee.services@suffolk.gov.uk for a copy of the Committee report.

What happens if the application is deferred?

19. An application may be deferred to enable further information to be assembled or to arrange a committee site inspection.

20. 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.

21. No decision is taken at committee site inspections. The purpose of the inspection is to enable Committee Members to view on the ground, site-related factors and/or characteristics that would not otherwise be apparent in the absence of such an inspection and therefore arrive at a better-informed Committee decision.

What happens after a decision is made?

22. All decisions, whether made by the Committee or delegated to officers, are posted on the Council's website within 14 days of the decision being made.

23. 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.

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