

## **NEW ANGLIA PLANNING CHARTER**

**[DRAFT]**

### **Background and Implementation**

#### **1 Introduction**

The Building Growth group was established by the built environment business community in Norfolk and Suffolk with the New Anglia LEP to support the delivery of residentially led development at a volume and level of quality appropriate to the New Anglia LEP (NALEP) area.

The group recognises the importance of good quality planning within the Norfolk & Suffolk to ensure that the right development happens in the right place to benefit communities and the economy. The planning system further plays a critical role in identifying what kind of development is needed and where; what areas need to be protected or enhanced and in assessing whether proposed development is suitable.<sup>1</sup>

#### **2 Background**

The Government's planning reforms have aimed to:

- ensure that planning enables sustainable development delivering the homes and jobs communities need
- simplify the planning system
- enable planning decisions to be taken at the lowest possible level with the involvement of local people, and
- ensure strong protections are in place to conserve and enhance our valuable natural and historic environment.

These reforms have attempted to lighten the burden of planning on business and support delivery, while at the same time maintaining the protection of the planning system for key assets and for communities.

This initiative responds to frustration by parties involved in the planning process as to the speed of processing of planning applications (in spite of simplifications of the system), and the cost to all parties incurred by delays and inconsistencies, both in terms of requirements and determination, across authorities. To ensure that the system becomes more efficient and effective it is critical that the process of application and determination is streamlined, consistent and that the timeframe between submission and determination is as short as possible.

To this end, the Building Growth Group have produced a *Draft New Anglia Planning Charter* to encapsulate a set of mutual commitments between the public and private sector participants in the

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<sup>1</sup> Plain English Guide to the Planning System, DCLG, January 2015

planning process to make the system work as effectively and efficiently as possible, without compromising the core purpose of planning, and the democratic process as it interacts with the planning system.

### **3 Aims**

**Our ambition is for a streamlined and effective planning and development culture, which supports future prosperity within the region, engages positively with communities and underpins the development of competitive, sustainable and attractive places.**

Future individual and collective actions, initiatives, priorities and use of resources will be guided by:

- Creating shared ambition in planning for appropriate growth between communities, developers (and their agents), the planning authority and relevant statutory authorities and consultees.
- The private and public sectors working together to achieve high quality design and sustainable development, and through positive engagement with local communities, secure stakeholders and statutory interests.
- All parties facilitating and supporting economic growth and place competitiveness while protecting and enhancing the intrinsic social, cultural, heritage and environmental assets of Norfolk and Suffolk.
- Planning authorities and statutory consultees providing a co-ordinated, consistent, positive pre-application and post submission advice and support which is responsive to business needs.
- Planning Authorities determining applications relating to allocated sites in a timely, transparent and efficient manner, without unnecessary pre-commencement conditions, and with consistency across the NALEP area.
- The development of standardised requirements to support planning applications across Norfolk and Suffolk, both from the planning authority and the private sector.
- Consideration of process innovations such as enquiry by design, planning mediation etc. to improve and make more effective use of planning resources; reduce conflict and challenge.
- The adoption of a culture of proactivity, continuous improvement, responsiveness and innovation.

The Charter will operate in tandem with the evolving *Infrastructure & Utilities MOU* which is being developed by Building Growth, and a statement of planning and urban design principles for the two counties which will amplify the NPPF's general support of 'sustainable development', setting out what this means within the context of the New Anglia area (*to be developed*).

#### **4 Status**

The Charter will be published in draft format such that it can be tested over a twelve month period to engage the various parties to the planning process to consider how process improvements can be made such that the system can be made more efficient, streamlined and effective, and to test the effectiveness of the Charter.

An MOU will be put in place between Building Growth/NALEP and local authorities within the region who are supporters of the Charter and the aims set out above, binding the parties to work cooperatively over a nine month period to pilot the Charter in action.

At the end of this period, a review will be undertaken to consider the effectiveness of the Charter, and amendments will be made as appropriate. A refined Charter will be published within a year of the launch of the Draft. A second stage will put in place oversight and feedback arrangements.

#### **5 Oversight**

In order that the Charter is treated with seriousness by all parties, and is effective, consideration should be given to the creation of a Planning Oversight Panel for the NALEP area. This would be openly recruited to bring together individuals of level of seniority, independence and expertise to review progress towards process efficiency, to receive complaints and suggestions, and to operate as an honest broker to highlight inefficiencies and potential for improvement.

It is anticipated that the proposed panel would be set up on the launch of a finalised Planning Charter.

#### **6 Feedback**

Consideration should also be given to the potential of creating feedback loops such that parties to a planning application can provide feedback on the experience for purposes of assessment and monitoring on the effectiveness and efficiency of the planning process across the NALEP area.

This could be created as an online tool for ease of processing of information received.

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**The Commitment**

The following key commitments will form the basis of the New Anglia Planning Charter.

The Charter is not binding on any party and nor are the commitments within this Charter more applicable to any one party compared to the other. The Draft New Anglia Planning Charter will test whether, if the steps set out are followed, the planning application and determination process will be substantially streamlined and made more effective.

- Both parties will enter the Development Management process with the shared objective of delivering *the right development in the right place* to support place competitiveness, sustainability, resilience and quality of life. The starting point for achieving this objective will be the respective Local Plan for the area.
- Both parties should make reference to Document (XXX) setting out key development principles which should be applied in designing for place competitiveness in Norfolk and Suffolk. (TO BE PRODUCED)
- Both parties should have regard to the *New Anglia Planning and Utilities MOU*.
- Both parties will properly resource the pre-application process in order to provide clarity and clear direction. This will include specific advice from the Local Planning Authority regarding the information required in support of a forthcoming planning application and what will be required to secure support for the application.
- The community and other interested parties will be given the opportunity to inform the proposal in a reasonable manner from the outset, proportionate to the scale and context of the application. Applicants will comply with the respective Local Authority's Statement of Community Involvement.
- There will be clear, constructive communication between the parties throughout the planning process, positively undertaken with the aim of aiding progress of the application and resolving differences.

- Both parties will avoid delays unless exceptional circumstances dictate otherwise. If a delay to a planning application is unavoidable then the party responsible for the delay will provide a clear explanation for it. It should be borne in mind at all times that delay is costly.
- Throughout the planning process both parties will be honest and realistic about anticipated timescales and the nature of proposed delivery of a scheme. (this points needs to be detailed further – eg: developers required to make clear what their interest is eg acquisition of a permission and sale of land; full build out; land investment position; trading position; anticipated timeframe; anticipated annual outturn.
- Where possible, planning applications will be determined within the statutory determination period (8 weeks for standard applications: 13 weeks for major applications; 16 weeks where an Environmental Impact Assessment is to be applied). However, if the decision is going to be made outside this period for justifiable reasons, both parties will agree to an extension of time and a timetable for progressing the application to determination.
- Wherever possible, both parties will provide sufficient information and clarity prior to planning permission being granted so as to reduce the need for planning conditions. Proposed conditions will be shared with the applicant prior to the decision being made to enable the parties to discuss them before the notice is issued. Where conditions are required they will comply with the six tests in the National Planning Policy Framework<sup>2</sup>.
- Every effort will be made to ensure that development can commence post-decision without any unnecessary delay. Developers will avoid any breach of the planning permission.

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<sup>2</sup> [www.pas.gov.uk/documents/332612/0/Condition+Cribsheet/7d7e39f9-0209-4a65-85b9-48383d1e7e9e](http://www.pas.gov.uk/documents/332612/0/Condition+Cribsheet/7d7e39f9-0209-4a65-85b9-48383d1e7e9e)