

Protecting open spaces

A local developer has recently been selling off a number of areas of land designated in planning terms as open space.



In an attempt to protect both prospective buyers and the areas of open space, the Enforcement Team has written to residents in the area where the land is being sold to confirm planning permission may be required should they choose to develop the land or change its use. It is hoped this will encourage those people innocently ignorant of the planning regulations to contact us before they act.

The council currently has retrospective planning applications from residents who have already extended their gardens and enclosed areas of open space with fences. In one case the Council has already taken formal enforcement action.

In order to reduce distress and expense to residents who may be tempted to buy land designated as open space, or to change the character or the use of open space or landscape buffers, they are strongly advised to check with the Development Management Team whether planning permission will be required in advance of undertaking any works. Should planning applications be received the Council will judge each case on its merits, whilst staying consistent in our approach. The Enforcement Team will continue to pursue unauthorised development. For more information of Planning Enforcement visit http://www.charnwood.gov.uk/pages/planning_enforcement or contact the enforcement team at development.control@charnwood.gov.uk or call 01509 634722.

Did you know. . .

The Enforcement Team deals with more than 600 cases per year, ranging from serious to minor breaches. They work to resolve any breaches in the most effective way, however, if negotiations fail formal action will be considered.

Developers can submit retrospective applications to retain unauthorised development, such applications follow the same planning process. Councillors have the opportunity to consider the development and can refer them to Plans committee if there are planning reasons.

If a retrospective application is refused applicants have the right to appeal the decision. In some cases an enforcement notice may be served with the refusal, or quickly after, in order to avoid further delay. Enforcement notice appeals must be made within 28 days.

A new proactive approach for planning enforcement

The Enforcement Team has introduced a new area of proactive monitoring.

It involves the cross-checking of Building Regulation notifications for building works being undertaken against the planning history file for the property. If there is no evidence of the building works on the planning records or it is unclear whether the building works require planning permission, further investigations will be undertaken to ensure the necessary permissions are in place.

This extra check is helping improve customer confidence in ensuring that the works they are undertaking benefit from the necessary permissions.

For more information on enforcement visit www.charnwood.gov.uk/pages/planning_enforcement or contact development.control@charnwood.gov.uk or call 01509 634722.

Core Strategy. . . change is afoot

The Core Strategy Inspector wrote to the council on January 22, 2015 stating the Core Strategy could be made sound with modifications. These modifications will be published in the coming weeks providing further support for decision making on planning applications. Policies which are not subject to modification will carry greater weight now.



The degree of weight each policy currently has now is a matter of judgement based on whether representations were made when the plan was submitted, the discussions held at the hearing sessions and the nature of the modifications recommended by the Inspector.

As always, officers will provide guidance in committee reports to assist members when deciding planning applications.

For example, at the Plans Committee meeting in February greater weight was given to relevant emerging policy when making a finely balanced recommendation to refuse a 74 home scheme on a prominent, agricultural site on the outskirts of Loughborough.

These application assessments weigh very carefully in the planning balance the adopted planning policy, the housing supply situation, emerging core strategy policies and relevant material planning considerations. The planning balance will differ depending on the specific and individual merits and characteristics of each case.

Housing supply

If the Secretary of State releases or approves the North East of Leicester SUE planning application, a significant step will be made towards securing the five year supply. If the Core Strategy is adopted the Council will be able to show how a five year supply can be sustained up to 2028.

In pursuit of customer excellence

We are committed to putting the customer at the heart of everything we do, and Planning and Regeneration team is working towards achieving Customer Service Excellence (CSE) to demonstrate this.

CSE is the national standard which tests organisations on five key areas of customer service including the involvement of the customer, customer standards, and how the service can improve. It also has particular focus on delivery, timeliness, information provided, professionalism and staff attitude.

Assessment for the award involves providing evidence against 57 separate criteria to demonstrate our commitment to customer service. This has to be submitted by April, and will then be followed by a two-day inspection in mid-May where an inspector will check the evidence and carry out a tough examination including interviews with staff and customers.

If successful, the service will hold the status for the next three years and will receive follow-up inspections to ensure any actions identified have been taken. However, achieving the standard is in many ways just a starting point, with continuous service improvement the real goal.



Development Management restructure

In the past 12 months there have been significant changes in the structure of the Development Management Group to bring in improvements to the function of the Planning Service that were agreed by Cabinet in September 2013.

The restructure has provided a return to two development management teams - Major Development and Local Development to deal with growth and major applications and "minor" and "other" category applications respectively.

The Local Development team also deals with the validation and registration of planning applications as well as street naming and numbering.

The Major Development team is led by Graham Smith and the Local Team is led by Mick Morley. Both Graham and Mick are experienced officers within the group and if there are any issues that you want to raise regarding casework please liaise with them or the relevant case officer.

The restructure also recognised the Planning Enforcement area as a distinct team within the service led by Helen Robinson, and created a new team of Customer Support and Performance led by Adrian Le Cras.

Finally, the Building Control Team was brought within the Development Management Group so that together with our development management services a one stop shop for customers development needs could be provided. Steve Mann is the Acting Building Control Team Leader.

The contact details for Graham, Mick, Helen, Adrian and Steve are;

- Graham.smith@charnwood.gov.uk or 01509 632521
- Mick.morley@charnwood.gov.uk or 01509 634740
- Helen.robinson@charnwood.gov.uk or 01509 634743
- Adrian.lecras@charnwood.gov.uk or 01509 634753
- Steve.mann@charnwood.gov.uk or 01509 634758

Building Control welcomes new surveyors

The Building Control Team has seen a number of changes over the last twelve months and is now pleased to welcome two new surveyors to the section.

James Swain is an experienced Building Control Surveyor who joined us from West Lindsey DC. He will be working between the area of Loughborough and Sileby within the district and brings a great deal of Building Control knowledge with him.



James Swain



Neal Bassford

Neal Bassford joined the section in September as a Building Control Surveyor and may be familiar to some people as he previously owned his own building company within the local area. Neal brings a vast amount of practical experience to the section and is currently working between the area of Loughborough to Shepshed.

Andrew Beard, the new Building Control Team Leader will also be joining the team. He is an experienced building control professional and is looking forward to joining us in May.

Planning: What, Why and How

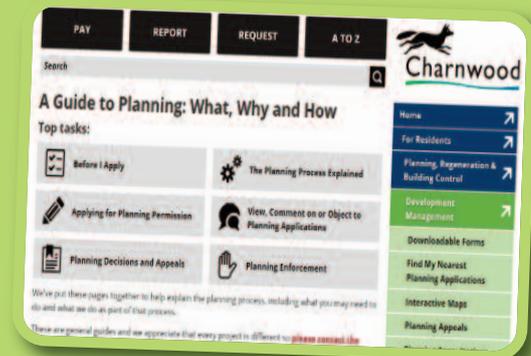
Understanding the planning process is being made easier thanks to our new online guide.

We have introduced a new section called “A Guide to Planning: What, Why and How” to make our website even more user-friendly.

These pages make the process more accessible, reducing the amount of complex terms used with the aim of demystifying the Development Management process and answering some of our customers’ most frequently asked questions.

The guide covers six areas:

- 1) Before I Apply
- 2) The Planning Process Explained
- 3) Applying for Planning Permission
- 4) View or Comment on Planning Applications
- 5) Planning Decisions and Appeals
- 6) Planning Enforcement



Councillor Eric Vardy Cabinet member for Planning and Sustainability, said: “With a range of 'Top Tasks' within each section, web users are now able to dip in and out of the themes relevant to their particular enquiry”.

“This guide will sit alongside the existing Planning web pages, which are being reviewed and further rationalised in the coming months to make the web information as simple, concise and user-friendly as possible”.

So next time you’re thinking of making a planning application, or lying awake at night wanting to find out what your neighbour’s planning to build, check out our online guide and find out all you need to know www.charnwood.gov.uk/development_management.

Visit www.charnwood.gov.uk/planning_explorer to view planning files and monitor the progress of planning applications using Planning Explorer.

The Planning Portal - your one-stop-shop for planning services online. You may now submit your Planning applications online at www.planningportal.gov.uk, over 70 per cent of applications are currently being submitted to Charnwood this way

New phone number for payments and general enquiries

Please note that with effect from March 23, 2015 all telephone payments and general planning enquiries will be handled by our Contact Centre on 01509 634570.

Please can you use this number for all general planning enquiries or planning payment calls from that date.

Case-specific calls can continue to be made to named officers on the published numbers on case correspondence.

Many thanks for your co-operation and support.



New legislation affecting permitted development rights

New legislation affecting permitted development rights: Change of use from Agricultural buildings and offices to dwellings.

Legislation was introduced in May 2013 and April 2014 which allowed offices and agricultural buildings to be changed to residential use without the need for planning permission provided details are submitted for prior approval. If a decision is not made by the planning authority within 56 days the development can be carried out in accordance with the limitations imposed by the legislation.



The Planning Authority has determined around a dozen applications for the change of use of buildings to dwellings under this new procedure and more than half of these cases have been refused or withdrawn. The reasons are generally that the development proposed does not fall within the limitations of the legislation and therefore the procedure followed was not appropriate.

It is a general concern that the legislation is being inappropriately used to try to bypass the planning procedures. However, officers are carefully checking each notification to ensure that the legislation is appropriately applied and this is reflected in the reasons for refusal.

The reasons given for refusal so far include the following:

- Building is located on land subject to flooding.
- Condition attached to original Planning Permission restricting future use of building.
- Building was not solely used for agricultural purposes.
- Building is not, nor was previously wholly used for agricultural purposes.
- Proposal extends beyond the external dimensions of the building.
- No evidence was submitted to show that the use is that of an established agricultural unit.
- No evidence was submitted to show that the proposal would not contravene the limitations in the legislation.

Did you know. . .

The Building Control Service operates in a highly competitive market within which Approved Inspectors also provide Building Control services.

The Service recovers its costs from fees set based on the hourly rate of staff and is one of the cheapest Building Control services in the East Midlands reflecting its efficiency.

The Team has worked hard to improve the range of services offered to provide further income. For example it worked closely with Landlord Services to prepare energy certificates for the Council's recently improved housing stock and staff specialise in various technical areas to provide consultancy service for fire protection and energy usage.

