

Applicants' Charter

Applications for:

Planning Permission
Reserved Matters Approval
Listed Building Consent
Conservation Area Consent
Advertisement Consent

The Council is committed to providing quality services to explicit and reliable standards.

This Charter is for people making any of the types of application under the Town and Country Planning Acts listed above. It explains the standards of service we aim to meet and what you can do if you are dissatisfied.

We aim to treat you courteously, openly and efficiently when dealing with your application.

Before making an application

We can give you advice free of charge on whether an application is needed. The Council offers a pre-application advice service, subject to a fee, to determine whether an application is likely to be supported and what information and fee you should submit. This advice will be based on the local and national planning policies which are relevant to the case. However, we can never commit the Council to making a particular decision.

The Council's Protocol for 'Validation of Applications' sets out in detail the information requirements for different types of application. It is available from Development Control or the Council's website.

If your proposal is for a development which would have implications for other bodies who have a role in the planning process, e.g. the Highway Authority or the Environment Agency, you should seek advice from them independently.

The application forms include guidance notes explaining how to complete them. They can be downloaded from the website.

If you write to us for advice we aim to reply in thirty working days. This may be longer if we need to obtain information from outside the Planning Department in order to give a full response.



Dealing with your application

We aim to write to confirm that your application has been registered as valid or to explain why it has not been within two working days of receiving it. The letter confirming that we have started dealing with your application gives the date by which you are entitled to receive a decision and the name of the Case Officer. The Officer will always need to visit the site.

If there is additional information which you could supply or changes which could be made to your application to enable it to be recommended for approval, we will telephone, write or meet you to advise of this. We aim to do this (if we need to) within 28 days of registering your application. We will normally only give one opportunity to make changes and will set a time limit for your response in order to enable us to make a decision within the appropriate timescales.

The Officer will also take into account comments made by other bodies which have a right to be consulted on some applications, the views of Parish Councils and local people, provided that these are relevant planning considerations.

You can contact the Case Officer if you wish to check how your application is progressing.

Planning considerations

Planning considerations are those matters which are relevant to the purpose of the UK statutory land use planning system and the particular circumstances of the application.

They include:

- The design layout and landscaping of buildings.
- The relationship between new and existing buildings, particularly in relation to privacy, daylight and sunlight.
- The presence of trees and other landscape features.
- Access, traffic and transport issues.
- Noise and smell.
- Effect on wildlife and the countryside.
- Effect on historic buildings and Conservation Areas.
- Contribution to the local economy.
- Cumulative impact.

Planning policies which are used in the decision making process are contained in Development Plan Documents and Supplementary Plan Documents produced by the Council together with the National Planning Policy Framework.

Not Planning Considerations

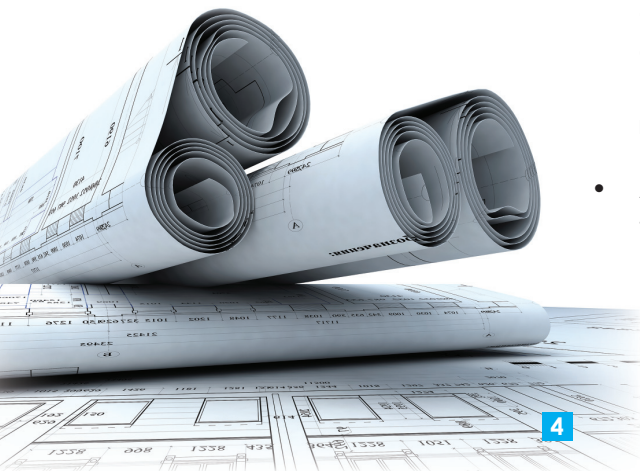
- Effect on property values.
- Existence of restrictive covenants on the use of land or buildings.
- Ownership and access rights.
- Property maintenance issues.
- Competition between individual businesses.
- Loss of a view, from an individual property.
- The fact that this application is for a different form of development than a recent approved scheme.
- Identity of or history of the applicant.
- Whether the applicant is motivated by the need for development to be profitable.
- The personal circumstances of the applicant (except in very special cases).

These lists are not exhaustive, but give a general picture of what things can be taken into account when making a decision on a planning application.

Decision making process

Most decisions are made by managers in the Planning Department. The remaining decisions are made by the Planning Control Committee in cases which fall within the following categories:-

- Applications which do not clearly comply with all relevant Planning Policy requirements but which Officers nevertheless consider should be approved.
- Major applications which although complying with all policy requirements generate a significant amount of public opposition.
- All applications made by serving Members of the Council and employees of the Council.
- All major applications made by or on behalf of the Council.
- Applications for telecommunications development which involve the erection or installation of new masts to which there has been recorded public opposition.
- Applications where a request from an objector or applicant has been made to address a meeting of the Planning Control Committee in connection with it.



- Applications where one or more Members of the Council have requested that the application is reported for decision by the Committee rather than determined by Officers.
- Applications where a Parish or Town Council have raised an objection.

Reports written by Case Officers for consideration by managers or the Planning Control Committee make an assessment of all the relevant planning considerations, contain a summary of all comments received and make a recommendation to approve or refuse the application.

A recommendation of approval may include conditions or obligations to ensure that planning policies and standards are met. If an application is reported to the Committee, it decides whether to accept the Officer's recommendations or not and it may take a different view where the arguments for and against an application are not clear cut. It may defer consideration of the application until Members of the Committee have visited the site if this has not already happened.

Meetings of the Planning Control Committee normally take place every four weeks on Wednesdays, commencing at 3pm.

You can arrange to address the Committee in support of your application by making a written application to speak at a meeting.

You must do this within 21 days of the registration date unless you are invited to respond to an objector. If an objector to your application has made an application to speak we will contact you to let you know so that you can choose to respond if you wish to.

Full details of the local planning procedures are set out in 'A Local Protocol for Planning Decision Making' obtainable from Development Control or on the website.

The report and the file containing all written comments received on the application will be available on the Councils website. Copies of any documents on the file can be supplied for a small charge.



Appeals


If Planning Permission, Reserved Matters Approval, Listed Building Consent, Conservation Area Consent or Consent to Display an Advertisement is refused or approved subject to conditions which you consider to be unreasonable, you may appeal to the Department for Levelling Up Housing & Communities.

An appeal form can be obtained from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, telephone **0117 372 8000** or online at www.planningportal.gov.uk/planning/appeals

After the decision has been made

If a permission is granted subject to conditions which have not been amended or discharged as a result of an appeal, and you intend to carry out the development, you must comply with the conditions.

The conditions may require you to submit further application(s) with additional information before the development can start and/or may impose specific permanent controls on how the development or use of land is carried out. Ensure that you understand those requirements before you commit yourself to carrying out the development.



We aim to make a decision on your application within 8 weeks unless the application is a major application in which case the timescale is 13 weeks, or 16 weeks for an application accompanied by an Environmental Statement. Decisions may take longer if one or more of the following circumstances apply:-

- We need to seek additional information from you or suggest changes.
- The Planning Control Committee needs to make a site visit before reaching a decision.
- The Government directs that the Council may not make a decision without its consent.
- Written notification of the decision will be sent to you within two working days of it being made.

If you have not obtained the necessary approval required by a condition before you start, it will be unlawful to proceed with the development. You may need to seek approval for details required to be submitted to comply with conditions. This would require a Discharge of Condition Application which would need to be submitted to the Council for consideration.

If you wish to make changes to your plans after permission has been granted, you would need to submit a Non-Material Amendment if the changes are minimal or a new application if they are minor changes.

If you send us revised plans, we will confirm which type of amendment application is required.

We publish all details of Planning Applications on the Council's website

This includes the application form, plans and supporting documents together with any correspondence with statutory and non-statutory bodies and members of the public commenting on applications.

We are unable to treat comments on planning applications or appeals in confidence. Anonymous comments will not be given any consideration in the decision making process. The same information is available in the event of an appeal being made against a refusal of permission or conditions imposed on the grant of permission.

We aim not to reveal personal details such as signatures, email addresses and telephone numbers. The exception to this policy is that the email addresses and telephone numbers of agents acting on behalf of applicants need to be available in order to enable the efficient processing of applications. Our advice is that if you wish to be certain that these details will not be published, you should not include them in correspondence.




Contact Planning Control

Development Management &
Planning Enforcement
(01543) 462621

Customer Services
Ext. 4485
Ext. 4315

email : developmentcontrol@cannockchasedc.gov.uk
or
planningenforcement@cannockchasedc.gov.uk



Cannock Chase Council is committed to serving the community in the most efficient and courteous way possible. We welcome your comments, compliments and complaints as this helps us to know what are the good things about our services and what things we need to improve.

Officers are available at Cannock to give advice. If you wish to meet a particular person, you will need to make an appointment.



If you have any queries or issues or wish to make a comment, compliment or complaint a 'Customer Service Standards' leaflet is available:

Cannock Chase Council, PO BOX 28, Civic Centre,
Beecroft Road, Cannock, Staffordshire WS11 1BG

Tel: 01543 462621