

# Planning Applications

Understanding the Process and How to  
Make  
your Objection Count

# Local Plans and the national planning policy framework

- A Local Plan is drawn up by the Local Authority in consultation with residents. It sets out the framework and policies that will be used to guide decisions on planning applications
- Vale of Aylesbury Local Plan (to 2033) is currently at the Examination in Public stage, this will eventually supersede the **2004 Local Plan**
- Dacorum Local Plan **adopted 2013**. Currently producing new LP to 2038
- The original National Planning Policy Framework (NPPF) was introduced in 2012 to 'simplify' the planning system
- The NPPF has been amended numerous times

# Local Authorities and the NPPF

- Local Plans must conform to the NPPF
- The NPPF dictates that there must be a ‘presumption in favour of sustainable development’
- Wide open to interpretation, the definition of ‘sustainable’ has created confusion and uncertainty in a planning system that the NPPF intended to simplify 😞
- If a Local Authority doesn’t have a Local Plan that reflects the NPPF or a 5 year housing land supply, it leaves areas susceptible to speculative development

# The Nitty Gritty and what to look for

- Read the **Local Plan**; there are usually just a few policies specifically referring to rural areas (Control F is useful)
- On the LA Website – check the **Settlement Hierarchy** which establishes the size, services and facilities of smaller villages to understand how much development can be accommodated
- Look at the Housing and Economic Land Availability Assessment (AVDC **HELAA**) & the Strategic Housing Land Availability Assessment (Dacorum **SHLAA**)
- These are technical studies which set out whether there is a ‘deliverable’ supply of land for five years’ worth of housing.

# Five year Housing Land Supply

- Buckinghamshire Council is able to demonstrate more than five years' supply of specific deliverable housing sites for the Aylesbury Vale area (from a 31 March 2020 base date). The five year period is 1 April 2020 to 31 March 2025. This accords with paragraph 73 of the 2019 National Planning Policy Framework (NPPF)
- Dacorum have not made a 5-year supply assessment which also implies that they cannot meet this national requirement. With the exception of Hertsmere, all other Hertfordshire local authorities are unable to demonstrate having an up-to-date development plan in accordance with the NPPF.

# Questions to ask yourself

- Is the site included in the SHLAA? If so it's more likely to be approved because it has already gone through the process to establish suitability
- The SHLAA/HELAA will also show sites that have been assessed and reasons why they haven't been approved (Marsworth Airfield is included in this)
- A site 'suitable' conclusion does not mean the site will be allocated in the LP and likewise a site being 'unsuitable' does not mean further work on constraints, mitigation or infrastructure enhancements cannot be put in to enable the Council to support development on site. All constraints need to be revisited at the time future planning decisions are to be taken.
- Demo to follow.....

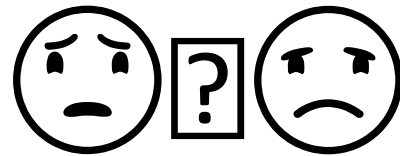
# Looking at the Application

- How to find the application and how to search for information
- Search by map
- Look at the 'Design and Access Statement' on the application. This will give you the main outline for the development
- The planning consultants will be looking to show that the proposals accord with local and national policies.
- Is there a history of applications on the site?
- Demo to follow.....

# Checklist

- Is the site previously developed/brownfield?
- Is the site greenfield?
- Does the site accord wholly or in part to the NPPF?
- Does the application accord with local policies?
- What policies do you consider it contravenes and why?
- Are there any constraints on the site? Eg; Greenbelt, AONB, SSSI?
- Have a look at the planning history of the site? Refusal - reasons?  
Expired permission and officer recommendation if available?

# Objections that Don't Count



I don't like it and I think:

- Reduction in the value of properties affected by the proposed development
- Impacts resulting from the construction of the development
- Loss of existing views
- The possibility of the proposed development causing problems in the future

# Objections that Do Count

The proposed development is contrary to national, regional or local planning policy, government circulars, orders or statutory instruments

# These objections Count too but could be resolved.....

- The proposed development is not in keeping with the stylistic context or scale of the local area
- The proposed development will have a negative impact on the amenity of another property, through noise, overlooking, overshadowing, smells, light pollution, loss of daylight, loss of privacy, dust, vibration or late night activities
- The proposed use is not compatible with existing uses, for example an industrial use in a residential area
- The development may cause traffic problems such as traffic generation, access or safety problems
- The proposal reduces the amount car parking available or provides insufficient parking space itself

# Continued.....

- The proposal will have environmental health impacts such as the use of hazardous materials or ground contamination
- The proposed development will impact on listed buildings or a conservation area
- The layout and density of the proposed development is inappropriate
- The proposal is an inappropriate development within a green belt
- Proposed advertising creates visual clutter
- The proposed development includes insufficient landscaping

# Continued.....

- The proposed development will damage the natural environment or will result in significant loss of trees or the loss of trees for which tree protection orders are in place
- The cumulative impact of the development when considered alongside other development will have an adverse impact on the area
- There is inadequate access for people with disabilities
- Archaeological issues

# .....and again

- Approval would create a precedent meaning that it would be difficult to object to similar proposals
- Local infrastructure is not adequate to service the proposed development
- The proposal will have an economic impact, such as impacting on tourism or on small businesses
- The type of housing proposed will not satisfy local housing needs
- The proposed development will demolish or adversely affect an ancient monument or site of cultural or architectural value

# The Process in a Nutshell

- The Planning Officer examines the application against current policies and produces a report with a recommendation to the Planning Committee to approve or refuse
- The Committee considers the officers' recommendation
- If they agree the application is 'deferred and delegated' back to the LA for approval
- If they disagree, then the application is refused
- The applicant can appeal this decision
- The Parish Council do not make decisions on applications

# Refused at Committee

- If the applicant appeals the decision, the Secretary of State appoints the Planning Inspectorate to examine the case
- The Inspector's decision is final unless it is considered that there has been a legal error in the judgment which would result in a judicial review

# Demonstration Aylesbury Vale Planning Website