



Planning Application process and Material Considerations

- **Planning in the Authority**
- **Material considerations**
- **The planning process.**



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Planning in the Authority

- **5 teams**
- **Organisational change**
- **Overall role as unitary authority**
- **Significant statutory function to achieve NP purposes**
- **Policy differences**
- **Weight of conservation considerations**
 - **Natural Beauty**
 - **Cultural Heritage**
 - **Wildlife**



Development is anything which changes the use of the land or involves development on or under land.

You may be surprised what you need permission for.

Digging a pond, creating a mound, putting up a satellite dish or building a raised patio may all require planning permission.

As a general rule, we recommend you contact us for advice if you intend to:

use a digger



employ a builder

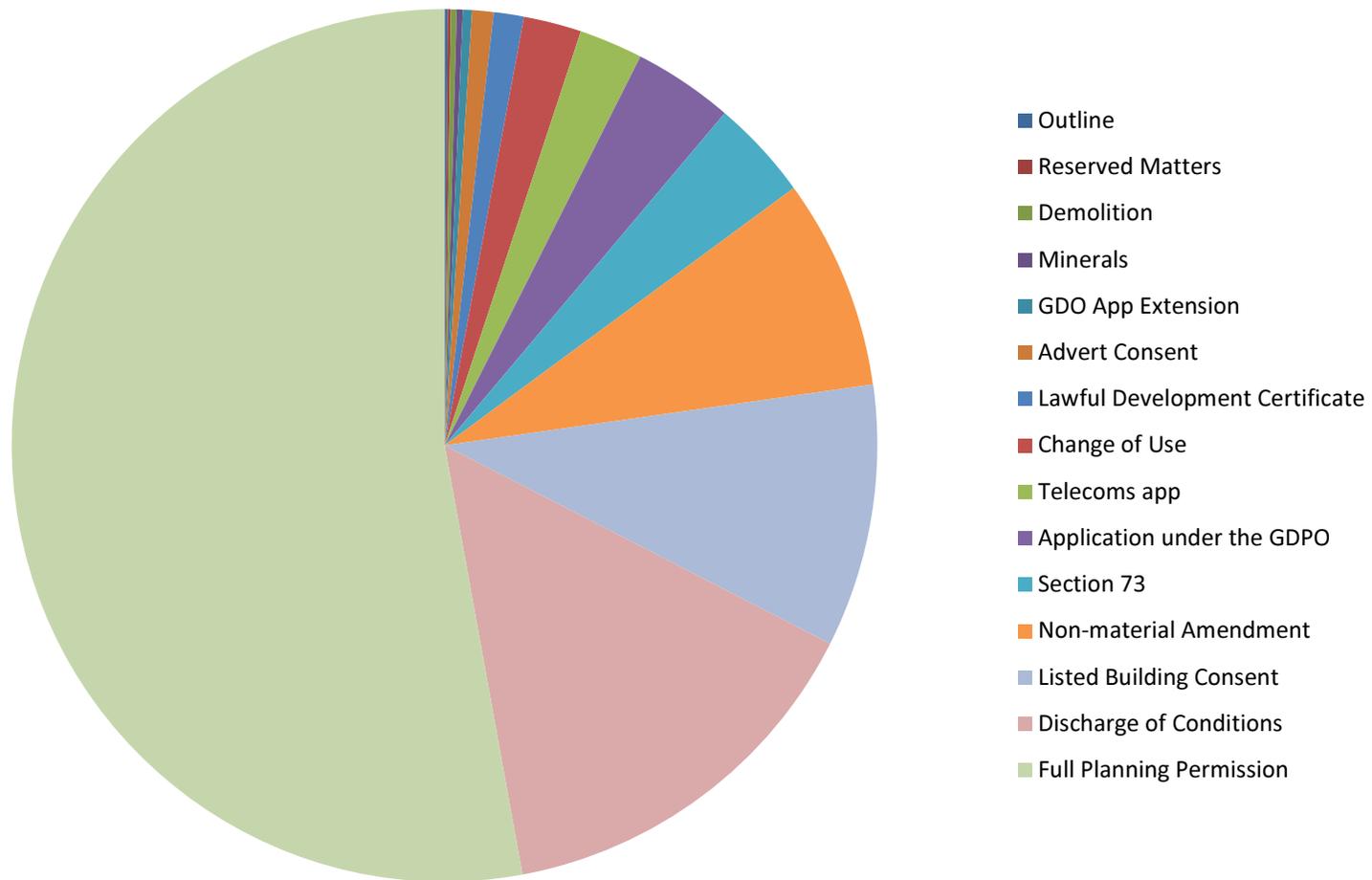
change the use of a building



put up an advertisement



Applications by Type 2017





Submitting an Application

Forms: Planning law means that we – and all other planning authorities in England and Wales – can only accept standard national planning application forms. Applications can be made through various online providers or on our website, by email or paper.

Plans and Information

- A plan which is sufficient to identify the land which the application relates to and its location relative to other features, drawn to an identified scale and showing the direction of north
- Block plan of the site (e.g. at a scale of 1:500 or 1:200) showing any site boundaries
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- For new buildings: existing and proposed site sections, and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans where changes are proposed (e.g. at a scale of 1:50 or 1:100)
- Supporting Statement or Design and Access Statement to describe the proposal
- Flood Risk Assessment
- Completed Protected Species form and Wildlife and Protected Species report where the Protected Species Form indicates this is required.
- Tree survey including location and position where trees will be removed



Climate Change and Sustainability





Validation

As long as we have the information we need the application is valid. Validation is carried out by our Customer and Business Support Team.

Advertising and Consultation

The law requires that we advertise the applications and consult key stakeholders. The statutory time period of 21 for consultees, we give 28 to consultees including parishes.

Deadlines can be extended by agreement. Responses are reported right up to the Committee from Statutory Consultees.

How we make a decision

Time periods in which we should make a decision are set out in law....

8 Weeks for minors

13 Weeks for majors

20 Weeks for EIA applications

If we don't determine an application in those time periods, or with an agreement from the applicant that we can take longer, the applicant can appeal against 'non-determination' of the application.



Planning committee decisions

- Applications that are straightforward and in line with the Development Plan - decided under delegated powers.
- Applications that attract more than three representations contrary to the officers recommendation or where recommendation is contrary to view of Parish Meeting or Parish Council – decided by Planning Committee.
- Objectors/supporters/applicants/agents will usually ask for material considerations to be considered.



Policy led decision making

Decision making is policy led

There is the **national** policy the National Planning Policy Framework and attached guidance document

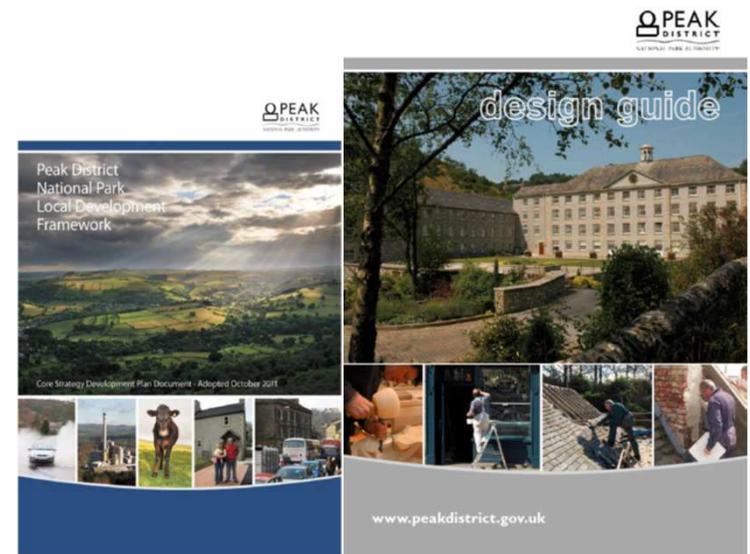
Local Policies

The Core Strategy (2011) contains overarching policies.

The Development Management Policies (2019) contain detailed policies which expand on the principles in the Core Strategy.

Various Supplementary Planning Documents including

- Design Guide
- Alterations and Extensions
- Climate Change and Sustainability
- Shop Fronts
- Agricultural Developments





A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

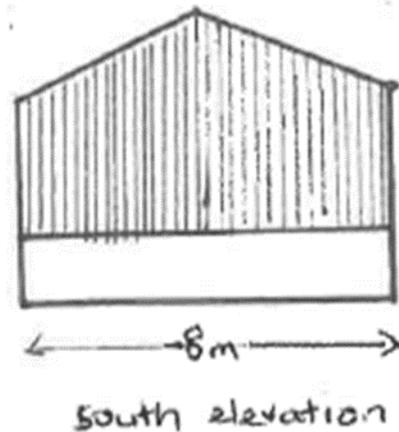
Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions) at the site
- Nature conservation



What isn't a Material consideration

- Views
 - Neighbour disputes
 - loss of value of property
 - Matters covered by other processes (caveats on title deeds, building regs etc)
- Retrospective development

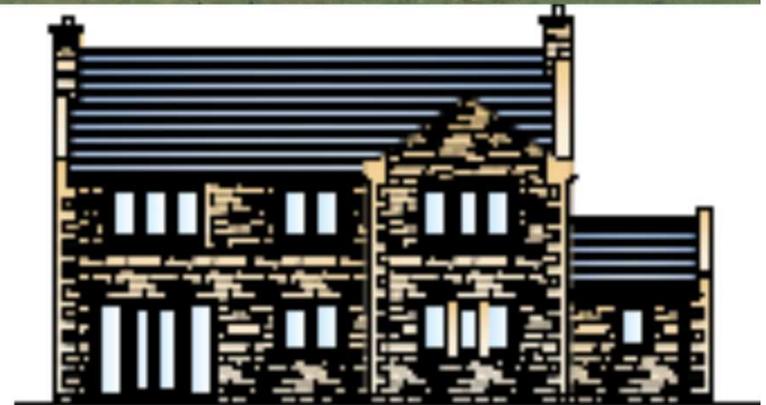




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North Elevation - front



Rear Elevation
Scale 1:50







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Appeals



- **If an application is refused then the applicant can appeal to the Planning Inspectorate.**
- **No third party right of appeal in England**
- **Appeals usually dealt with in writing, but an informal hearing or Public Inquiry are other options depending on wider public interest and substance of the issue.**
- **Appeal decision is final unless there is a legal error in reaching the decision, in which case it can be challenged in the courts. This is difficult and costly.**





PROPOSED EAST ELEVATION





What Weight to Give Material Considerations?





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