



Planning Charter (Development Management)

1. Our Charter

- 1.1 This Charter sets out how the Planning Department of the Royal Borough of Kingston upon Thames (the council), will operate in our role as the Local Planning Authority when handling planning matters within the Borough.
- 1.2 The Charter is designed to set out the council's commitment to the users of our planning service to provide clarity on the levels of service that we strive to uphold.

2. Customers

- 2.1 There are many 'customers' the council must serve in our role as Planning Authority. The applicants or developers submitting planning applications are direct customers of the service we offer, but equally so are local residents that might make representations on applications, the business community, Councillors, other parts of the Council, Statutory Bodies, interest groups, and other organisations interested in local planning issues.
- 2.2 The council will seek to operate our service to serve equally the sometimes competing demands and expectations of all our customers. The guiding principle being that the decision making process should be accessible and transparent so that interested parties get the opportunity to be involved in the process and make their views known.
- 2.3 In accordance with Government advice¹, the council will operate in a positive and proactive manner. This means that we will, in dealing with planning proposals, work with the applicant to seek solutions to problems or concerns arising.

¹ NPPF and Article 35 DMPO.

3. Consultation and Engagement

- 3.1 The baseline for the means of engagement used by the council to consult with the community and interested groups and organisations is based upon the Government's statutory requirements as set out in the Development Management Procedure Order (DMPO)². Where minor changes to statutory minimum requirements occur, the council alter way in which we publicises planning applications to reflect legislative changes. Such changes would then be incorporated at the next review or refresh of the Planning Charter.
- 3.2 The purpose of this Charter is to set out those processes peculiar to the council that we will follow when publicising planning proposals falling to us for determination as the Local Planning Authority. For scenarios not explicitly captured within the Charter, the default position will be to follow the requirements of the DMPO.
- 3.3 Transparency is the principle that underpins the council's processes and all planning applications shall be uploaded on the council's website. This will include applications for which there is no statutory requirement to undertake consultation such as proposed tree works and lawful development certificates.

Table 1: Publicity on Planning Applications

| Type of Development | Press Advert | Site Notice | Site Notice or Neighbour Notification | The council's additional notification or response to statutory requirements |
|---|--------------|-------------|---------------------------------------|--|
| <p>Major Development: Residential developments involving 10 or more homes, or where the site area is 0.5 hectares or more.</p> <p>Other development: 1000m² floor space or 1.0 hectares.</p> | Yes | | Yes | The council will always notify neighbours in adjoining and opposite properties and post site notices. (See Notes below table) |

² The Town and Country Planning (Development Management Procedure) (England) Order 2015

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|---|-----|-----|-----|--|
| Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement | Yes | Yes | | Neighbour notification letters will be sent out if applicable and depending on the location of the development. |
| Application that is a departure from the Local Plan | Yes | Yes | | Neighbour notification letters will be sent out if applicable and depending on the location of the development |
| Application which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies | Yes | Yes | | Neighbour notification letters will be sent out if applicable and depending on the location of the development |
| Minor Development Residential development involving less than 10 homes. Other development: floor space is less than 1000m2 | | | Yes | Notify neighbours in adjoining and opposite properties. (See Notes below table) A site notice will be posted if any adjoining land/property cannot be identified. |
| Change of use applications | | | | The council will post site notices where there is likely to be wider public interest or where it is not practicable to notify adjoining properties |
| Householder developments | | | Yes | Notify neighbours in adjoining and opposite properties if they could be affected by the proposed development. (See Notes below table) The council will post site notices where there is likely to be wider public interest or where it is not practicable to notify adjoining properties |
| Development affecting the setting of a listed building | Yes | Yes | | Notify neighbours in adjoining and opposite properties. |
| Listed Building consent for works affecting the exterior of the building. | Yes | Yes | | Notify neighbours in adjoining and opposite properties. |

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|--|------|-----|-----|--|
| Development affecting the character of a conservation area. | Yes | Yes | | Notify neighbours in adjoining and opposite properties. |
| Applications to vary or discharge conditions attached to a listed building consent or conservation area consent, or involving exterior works to a listed building. | Yes | Yes | | Notify neighbours in adjoining and opposite properties. |
| Prior Notification of Larger Homes Household Extensions | | | Yes | Neighbour notification only. No site notice |
| Prior Notification of Changes of Use | | | Yes | Neighbour notification and site notice where considered relevant by officers. (See Notes below table) |
| Prior Approval –Agriculture, Forestry, Telecoms, Demolition of building | None | | | Neighbour notification where considered relevant by officers and site notice where considered relevant by officers. (See Notes below table) |
| Advertisement Applications | None | | | Neighbour notification only where considered relevant by officers applications. (See Notes below table) |
| Applications for Works to Trees Protected by a Tree Preservation Order | None | | | Neighbour notification only where considered relevant by officers. (See Notes below table) |
| Notice of works to trees in conservation areas | None | | | None |
| Certificates of Lawfulness for Existing Use and Development | None | | | Neighbour notification where considered relevant by officers. (See Notes below table) A site notice may be posted in very exceptional circumstances. |
| Certificates of Lawfulness for Proposed Use and Development | None | | | None |

Notes

3.4 Notifying affected parties

When the council decides how large the notification area should be, it takes account of factors such as traffic, noise and visual impact. Letters are sent to those considered to be directly affected by a proposal. The council offers a translation service and can present information in large print, Braille, on audio cassette or in community languages if requested.

3.5 Additional publicity for large scale or controversial proposals

For applications that are of a significant scale, likely to be controversial, or of interest to the wider community, the council will consider taking additional publicity measures to those in Table 1, including a press release to local newspapers. The council will also consider holding a public meeting or exhibition, providing an opportunity for the public to discuss the proposal with Council officers. Any events for the public will be arranged so they are as accessible as is reasonably possible. On planning applications that have a borough-wide significance the council can also make use of forums wherever possible.

3.6 Working with others

As well as notifying the properties affected by a proposal, the council will consult adjoining authorities and other statutory organisations when proposals are considered to affect their interests.

3.7 Improvements

We will continue to review our consultation processes to ensure we continue to best engage with the community. Periodically, the council may deviate from the criteria of Table 1 in order to trail and test alternative approaches.

4. Our Service Standards

Applicants

- 4.1 When you make an application to the Council, we will seek to achieve the following service standards:
- Within 5 days, we will check your submission against the National and Local list of planning application requirements. If your application is invalid we will alert your appointed Agent explaining what is required.
 - When your application is submission is correct, we notify your appointed Agent to confirming validation and provide details of the anticipated decision date.
 - Your application will be handled by a planning case officer who will be the key point of contact during the councils processing of your proposal.
 - When appropriate, the planning case officer will contact your appointed Agent to discuss any amendments or minor revisions that could allow the application to address outstanding concerns.

Neighbours and interested parties

- 4.2 We welcome engagement from those interested in the planning applications the council is determining. To support this we will operate to the follow service standards:
- We will notify neighbours and consultees of applications in a timely manner and in accordance with Table 1 above.
 - Seek to ensure that the application documentation and plans are made available through our website.
 - Consider running a re-consultation exercise to alert interested parties when changes or amendments are made to application which could affect matters raised in the consultation period.
- 4.3 Please note: We do not have the capacity individually acknowledge or respond to the significant numbers of comments we receive on planning applications. Our commitment is that all the comments received will be summarised and included within the planning case officer's report. The report will investigate each of these points and provide a narrative to explain how they have been taken into account in the assessment made of the planning application.