

Development Management Charter

1 October 2013

This document should be read in conjunction with the [Planning Enforcement Charter](#) and [Customer Charter](#)

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1. **The Council's priorities**

- 1.1 The Council's vision for Runnymede as expressed in the Sustainable Community Strategy is the pursuit of four goals captured under the themes of 'A voice for Runnymede', 'Revitalisation', 'An environment to be proud of', and 'Healthy and vibrant communities'.
- 1.2 The Council has also identified customer service as its highest priority, and aims to be customer focussed, accessible and transparent, sharing information and working together to meet the needs of residents by maintaining services that residents want. As part of the Customer Service Review project being carried out in 2013, the Council is intending to publish a Customer Charter which will set out what customers can expect on a range of customer and communication issues for the whole council. It is expected that there will be opportunities for customers to give feedback on the way the Council operates, so that improvements to customer service can be made.

2. **Introduction to the Planning Business Centre**

- 2.1 The Planning Business Centre is involved with the achievement of a significant number of the Council's objectives and has a high level of customer contact. There are four teams within the Planning Business Centre: Planning Policy and Strategy, Development Management including Planning Applications and Planning Enforcement, Building Control, and Business Partnerships.
- 2.2 This Charter relates to the Development Management function within the Planning Business Centre. The overall aim is to provide a reliable, efficient, accessible and high quality Development Management service in a fair, equitable and consistent manner. The key Development Management functions are:
 - The determination of applications for planning permission and associated consents
 - The provision of spatial/town planning advice to customers
 - The investigation of breaches of planning control and exercise of the Council's planning enforcement functions
 - The defence of Council decisions in these areas in appeal and court, as may be required.
 - The administration of planning obligations under S106 legal agreements and the forthcoming Community Infrastructure Levy, including the collection of any financial contributions.

3. **Development Management in Runnymede**

- 3.1 This Charter provides a statement for the customers of the Council's Development Management service of what can be expected in respect of these key functions with the exception of Planning Enforcement for which a separate charter has been published. However, these documents should be read together. These Charters will not replace, or replicate, the corporate Customer Charter when it is published, but will be complementary to it.
- 3.2 This Charter has been compiled in the context of the recently published legislation primarily the Localism Act 2011 and the Growth and Infrastructure Act 2013. In addition, the National Planning Policy Framework was published in 2012. This requires local planning authorities to approach decision making in a positive way

to foster the delivery of sustainable development. There is a clear emphasis that local planning authorities should seek to approve applications for sustainable development where possible.

- 3.3 To achieve high quality, sustainable development, officers will work with applicants to seek to solve problems, to try and ensure a positive outcome for both applicants and other stakeholders including neighbouring occupiers. Applicants are therefore encouraged to engage in pre-application discussions at an early stage, and also to engage with local communities to ensure that issues can be explored and resolved in advance of a planning application being submitted. This will ensure open and transparent dialogue with all parties.
- 3.4 As part of the Council's emerging Customer Charter, new performance indicators are being formulated to identify customers and current satisfaction levels. Although the detailed indicators are still being drafted, a high level of customer satisfaction is expected from all aspects of the Development Management service. Continuous reviews and adjustments to procedures will be undertaken to ensure consistently high levels of customer satisfaction are achieved and maintained. One of the key priorities is to improve the Council's website which will make it easier for customers to access information at more convenient times, and to allow more transactions through the website to avoid the need for customers to send paper planning documents to the Council by post. This will make it easier for customers as well as enabling efficiency improvements to Development Management processes. Likewise, the Planning Business Centre will use email as the preferred method of communication to ensure swift and effective communication can be achieved with all customers so that business can be done in a timely manner. Therefore, all communications with applicants and other customers will be by email, where an email address is given. Customers are therefore encouraged to provide an email address on all correspondence to assist this new business approach.

4. **Pre-application planning advice**

- 4.1 The National Planning Policy Framework (NPPF) encourages pre-application discussions in the interests of improving the efficiency and effectiveness of the planning application system for all parties.
- 4.2 Since January 2011, and updated in September 2012, Runnymede offers a pre-application service for anyone wishing to receive advice prior to submitting a planning application. The service is subject to a fee. The scale of charges, according to the nature of the application, is available on the [Council's website](#)
- 4.3 As part of the service offered, it is expected that a written response will be given within 21 days for small scale proposals, with meetings held for larger scale proposals within a time period agreed by both parties.

The Council aims to respond to 85% of pre-application enquiries within the timescales set out in the pre-application charging scheme.

- 4.4 To assist applicants when considering a development proposal, there is a wealth of information about planning policies, planning histories, and planning constraints on the Council's website. Section 10 of this Charter provides more details. Applicants are recommended to view this information and research their sites so that the pre-application process is as effective as possible, and planning applications can be of high quality enabling them to be processed and determined

in a timely manner without delay.

5. **Validation and registration of applications**

- 5.1 To assist applicants prepare a valid application, an up to date [Validation Document](#) is published on the Council's website which sets out the national requirements for applications and the range of local requirements for information to be submitted with applications.
- 5.2 Applicants are encouraged to check this document prior to submission to ascertain the most up to date requirements. The Council is required to review the document every 2 years. The attention of applicants is drawn to the local requirements for Unilateral Undertakings to be completed prior to the submission of the application. For applications requiring Section 106 agreements, a final draft document will be required to be submitted.
- 5.3 Applicants or their agent will be notified if a received application does not contain all the information required to make it valid, specifying the outstanding information required.
- 5.4 Valid applications will be registered within 3 working days.

6. **Public Access to information about planning applications**

- 6.1 Details of applications can be viewed on the Council's website (the Planning Register), together with the case officer's name and contact details, all of which can be found on the [search page](#) of the Council's website. Plans can also be viewed on the computers at the Civic Offices, and members of staff can provide assistance if required.
- 6.2 Neighbouring occupiers immediately adjoining an application site will be individually notified and given 21 days to submit any comments. Comments received outside this period will only be considered if received prior to the application being decided. Comments on planning applications can be made through a direct link on the Council's website or by email to planning@runnymede.gov.uk.
- 6.3 At present, comments received are acknowledged. However, it is intended that comments will be scanned on receipt and uploaded onto the Council's website, which can then be viewed by both the author so that receipt can be checked, and by any other interested parties including the applicant. This will ensure documentation relating to applications is available to view at an early stage which will assist all parties. An acknowledgement will therefore not be sent. However, until this new process is in place, the existing procedure will remain in place.
- 6.4 Some applications require the Council to display formal site notices near the site and/or a notice to be placed in the Surrey Herald. Comments submitted within the time period specified in the notice will be taken into account. Previously, applicants have been sent a notice to display at the site. This is not required by planning legislation but has been a discretionary service undertaken by Runnymede, although with associated costs. However, some applicants do not trouble to display the notice, and in other cases, the notice is not displayed in a position that a member of the public can easily read. In view of the increased accessibility of information about planning applications on the website, following the adoption of this Charter, this aspect of the service will cease.

6.5 It is at the discretion of the case officer to accept amendments to the application once it has been registered; if a significant change to the application is to be made, this will not normally be accepted and should be the subject of a revised application. If any renotification is deemed to be necessary to allow neighbours to make further comments on an application, this will normally be for a short period of 7 days, preferably by email. It is therefore important that every communication about an application, whether by an applicant or their agent, or a member of the public, provide an email address for speedy correspondence.

7. **Determination of planning applications**

7.1 All comments from consultees and members of the public will be fully considered as part of the decision making of the application – the officer's report will summarise the main points made. All representations are available to view by the public and are made available on the Council's website.

7.2 The Council aims to determine 80% of all applications within government timescales, the majority under Officers' delegated powers. Further information about performance targets are detailed in the Planning Business Centre Plan; monitoring reports on all the Council's key performance indicators are considered by the Council's Corporate Management Committee on a quarterly basis.

7.3 During this period, the case officer will undertake a site visit, carry out any necessary consultations and notifications, and then prepare a written report, which sets out the reasoning for the recommendation.

7.4 Some applications are determined by the Planning Committee but the majority of applications are determined by officers under delegated powers under the terms of the Council's Constitution. When applications are to be determined by the Planning Committee, in some circumstances, there is an opportunity for members of the public and applicants to speak at the meeting. Further [guidance on Public Speaking](#) at Planning Committee is available on the website.

7.5 The officer's report and the decision notice are available to view on the Planning Register on the Council's website. In view of the improvement in public accessibility of information on the Council's website, anyone who writes to the Council about an application will be able to track the progress of an application on the website. It will therefore not be necessary to write to everyone who commented on the application notifying them of the decision as this will be able to be viewed on the website immediately following the decision.

7.6 If granted planning permission, decision notices will set out a number of planning conditions that have to be complied with. If further details are required to be submitted, these applications will be formally registered and the information available to view on the Planning Register. These are required to be dealt with within 12 weeks, but many details can be dealt with in a shorter period.

7.7 Development must be carried out in accordance with the approved plans. It is the applicant's responsibility to contact the case officer in the case of any changes that are proposed in order that the appropriate route for approval of amended plans can be agreed. In the event that development proceeds contrary to the approved plans or in the absence of approval of all pre-commencement conditions, the applicant is advised that there would be a breach of planning control and the applicant would be at risk from enforcement action.

- 7.8 The granting of planning permission does not convey any other approval or consent, including under the Building Regulations or Environment Agency licensing or any other licensing or approval regime. It is the applicant's responsibility to obtain all the necessary consents before commencing development.
- 7.9 Applicants are advised of the new drainage approval regime due to commence in 2014 – further details are available from the Council's Building Control section Building.control@runnymede.gov.uk or [Surrey County Council](http://www.surrey.gov.uk) (the SUDs Approval Body – SAB).
- 7.10 If an application is refused, applicants are encouraged to enter into pre-application discussions, to explore potential changes or alternatives to seek to achieve an acceptable scheme. Such discussions will be subject to the adopted charging regime.

8. **Planning appeals**

- 8.1 It is the applicant's right to appeal against a refusal of planning permission, or against the imposition of a planning condition. There is no right of appeal by a member of the public.
- 8.2 In the event of a valid appeal being lodged, notification of the appeal will be sent to members of the public who commented on the original application with advice how to make any further representations to the Planning Inspectorate.
- 8.3 For fast track householder appeals primarily dealing with residential extensions, no additional statements from the Council or additional letters from the public are allowed to be submitted under national rules applying to this type of appeal. However, all comments received are sent by the Council to the Planning Inspectorate so that the Inspector will still be able to take these into account in making his/her decision.
- 8.4 The Council will provide expert witnesses to give evidence in support of the Council's decision in the event of a public inquiry, and provide full statements in the case of hearings. A written report in respect of written representation appeals will be provided where necessary.
- 8.5 The Council has a target of a minimum of 80% of Council decisions to be upheld at appeal.

9. **Planning Obligations and financial contributions**

- 9.1 Many new developments will be required to provide Planning Obligations in order to mitigate or avoid their impacts. These Planning Obligations may take the form of:
- I. financial contribution in accordance with the Council's Infrastructure Tariff and/or the avoidance strategy for the Thames Basin Heaths Special Protection Area and the SAMM project; and/or
 - II. another obligation such as the provision of affordable housing and/or highway improvement works.

- 9.2 This list is not exhaustive and the Planning Obligations required will vary depending on the nature of a proposal. The relevant Council officer is able to give advice to potential applicants to ensure a smooth transition through this process.
- 9.3 For small scale schemes, financial contributions for the Infrastructure Tariff and/or the TBHSPA/SAMM are normally secured by the applicant submitting a completed Unilateral Undertaking with their application. If a proposal requires other obligations, or the scheme is larger and more complex, then normally a bi-lateral legal agreement will be necessary where the Council is also a signatory and a fully agreed final draft should be submitted with the application.
- 9.4 Full details of the Council's Infrastructure Tariff including Tariff Calculator and template Unilateral Undertaking and details of the financial contributions required in accordance with the [TBHSPA](#) strategy can be found on the website. Additional information is also included in the [Validation Document](#).
- 9.5 The Community Infrastructure Levy (CIL), once a charging schedule has been agreed and adopted in Runnymede, will replace the Council's Infrastructure Tariff and the financial contribution currently required for the avoidance of impact on the TBHSPA (but not the SAMM project contribution). The SAMM project contribution and any other obligations will still need to be secured by a Unilateral Undertaking if appropriate or a bi-lateral legal agreement. Full details of the CIL charging schedule and guidance for applicants will be made available on the planning pages of the Council's website throughout the process of setting the charges.
- 9.6 The Unilateral Undertaking will be placed on the planning file during the consideration of the application; if planning permission is granted, it will then be entered as a Land Charge on the property.
- 9.7 The applicant will be contacted at the first instance if the financial contributions are not received according to the agreed timescale within the unilateral undertaking. If the applicant continues to fail to comply with the unilateral undertaking, formal procedures will be engaged to secure the financial contributions due. In the event that other non-financial obligations are not complied with, again formal action is normally instigated.
- 9.8 The Council will monitor all receipts and expenditure, and aims to collect 100% of all developer contribution amounts due within each quarter.
10. **How to find more information about planning in Runnymede**
- 10.1 Information on general planning application matters can be viewed on the [Planning Portal](#) and the planning pages of the [Council's website](#) . There are links to the planning register and the pages dealing with planning policy matters, including supplementary planning guidance.
- 10.2 Information about site histories can be viewed through the [application search link](#) on the Council's website. The Council's [interactive mapping system](#) rMaps has a considerable amount of information about land and properties in the borough; there are links to planning information including planning decision notices and planning conditions, as well as information about planning policies and site constraints can be viewed at rMaps, including areas covered by Tree Preservation Orders and Conservation Areas.

- 10.3 The planning administration team, and the Duty Planning Officer within specified times, provide general assistance and guidance to members of the public on the following matters: where to find information, advice about the validation of planning applications, explanation of planning applications to neighbours of a planning proposal, general information about the Council's policies for householder development, and general information about permitted development, although not relating to any specific site.
- 10.4 Developers and agents, and householders wishing to extend or develop their own property can also seek advice through the [pre-application charging system](#).

11. **Complaints**

- 11.1 If you are dissatisfied with the service that you receive from the Development Management Team, the Council has adopted a [Complaints Procedure](#) and more information about this procedure is viewable on the Council's website. You will receive a written reply within 3 working days of receipt, or if this is not possible, an acknowledgement within this time and a full written response within 10 working days of receipt (stage 1). If you are still dissatisfied, the matter will be referred to the relevant manager (stage 2). The matter can be referred to the Local Government Ombudsman if a customer is not satisfied with the Council's response after exhausting Stages 1 and 2.