

## **Development Management Customer Service Charter and Procedures**

Development Management is a statutory function provided by the Council to assess and determine planning applications and related work including assisting members of the public and their representatives with planning matters, investigating planning enforcement enquiries and handling planning appeals.

The Section comprises a team of professional staff, supported by a team of technical support staff. The majority of Planning Officers hold professional qualifications accredited by the Royal Town Planning Institute.

### **Customer Service - our service charter**

The Development Management Section is open Monday to Friday 8.30am to 5pm (until 4.30pm on a Friday). A Technical Support Officer will be available until 4.30pm. Professional Planning Officers are available between 10am to 11am Monday to Friday for contact by phone by the public or their representatives. Between 11am and 4pm Officers are not generally available to take telephone calls but they may be available outside of these times depending on their hours of work.

A Duty Planner Service is available for residents. This is a free service to provide general planning advice for householders. Due to current COVID-19 restrictions the Duty Planner Service is currently provided by phone only. Please note that this is for small scale developments to houses only. This service operates between 10am and 1pm Monday, Wednesday and Thursday. Enquiries are limited to a maximum of 15 minutes. No site visits or written responses will be available from this service.

If you do require written advice regarding planning proposals that you have in mind you are strongly encouraged to submit a formal request for pre application advice. The details of this service and accompanying fees are detailed on the Council's website <http://www.threerivers.gov.uk/egcl-page/pre-application-stage>.

All initial telephone contact to the department should be made via the Customer Service Centre on 01923 776611. The Customer Service representatives will assist as relevant and will advise if a Planning Officer is available. They will take a message if necessary and the Planning Officer will call you back.

If you have a general enquiry the email address is [enquiries@threerivers.gov.uk](mailto:enquiries@threerivers.gov.uk)

We will endeavour to respond to all telephone messages within 24 hours and all general correspondence within 10 working days in accordance with [Council procedures](#).

Due to the COVID-19 pandemic the way in which Planning Officers work has changed and various processes have been altered. For more information on how COVID-19 has affected the planning process at TRDC please visit our FAQ's page [here](#).

### **Planning Applications – our service charter**

We aim to deal with planning applications within eight weeks of the date we accept the application (or thirteen weeks in the case of a major application) in accordance with recognised national and local performance targets. If we cannot achieve these timescales the applicant (or their agent if they have one) will be advised and kept informed on the progress of the application.

### **Public consultation**

It is a statutory requirement to publish details of every planning application. By law, we must

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either display a site notice or serve notice on any adjoining owner or occupiers. In practice the Local Planning Authority sends consultation letters to adjoining neighbours, giving details of the application. In many other cases, we put up site notices and put a notice in the local press. We must give people at least 21 days to respond to this publicity. Details are uploaded onto our web site [www.threerivers.gov.uk](http://www.threerivers.gov.uk) via the Planning Online facility, which can be located at the following web address <http://www3.threerivers.gov.uk/online-applications/>.

Please note that in the case of some types of application e.g. Certificates of Lawfulness, there is no statutory requirement to consult neighbours.

For applications which require site notices, both the applicant and planning agent will receive a letter with a copy of the site notice once the application has been formally validated. The onus is now on the applicant/agent to ensure that the site notice has been displayed on or near to the site, with evidence of this and confirmation of the date sent directly to the case officer.

### **Site visit by the Case Officer**

The Case Officer will normally visit the site within two weeks of the date the application is accepted. The Case Officer will not always pre arrange this site visit if there is access to the dwelling or it can be viewed from the street. Due to current COVID-19 social distancing restrictions planning agents will be sent an initial Site Visit Risk Assessment to send to Officers. Officers will make contact with the planning agent/application if a site visit is required and is possible. This process is subject to on-going review.

### **Commenting on an application**

Anyone is able to comment on a pending planning application even if they have not been consulted directly. You may view plans and associated documents on the Council's website [www.threerivers.gov.uk](http://www.threerivers.gov.uk) via the [Planning Online](#) facility, which can be located at the following web address <http://www3.threerivers.gov.uk/online-applications/>. We encourage the submission of comments through the Planning Online system accessed via the Council's website (link above). It is important to quote the planning application number in any communication with the Council.

Due to the volume of correspondence received it is not possible to reply individually to letters submitted in response to a planning application. However, if you write to us with regard to a planning application you will be subsequently notified if the application is to be presented to the Planning Committee and of the decision of the Council. If an application is refused the applicant has the right to appeal to the Planning Inspectorate. If this situation occurs you will also be informed.

It is important to note there is no third party right of appeal. You will have the opportunity to comment on an appeal if it is lodged with the exception of some householder appeals dealt by way of a fast track service called the Householder Appeals Service where your previous comments on an application will be forwarded to the Inspector.

Please be advised that any comments received will be made available for public inspection through Planning Online on the Council's planning website and will be placed on the application file.

Any comments made either in support or in objection to a proposed development will be considered by the Planning Case Officer in their assessment of the planning application. Provided your comments are planning related they will be a material planning consideration to be taken into account in reaching a decision on the application.

## **Negotiations on applications**

If we require changes to the submitted plans to make the scheme acceptable or improve it, we will normally contact the agent, or applicant if there is not one, at the earliest opportunity following the site visit and will ask for amended plans to be sent within 7 days. Otherwise, we will consider the original application. If an applicant or agent send us amended plans we may consult neighbours again (and anyone else who has commented on the application if relevant) and give them up to 14 days to comment. If amended plans seek to significantly alter the original proposal such changes may not be possible under the same application.

### **We will not negotiate on applications if:**

- 1 You have ignored the advice we gave you as part of a pre-application enquiry before you applied; or
- 2 The scheme needs to be changed significantly before we can recommend it for approval.

### **Extension of times (EOT)**

An EOT will only be agreeable if an application is subject to a legal agreement, Planning Committee call in, delay in receipt of statutory consultee responses or in exceptional circumstances.

Applicants are therefore encouraged to engage with us through the pre-applications service before submitting a formal planning application to avoid unnecessary delays during the planning process.

### **Making a decision about the application**

After considering the plans and any comments from neighbours or statutory organisations (such as the Environment Agency and Historic England), the Case Officer will make their recommendation to approve or refuse the application. It must be emphasised that this is only a recommendation. The final decision will be made by the Head of Regulatory Services if the application is decided under the Scheme of Delegation to Officers, or by the Planning Committee.

The final decision will only be made by the Planning Committee if three members of that Committee or the Parish Council (if this applies) formally ask, in writing, that the application is reported to the Planning Committee or the Head of Service or Director considers the proposal should be determined by the Committee. If this happens, we will inform the applicant or the agent.

### **Local planning policies**

The Local Plan for Three Rivers consists of the Core Strategy, Development Management Policies LDD and the Site Allocations LDD. These are important documents and all applicants and interested parties should familiarise themselves with the policies and guidance within them. The Case Officer dealing with the application must make a recommendation in line with the Local Plan and associated documents and the final decision will be based on whether the application meets relevant policies and guidance. Documents can be viewed on the Council's website.

### **Committee meetings**

If the Planning Committee is going to make a decision on the application the applicant/agent and any commenters will be advised of the date of the meeting. The Committee will allow

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one person to speak in support of the application and one against for a maximum of three minutes each. Further information on attending and speaking at Committee meetings is available at <http://www.threerivers.gov.uk/egcl-page/public-meetings>

### **Appeals when applications are refused**

If an application is refused planning permission the applicant has a right to appeal to the Secretary of State via the Planning Inspectorate. The refusal notice will clearly set out our objections and the relevant policies that apply in reaching this decision.

An appeal must be made within six months of the date of decision or three months if it is intended to lodge a Householder appeal. An applicant (or their agent) must use a form which is available from the Planning Inspectorate. This form can be found via the Planning Inspectorate's website at <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or obtained in paper form by calling The Planning Inspectorate Customer Services on 0303 4445000 or by e-mailing a request for a form to [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk).

### **Enforcement**

The Town and Country Planning Act 1990 requires the Local Planning Authority to safeguard the environment and the public by investigating alleged breaches of planning control in a thorough, timely and efficient manner, taking enforcement action where it is considered to be expedient and in the public interests. The planning enforcement service at Three Rivers District Council is predominantly undertaken by the Projects & Compliance Team within the Development Management section of the Community and Environmental Services Directorate.

Details of our enforcement service standards are outlined within the [Enforcement Plan \(May 2013\)](#)

For more information on planning enforcement please view our website [here](#).

### **Other information:**

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

**If you have difficulty viewing the plans and associated correspondence we can arrange assistance as required. Please contact us.**

### **Contacts:**

If you require further information on the Development Management Service please contact

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