

# DRAFT RESPONSE SERVICE

As part of the Rural Opportunities Bulletin, RSN will regularly provide concise potential responses to key current consultations. These are not intended to be definitive or to reflect the views of RSN and may include potentially opposing responses to reflect different views designed to assist individual organisations in compiling their own response. We do however recognise the pressure members are under and we hope this service will assist.

## **Streamlining the Planning Application Process – Department for Communities and Local Government, January 2013**

<https://www.gov.uk/government/consultations/streamlining-the-planning-application-process>

This consultation paper seeks views on measures to streamline the planning application process by simplifying the requirements for design and access statements, and improving the validation stage and requirements around local authority decisions notices. The consultation closes on 4 March 2013.

**Consultation Question 1** – *Do you agree with the proposal to reduce the number of minor applications which require a Design and Access Statement by raising the threshold?*

**Draft Response:** Yes. The current requirement adds work and cost to both applicants and planning authorities which provides little discernible value to smaller proposals. The need for good design and access to developments is clear but the current procedure adds unnecessary burden to all concerned.

**Consultation Question 2** – *Do you agree that major development is the right threshold for requiring a Design and Access Statement? If not, what should the threshold be?*

**Draft Response:** Yes. Although there is an argument that the threshold could be higher, the 'Major Development' definition provides a clear distinction between proposals which require a Design and Access Statement and those which do not.

**Consultation Question 3** – *Do you agree with the proposals to require a Design and Access Statement for some smaller schemes in World Heritage Sites and Conservation Areas, in addition to major development and listed building consents?*

**Draft Response:** Yes. The level of analysis required in sensitive environments warrants this additional requirement at the outset in relation to planning applications. However, it would not be appropriate for all development to require a Design and Access Statement and the proposed intermediate threshold is supported.

**Consultation Question 4** – *Do you agree with the proposed simplification of the statutory content of Design and Access Statements?*

**Draft Response:** Yes. The content of Design and Access Statements should be proportionate to each particular scheme in order to be most useful and most effective. Rigid statutory prescription results in often unnecessary detail being provided at a cost to the applicant and further complicating the information to be assessed by a planning authority. The proposed changes

should assist in matching the content and level of detail of Statements with the complexity and scale of particular proposals.

**Consultation Question 5** – *Are there any further changes that could be made in respect of Design and Access Statements?*

**Draft Response:** No. However, a review could usefully be carried out after one of two years to ensure that Design and Access Statements are providing an adequate level of detail in relation to proposals and are proving useful in helping to determine planning applications. In particular, the lower threshold in relation to applications in protected areas could usefully be reviewed to ensure that a different threshold to other development remains justified.

**Consultation Question 6** – *Do you have any comments on the changes to local lists and validation, as set out in paragraphs 39-46 above and reflected in the draft legislation in Annex 2?*

**Draft Response:** Local lists should consist of information required to properly determine a planning application. This should be proportionate to the nature and scale of individual applications. It is important that applicants provide the information as set out and clear lists greatly assist in this process.

**Consultation Question 7** – *Do you have any comments on the procedure for challenging information requests at the validation stage as set out in paragraphs 52-54 above and reflected in the draft legislation in Annex 2?*

**Draft Response:** Discussion and negotiation between an applicant and the planning authority should always be the preferred course to resolve any disagreements in relation to validation. However, as a last resort, where agreement cannot be reached it seems reasonable for applicants to have some mechanism to seek to redress the situation. As stated, however, such a procedure should be kept as simple as possible and used as a last resort only. It should be noted, however, that local lists are designed to provide clarity for applicants. Where these comply with legislation and guidance the onus is on the applicant to ensure that all necessary information is included in order to allow determination to proceed.

**Consultation Question 8** – *Do you agree with the proposal to remove the statutory requirement, when planning permission is granted, to provide a summary of reasons for approval and a summary of the relevant policies and proposal considered on written decision notices?*

**Draft Response:** Yes. The inclusion of such a summary is unnecessary. Full information is provided within planning officer reports making such a summary an unnecessary burden on planning officers producing no additional benefit. In particular, the inclusion of a summary does not improve decision making and, therefore, should rightly be removed.

**Consultation Question 9** – *Do you have any comments on the assumptions and analysis set out in the consultation stage impact assessment?*

**Draft Response:** The proposals outlined should lead to resource savings for both applicants and planning authorities without compromising good decision making and, therefore, are welcomed.

**Consultation Question 10** – *In particular, do you agree that £500 is an accurate reflection of the costs associated with creating a Design and Access Statement for minor development? If not, what do you consider to be a more realistic figure?*

**Draft Response:** The costs associated with creating a Design and Access Statement will vary between schemes. In relation to small schemes any cost saving which can legitimately be made without compromising the level of information required for effective decision making is welcomed.