

# PLANNING DECISIONS AND COMMUNITY INVOLVEMENT

## Planning Aid for London

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## Introduction

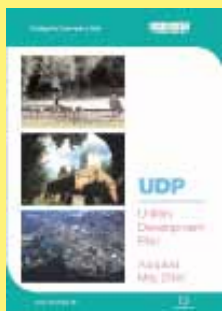
Planning shapes the environment where people live and work so they should be able to take a full and active part in the planning process. The Government itself regards community involvement as crucial to the planning system as it provides the opportunity for local people to participate in key decisions about their area.

Public involvement leads to development that better meets the aspirations and needs of the whole community. It improves the quality and efficiency of decisions by using local knowledge and educates participants about the how the planning process works.

However, there are some difficulties for those who do want to be involved: These include:

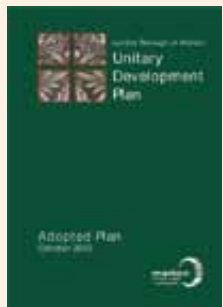
- Concern about potential financial cost.
- Complexity of the issues involved.
- The view that Planning can be a bureaucratic process.
- Difficulty in identifying and reaching the right groups.

The purpose of this leaflet is to explain how and when people can get involved in the planning process.



## How are Planning Decisions Made?

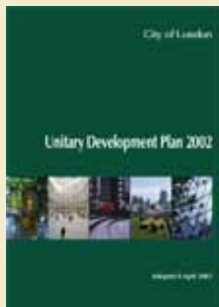
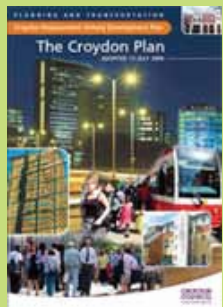
The local planning authority must make a decision on a planning application in accordance with the development plan unless material considerations indicate otherwise. The development plan contains the council's adopted planning policies, and although not every policy will be relevant to every planning application, the planning authority will need to decide whether there are any conflicts. Material considerations are a range of other factors which can influence the decision; these could include the planning history of the site and other relevant Government guidance.



## Pre-application Consultation

Each local planning authority must publish a Statement of Community Involvement, this gives information on community consultation, including how the council will consult the public on planning applications.

For small applications, the council must meet the legal requirements of the Town and Country Planning (General Development Procedure) Order 1995. This states that a notice should be displayed at or near the application site for not less than 21 days, notice should be given to any adjoining owner or occupier and a notice may also need to be placed in a local newspaper. This will tell the public where they can view the application and where they should send any comments. These comments or representations will be taken into account when the local planning authority makes its decision.



For larger projects, the applicant will be encouraged to discuss the proposal with both the council and the local community. The following are some of the ways in which the community can be involved in this process:

- Public Meetings and Exhibitions
- Surgeries – Where local community groups can discuss applications with council officers or their local councillor.
- Development Briefs – Where a change is likely in an area, a local planning authority may prepare a development brief to provide more information. A brief can also be adopted as a more formal Supplementary Planning Document if public are consulted during its preparation.
- Workshops – Sessions that involve community groups early in the planning process. Consultation Groups/Area Meetings - A focus on particular groups or areas; e.g., local residents, schools, etc. to allow a more direct contribution.
- Websites

## The Decision

There are two ways in which a council will make a planning decision:

- A Delegated decision. A planning officer will make this decision in discussion with colleagues. The officer will take into account the public comments received during the consultation period.
- A Committee decision. This decision will be made at a formal council meeting. Members of the public can attend and may speak for or against the proposal. You should also submit your views in writing (written representations) as the committee may have limited time available for spoken presentations (often 3-5 minutes). If you wish to speak at a committee meeting, you should contact a committee clerk at your council in advance to find out the procedures.

If the decision is taken to refuse planning permission, the applicant may decide to appeal.

## How to Participate in an Appeal

If you have previously made comments on a planning application that has been refused, you will be notified of the planning appeal and you will have the opportunity to put forward your views. Appeals will be heard by an independent Government Inspector and are dealt with in one of three ways:

- Written Representations – The most informal and most frequently used method. The Inspector will visit the site and decide the appeal on the basis of written statements provided by the developer (appellant), the local planning authority and members of the public.
- Hearing – An informal process; comments should be sent to the Planning Inspectorate in advance. The Inspector will decide how the Hearing will be carried out; individuals will be allowed to speak and legal representation is not normally permitted.
- Inquiry – A formal process where the appellant and council may have specialist legal advisers and call witnesses to support their cases. The public will be notified where they can view any documents. Members of the public can submit written statements and are also allowed to speak at the Inquiry, but you should inform the Planning Inspectorate if you wish to do so as soon as possible.

## Some Key Points to Remember

- Read the Planning Applications Register to see if there are any applications that might affect you (see your council's web site or check at the Planning Reception).
- Make sure that you keep track of any dates for decisions and when you need to reply by.
- Always put your comments in writing.