

A guide to the planning application process in Lambeth

The planning application process

The planning application process can be complicated and difficult to understand. This document is intended to help people unfamiliar with the planning process to understand what happens to an average application after it is submitted. To aid readability it presents a simplified version of the process. The sections below outline the different stages in the process and can be cross-referenced to the diagram at the end of this document.

Application submitted

Lambeth Planning offer a pre-application advice service and encourage applicants, developers and their agents to engage with this service, particularly on major development proposals. We have a formal process for advice related to 'major' developments, but also offer advice on smaller developments and 'householder' works. Pre-application advice can be very useful in indicating whether your proposed works are likely to be acceptable, or what changes might make them acceptable in planning terms. Further information is available on our website.

An application can be submitted online, in person or by post. Whichever method you chose please be sure to read all the associated guidance to reduce possible delays to the processing of your application. For guidance about the information that should be submitted with an application please see the notes that accompany our application forms.

Our preferred way of receiving an application is online. To enable our customers to submit planning applications online, we work in partnership with the Planning Portal. They also provide additional guidance and information about making planning applications as well as resources for study and research.

Alternatively, you can submit your application by hand or by post to our Town Planning Advice Centre.

Validation

Once received, the application is checked by our validation team to make sure we have everything we need to assess it. If anything is missing, we will write to the applicant (or the applicant's representative) explaining what else is required, normally within 5 days of receiving the application.

When everything is in order, the application will be registered as valid. The date that we receive all the necessary information to validate an application marks the starting point of the target period, by the end of which, we will normally have made a decision on the application. This will usually be 8 weeks for smaller applications (house extensions etc.) and 13 weeks for larger developments (10 or more new flats etc.).

Consultation

Once an application is validated it will be allocated to a case officer and we will send out an acknowledgement letter to the applicant or their agent. This letter states the date by which we will aim to have made a decision on the application and the case officer's contact details (including direct telephone number and email address). The case officer will be the point of contact throughout the rest of the application process.

As the local planning authority, we consult those whom we think may be interested in new planning applications, allowing at least 21 days for responses. Depending on the type of application, we may consult using one or more of the following methods:

- Individual letters to neighbours
- A site notice (usually attached to a lamp post or other fixture near to the site)
- Press adverts (South London Press and Lambeth Life)
- Notices in public reception areas (e.g. libraries)

We may also consult specialist officers within the council (e.g. conservation, policy, transport or environmental health), or ask external organisations such as English Heritage or Transport for London, for their views. If the site of the application is near the boundary with another London borough, we may also consult planning officers from that borough.

Anyone is entitled to submit comments on a current planning application regardless of whether or not they were personally consulted.

Comments may be submitted online through our Public Access database, by email to lambethplanning@lambeth.gov.uk, or in writing. When submitting comments by email or letter, please remember to quote the reference number of the application and your name and address.

Please note that the council does not accept anonymous comments related to planning applications, and any anonymous comments received will not be considered when evaluating the application. Under the Local Government (Access to Information) Act 1985, your comments, including your name and address are open to inspection by the public, and in the event of an appeal may be referred to the Secretary of State.

In assessing planning applications, the Council can only take into account comments that concern relevant material planning considerations and not those based on personal dislikes, grievances, non-planning issues associated with nuisance claims or legal disputes, etc.

Examples of material considerations can include:

- Siting, design and external appearance of the proposed development (e.g. height or bulk in relation to neighbouring properties)
- Loss of sunlight or daylight
- Loss of privacy
- Likelihood of undue noise, or fumes
- Adequacy of proposed parking and access arrangements
- Effect of additional traffic
- Effect on trees
- Landscaping and proposals for boundary treatment (walls or fences)

Objections which are generally not planning related and which normally cannot be taken into account include:

- Effect on property values
- Effect on structural stability (this may be covered by the Building Regulations)
- Noise, disturbance or inconvenience resulting from construction works (this is covered by the Control of Pollution Act)
- Boundary disputes (including Party Wall agreement issues)
- Restrictive covenants (including rights to light)
- Opposition to business competition
- Applicant's personal circumstances (unless these can be shown to be relevant in planning terms e.g. provision of disabled facilities)
- Opposition to the principle of development for which outline planning permission has already been granted

If you have a complaint related to any of these issues, you should normally seek a remedy under civil law rather than planning law. You may need to consult a solicitor about your rights in this context.

Reaching a recommendation

After an applications consultation period has expired, the case officer will complete a full evaluation of the application and agree the appropriate decision level for the application. During the evaluation, the officer will assess the application against local, regional and national policies, advice and comments received in the consultation and other information, including:

- Observations from visiting the site.
- Relevant planning policies contained in the Unitary Development Plan (UDP) and in Supplementary Planning documents.
- National and regional planning policies.
- Comments received through the consultation process.
- Design and layout.
- External appearance and materials.
- Access for disabled people.
- Impact on the amenities of neighbours (e.g. loss of daylight, sunlight and privacy).
- Noise nuisance.
- Traffic and parking issues.
- Loss or increase of a particular type of use of land.

The case officer will then write a report which recommends that planning permission either be granted or refused.

Making a decision

Decisions about applications are made either:

- Under delegated powers.
- At the planning applications committee.

Under delegated powers, senior planning officers have the authority to make decisions to grant or refuse planning permission. These decisions are mostly on applications for smaller scale developments (such as alterations, small extensions to property, conversions, straightforward changes of use, etc.) or refusals of permission. One of the benefits of this system is that applications do not have to wait their turn to be heard at the planning applications committee, and can therefore be processed more efficiently.

The Planning Applications Committee (PAC) is open to the public and meets every two or three weeks. The types of application it usually considers are for large scale redevelopments, or controversial changes of use such as applications involving restaurant / takeaway uses, etc.

Planning officers will present reports and recommendations to the councillors who sit on the committee. It is these councillors who decide whether to grant or refuse planning permission for these applications.

Members of the public can speak at the meeting either in favour or in opposition to an application, but to do so, they need to contact democratic services to register their intention to speak.

You can see agendas, minutes and reports for the Planning Applications Committee online. Agendas (with reports attached) are posted online 5 days before an upcoming committee and the minutes are published online within 5 working days of agreement at a subsequent committee.

Planning obligation / s106 agreement process

Only a small percentage of applications that we determine will require an obligation, but if an obligation is required it must be completed before a decision is issued.

Planning obligations are agreements entered into between the council and developers, usually associated with the granting of planning permission. Planning obligations apply to land, binding it and whoever owns it. They are made using powers under section 106 of the Town and Country Planning Act 1990, which is why they are also called "section 106 agreements".

Planning obligations 'are intended to make acceptable development that would otherwise be unacceptable in planning terms' (Circular 05/2005: Planning Obligations). Planning obligations can be direct works or actions by the developer, and / or financial contributions that are used by the council to fund the work or requirement specified in the obligation.

Issuing a decision

Once a decision is made, formal decision letters are sent out to the applicant and all objectors as soon as possible.

You can check whether a decision on a particular application has been made by using our online public access database or by contacting the town planning advice centre. For this, you will require the address of the application site and preferably the correct application reference number.

Appealing a decision

If you submit an application and it is not decided within a set period (usually 8 or 13 weeks after validation), or if you disagree with the decision that is made on the application, an applicant has a right to appeal to the Secretary of State within six months of the date of the decision notice. The Secretary of State can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made on a form from the Planning Inspectorate. The form is available on their website at www.planning-inspectorate.gov.uk. Alternatively an appeal form can be requested by phoning 0117 372 6372 or by writing to them at Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Further information

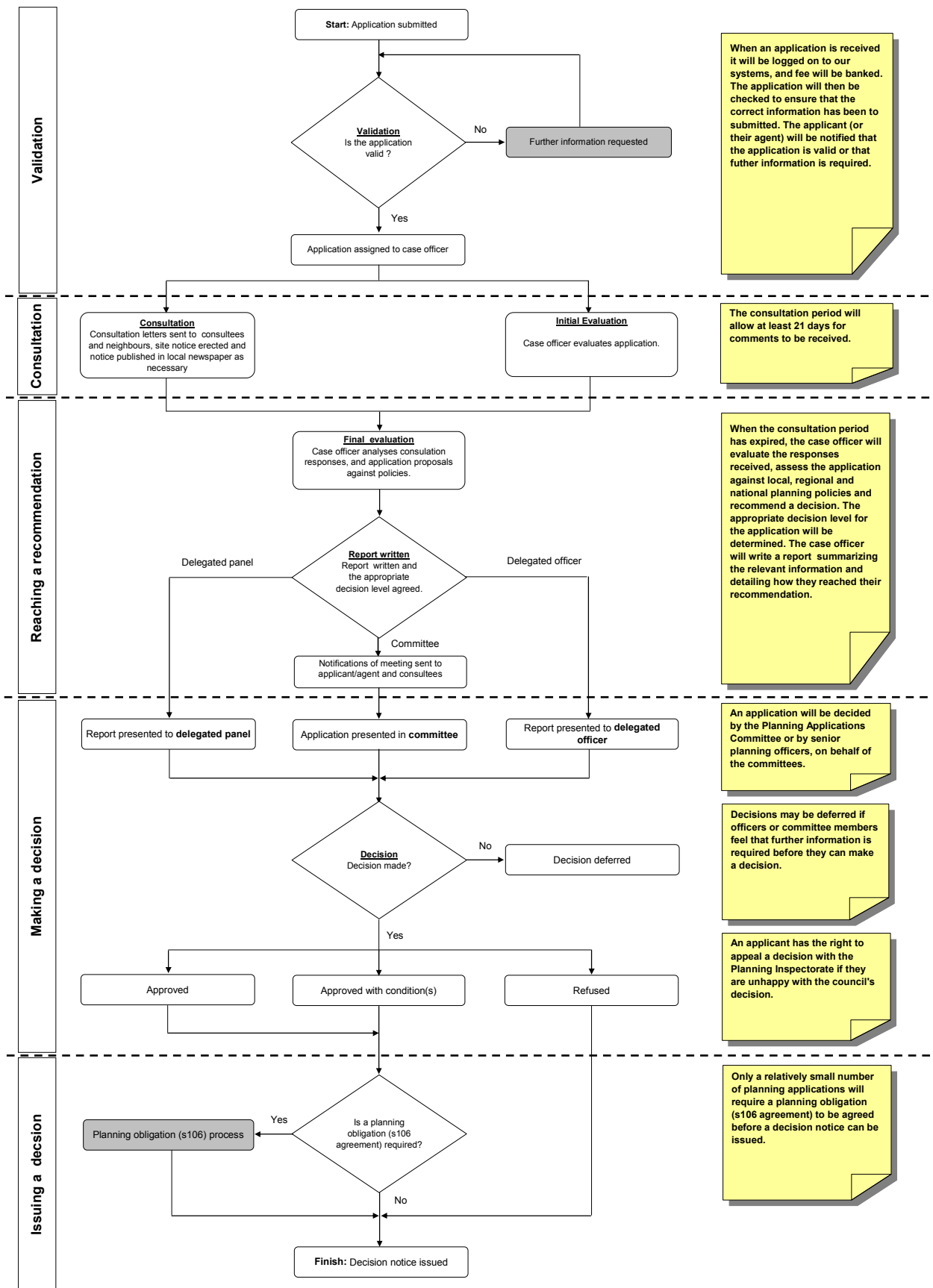
Further information and advice on the planning application process:

Lambeth planning website: www.lambeth.gov.uk/planning

Planning portal website: www.planningportal.gov.uk

Lambeth Town Planning Advice Centre
Phoenix House
10 Wandsworth Road
London
SW8 2LL
Telephone: 020 7926 1180
Fax: 020 7926 2509
Email: tpac@lambeth.gov.uk

The Planning Application Process



This is a simplified diagram of the process a typical planning application will go through. It is meant for illustrative purposes only.