

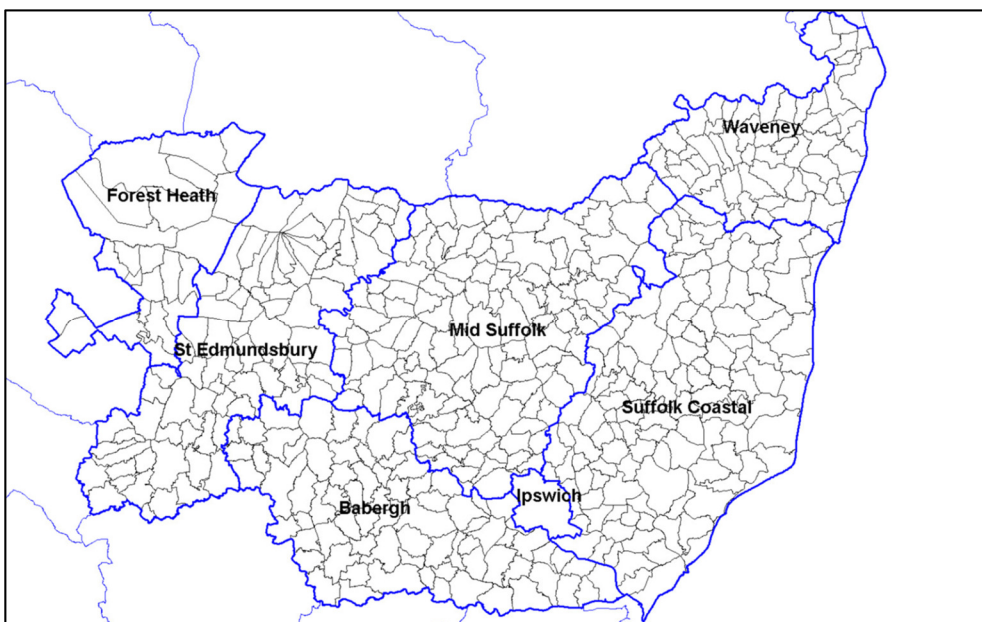
Planning Guidance Factsheet 02 – Planning Applications

1. Different types of planning application

Planning applications are generally ‘full’ or ‘outline’. Full planning applications include all the information needed for the Local Authority to decide if the proposal can go ahead. Outline applications contain only enough information for the Local Authority to decide if the principle and broad type of development is acceptable. If an outline application is approved, then the applicant must submit a ‘reserved matters’ application that addresses all the outstanding details, such as visual appearance, servicing and landscaping. This must also be approved before development can start. Applications for small works to existing dwellings, such as extensions, are often called ‘householder applications’. Although such applications require the same basic information as a full application, they usually relate to small works within the curtilage of the property so they tend to have less of an impact on wildlife.

The differences between these types of planning application can affect the scope of your comments. For example, if you missed an opportunity to comment on an outline application for a development that affects a wildlife site and it was approved, the scope of any objections to the follow-up ‘reserved matters’ application can only relate to the detailed design and layout of the development, not the principle of it.

Details of specific planning applications can be obtained from the Local Planning Authority (LPA) who are determining the application. This will usually be one of the one of the seven district or borough Councils in Suffolk or the Broads Authority, however the County Council also determine certain sorts of applications such as those for minerals or waste development. The details of an application will be available to view at the Council’s offices and also on their website. If you are having trouble accessing information on an application you should contact the relevant Council’s planning department directly.



Suffolk Local Planning Authorities (OS Licence: 10016410)

Local planning authorities in Suffolk are now taking a shared approach to service delivery with Forest Heath DC and St Edmundsbury BC working as West Suffolk Council; Waveney DC and Suffolk Coastal DC working as East Suffolk Council and Mid Suffolk DC and Babergh DC working as Babergh-Mid Suffolk Councils.

2. Why might you take action?

You may want to object to a proposed development that will impact on wildlife in your area. Alternatively, you may also feel that the development could be made more sympathetic to the local environment, such as by enhancing opportunities for biodiversity.

Your involvement in the planning system may not be limited to objecting to potentially harmful planning applications. In some circumstances you might want to support an application, as it will be beneficial to biodiversity and be built with consideration for local wildlife.

3. Commenting on planning applications - gathering evidence

If you are concerned about the impact of a planning application on wildlife, you can:

- Contact Suffolk Biodiversity Information Service (SBIS) to find out whether the area concerned is known to be of importance for nature conservation. Suffolk Biodiversity Information Service are based at Ipswich Museum and can be contacted on 01473 433547 or via their website - <http://www.suffolkbis.org.uk/>. Further information on designated sites and protected species can be obtained from the NBN Gateway website - <https://nbnatlas.org/>
- Contact the planning officer dealing with the case to discuss potential impacts on wildlife. If there is no existing information relating to wildlife in the area, ask whether an ecological survey has been, or is due to be, carried out. Local Authorities can request that developers undertake such surveys if there are sufficient grounds for them to do so.
- After looking at the application and supporting information (e.g. any accompanying ecological surveys), if you still believe that you have grounds to object to the application, you must send written comments to the Local Planning Authority. All planning applications have a name and a specific reference number that you should clearly refer to.
- Contact your Parish Council and/or Local Authority Councillor, to see whether they would be prepared to support your objections by making representations. You could also encourage other interested parties to review the application themselves.

4. How to respond to a planning application

Anyone can make their views known on a planning application. However, if you wish to make representations, it is important to ensure that you are well briefed. If you want your concerns to be taken seriously you should follow these guidelines:

- Don't include hearsay or information you are unsure about
- Don't include unsubstantiated criticism of the council or the applicant, e.g. personal circumstances or character
- Don't exaggerate your claims
- Don't include information unrelated to the development or its impacts
- Don't make reference to the effect of the development on property values

Make sure that you include the following:

- Include the wording 'I object' in the text
- Clearly state why you are objecting to the development and list species and habitats which you feel will be affected
- Act within the set timescale, responding before the consultation deadline (if you don't have a letter from the council with this on you can find out by contacting them)
- If possible, state how the application could be modified to address your objections
- State your name, address and other contact details
- Use facts and be concise and polite

Objections should be supported by evidence based on material considerations such as relevant legislation and policies. Look for policies that support your objection in National Planning Guidance (see section 6) and your Local Authorities Local Plan or Local Development Framework.

Generally, objections can be made on nature conservation grounds where a development:

- Directly or indirectly affects an important wildlife site, this includes both statutory designated sites (such as Sites of Special Scientific Interest (SSSI)) and non-statutory designated sites (such as County Wildlife Sites (CWS))
- Directly or indirectly affects a priority habitat (as listed under either the UK or Suffolk Biodiversity Action Plan)
- Affects a protected species, or a priority species (as listed under either the UK or Suffolk Biodiversity Action Plan)
- Reduces green space available as wildlife corridors such as those along rivers, streams and hedgerows etc, especially through urban areas

Indirect effects can include:

- Changes to the hydrology of the site
- Increased public access where this would be detrimental to sensitive habitats (e.g. fens) and species (e.g. ground nesting birds such as Woodlark)
- Noise, pollution and increased levels of lighting

When responding to a planning application you should also consider the following:

- Do the proposals retain, as far as possible, any existing wildlife features on the site like ponds and hedgerows?
- Do the proposals use native plants and trees in any landscaping designs?
- Could the development be redesigned, phased or laid out differently to reduce its effects on wildlife?

5. Environmental Impact Assessment

Large applications and applications of a certain nature may be obliged to undertake an 'Environmental Impact Assessment' (EIA). If undertaken, the report detailing the assessment (the Environmental Statement or ES) is submitted along with the application to inform the decision making process.

Part of the EIA process requires the developer to identify impacts upon features of ecological/nature conservation value and then assess the significance of the impact. Impacts may be minimised or prevented through the use of mitigation (reducing the severity of the action). If there is an ES accompanying the application, check the relevant sections of it to see if the impact that is of concern to you is mentioned. An ES should contain appropriate and detailed information on the ecology of the site, the potential impacts of the project, and methods for avoiding, mitigating and/or compensating for those impacts.

There are three ways that the impacts of development on wildlife can be dealt with, these are avoidance, mitigation and compensation. The three methods should be used sequentially, i.e. if avoidance isn't possible suitable mitigation measures could be employed.

- 1) Avoidance – this is where development avoids a predicted impact on wildlife. For example this could be through redesigning a housing development to avoid building on the part of the site which is important for wildlife.
- 2) Mitigation – measures undertaken to limit or reduce adverse effects resulting from development including modifications, deletions or additions to the design of the development, adaptation of methods or timing or adjustments in the nature, scale or location of the project. Mitigation measures are usually included on the same site as the development.
- 3) Compensation – measures to offset or make up for losses caused as a result of development or other change, including residual adverse effects which cannot or may not be entirely mitigated. Compensation measures are usually implemented off site.

New development should not only have no adverse effect on wildlife, it should seek to improve the area for wildlife and this is known as 'enhancement'. Development which includes significant wildlife enhancement can be beneficial, particularly in areas that were originally of low wildlife value. For example, sensitive restoration following mineral extraction can result in significant gains for wildlife.

6. Documents that may help

When making detailed comments about a planning application, you may want to refer to some of the following documents:

- National Planning Policy Framework (NPPF): Although national guidance does not deal with local specifics, such as the allocation of land, it does set out broad policies and objectives. The NPPF covers a range of issues affecting how we develop the country, it can be found on the Department for Communities and Local Government website www.communities.gov.uk. Some of these national policies may be applicable to the application you are considering. Section 11 of the NPPF sets out planning policies on the protection of biodiversity and geological conservation through the planning system. The policies set out in NPPF need to be taken into account by local planning authorities in the preparation of local development documents and they may also be material to decisions on individual planning applications.
- Local Plans and Local Development Frameworks (LDF): The Local Plan or LDF is a collection of documents, its function is to plan changes to local areas over the next 15+ years, such as allocating areas for certain types of development. Some of these documents have maps of local areas allocated for certain types of development, against which you can compare the planning application area. The Local Plan or LDF documents should contain the policies of most relevance to the individual application, so look for planning control policies when researching these.

7. Planning officers and planning committees

Once your comments have been submitted they will be considered together with others in the decision-making process.

Planning officers can determine planning applications themselves through a process known as 'delegated' powers. Alternatively, they will provide the Planning Committee with a recommendation on the decision. When coming to a decision, they will consider letters that object to and support a proposal. They will also take local and national policy into account.

The Planning Committee is composed of local councillors and is also responsible for approving or refusing

applications for planning permission.

8. Attending planning committee meetings

Planning committee meetings are public. If you submitted a representation on a planning application, the local authority may allow you to speak briefly to the planning committee when they are deciding the application. If you have submitted a representation the council may send you a letter saying when the application will be decided. If they do not, you can find out when the committee meeting is by contacting them.

9. Appeals against a decision

If a planning application is refused applicants can take their application to appeal. In England, third parties (e.g. the general public) cannot appeal against a planning decision. However, if you have made an objection to a planning application, which is then refused and the developer appeals, you have the right to make further representations to this appeal, and if an inquiry is held, to appear at the inquiry to make your own case. The Planning Inspectorate or Local Planning Authority should contact you with the details of what you have to do when the appeal is lodged. For more information about the appeals process see:

<https://www.gov.uk/government/organisations/planning-inspectorate>

Suffolk Wildlife Trust (October 2017)