

## Contact Details

**Opening Hours:** Monday - Thursday 8.30am - 5.00pm  
Friday 8.30am - 4.30pm

**Duty Officer Service:** Planning:  
(Available without appointment) Monday 10.00am - 1.00pm  
Tuesday - Friday 9.00am - 1.00pm

**Romsey** Building Control:  
Monday - Thursday 2.00pm - 4.30pm

**Andover** Tuesday - Thursday 2.00pm - 4.30pm

**Address:** Planning and Building Service  
Council Offices  
Beech Hurst  
Weyhill Road  
Andover  
Hampshire SP10 3AJ

Telephone: 01264 368000  
Minicom: 01264 368052  
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Planning and Building Service  
Former Magistrates' Court  
Church Street  
Romsey  
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Telephone: 01794 527700  
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**Email address:** [planning@testvalley.gov.uk](mailto:planning@testvalley.gov.uk)  
[buildingcontrol@testvalley.gov.uk](mailto:buildingcontrol@testvalley.gov.uk)

**Website:** [www.testvalley.gov.uk](http://www.testvalley.gov.uk)

# Planning and Building Service

## The Planning Application Process

November 2016



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## Statutory Period for Deciding Applications

The Council has a statutory responsibility to determine major applications in 13 weeks and all other applications in 8 weeks from formal registration although it can make a decision after this date. Once a decision has been issued it cannot be reconsidered by the Council.

## After a decision is made

Everybody who has made comments about the proposal will be informed of the decision normally within 5 working days. The case officer can provide further information if required.

## What if you disagree with the decision

If permission is granted and you still disagree, there is no right of appeal by objectors or residents but you can write to the Head of Planning and Building and ask for an explanation. If you think the procedures have not been followed correctly you may write in under the Council's formal complaints procedure and an investigation will be undertaken. If you are still not satisfied you can then write to the Local Government Ombudsman but he/she cannot change the decision. Another option is to seek a judicial review through the law courts. You would need to seek independent legal advice before pursuing this option.

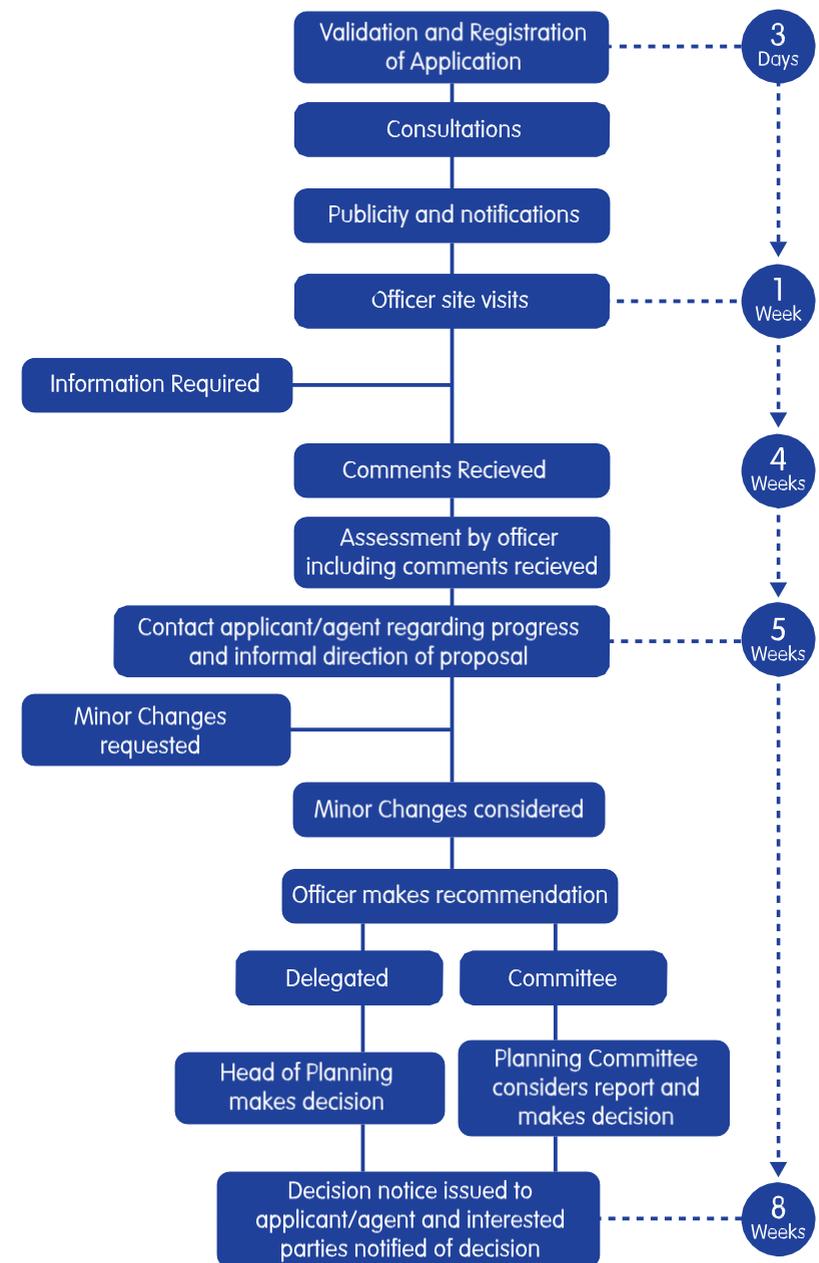
## What if the applicant disagrees

If permission is refused, or conditions are imposed which the applicant disagrees with, there is a right of appeal to the Planning Inspectorate. An Inspector will be appointed to conduct the appeal which can be undertaken either by the exchange of statements (Written representations), informal face to face discussion (Hearing), or a formal hearing (Public Local Inquiry). The Inspector will consider the material planning issues and either allow (permit) or dismiss (refuse) the appeal. If an appeal is made on an application on which you commented, you will be advised

## Amendments after permission granted

The Council does not consider amendments to drawings after permission has been granted unless they are insignificant. In most cases amended drawings will require the submission of a new application.

# Planning Application Process Map



This leaflet explains how planning applications are dealt with and how you can have your say.

## The Process

### Planning Permission

Most building works and changes of use require planning permission. Some minor works or uses might not require permission if they fall within what is known as 'permitted development' (PD), e.g. most garden sheds and small extensions, or conversion of a wine bar into a shop. If in any doubt please contact us – details on inside of back page.

### Government Targets

The government has set targets for Local Planning Authorities to decide planning applications within specified time periods. The processes below are designed in part to enable Test Valley to achieve these targets.

### Pre-Application Advice

Test Valley encourages applicants to seek pre-application advice, so that submitted applications are more likely to be dealt with without delay. A leaflet explaining the pre-application advice service is available on the Council's website or from Council receptions.

### Duty Officer Service

A duty officer service is available on a 'first come-first served' basis between 10am-1pm Monday and 9am-1pm Tuesday to Friday. The duty service can provide general planning advice. For enquiries about specific proposals, the Pre-Application Advice service should be used.

### Accuracy and Quality of Plans and Drawings

Responsibility for the accuracy of plans and drawings lies with the applicant and agent. Any inaccuracies found after a decision has been taken could invalidate that decision.

A good quality of drawing is essential so that the printed copy and the electronic image on the Council's website can be easily viewed.

Inaccurate and/or poor quality plans and drawings will not be accepted.

In the case of the majority of applications where objections have been raised but the officers' view is that a refusal cannot be justified, Ward Members are notified and given time in which to discuss the matter with the case officer before a decision is finally made.

### Member and Officer Interest

Members and officers have a duty to declare an interest in any application. Where this occurs, the application will automatically be referred to Committee for a decision.

### Committee Process

Applications falling outside of delegation are reported to the appropriate Area Planning Committee. Meetings are held approximately every 3 weeks:

	Northern Area	Southern Area
Start Time	17.30	17.30
Day	Thursday	Tuesday
Venue	Council Office, Andover	Crosfield Hall, Romsey

The Committee comprises elected Ward Members who receive a written report, which includes your summarised comments, in advance of the Committee meeting. For some applications an update report is tabled at the meeting. The Committee will normally make a decision after a presentation and recommendation by the planning officers, hearing any public speakers and their debate on the issues.

The Committee may grant planning permission (usually with conditions) or refuse it. Occasionally an application may be deferred for further information or negotiation, or a site visit. Sometimes the final decision may have to be referred to the Planning Control Committee, which also meets approximately every 3 weeks.

The meetings are open to the public and the Council has a scheme for public speaking at Planning Committees, subject to prior notification. Further information, including dates of meetings, and an explanatory leaflet, is available on the Council's website. Otherwise please contact the Legal and Democratic Service (01264 368000).

Ward Members can request that an application be referred to a Planning Committee (see Delegated Scheme - below).

### **Amended Plans not Normally Accepted**

Amendments to registered planning applications are not normally accepted and applications will be decided as submitted. However, if timescales permit, a case officer may seek minor changes rather than refuse an application. In cases where the proposal is considered to be unacceptable, the applicant/agent will be advised and given the opportunity to withdraw the application rather than receiving a refusal.

## **How a decision is made**

The case officer can advise you whether an application is to be determined by Committee or by the Head of Planning and Building under delegated powers.

### **Delegated Scheme**

The council operates an approved Scheme of Delegation to officers. The scheme in relation to planning applications delegates all decisions to the Head of Planning and Building except in the following circumstances:

- applications which are contrary to the development plan but are being recommended for approval
- applications which the Head of Planning and Building considers to be of significant local interest or impact
- applications where a Member requests in writing, with reasons and within the 21 day stipulated timescale, that they be referred to Committee
- the Council's own applications (except minor developments).

### **Delegated Process**

Around 85% of planning applications are dealt with under delegated powers. In cases where the delegated recommendation is refusal, the appropriate Ward Members are notified and given time in which to discuss the matter with the case officer before a decision is finally made.

### **Validation of Applications**

Test Valley encourages the submission of quality applications and has, for the past two years, been providing validation checklists with application forms to guide applicants and agents. An application will not be registered without the mandatory design and access statement and an accompanying validation check list nor if any of the checklist requirements have been omitted.

### **Has an application been made?**

If a planning application is made in your immediate vicinity (i.e. the site adjoins your boundary or it is directly opposite) and we think it could affect you, we will write to let you know. Notices are also erected on or near the application site. Some applications additionally require a Statutory Notice in the local newspaper. A weekly list of new applications can be seen on our web site [www.testvalley.gov.uk](http://www.testvalley.gov.uk), and in the local press.

You should be aware that a planning application can be made by anyone, not just the owner of the building or land.

You can look at the application form, plans and any other documents submitted with the planning application electronically on our website or at the appropriate Customer Services reception in Andover or Romsey during office opening hours. Alternatively hard copy applications can be made available on request (within 48 hours) at the appropriate office. It helps if you quote the planning application number.

If you do not understand the plans an officer can help to explain them and also offer some general guidance on the planning issues affecting the area. Special arrangements can be made so that people with disabilities or who are unable to visit the Council Offices can view relevant planning applications – please contact us if this is the case.

## **How to have your say**

### **Your say**

Test Valley Borough Council welcomes relevant planning comments from Parish/Town Councils, neighbours, amenity groups and members of the public as part of its consideration of applications.

## What you can comment on

You can support or object to a proposal but your comments must be relevant to the proposal and to Planning (see next page). If your comments do not refer to material planning issues the Council cannot take them into account in the determination of the proposal.

## Material Planning Considerations

- Normally taken into account in the determination of applications
- Test Valley Borough Local Plan 2006 (saved Policies)
- Supplementary Planning Documents (SPD)
- Government Planning Policies/Guidance including;
  - - National Planning Policy Framework
- Previous Planning decisions (including existing uses)
- Amenity considerations, e.g.
  - Overlooking
  - Over-development
  - Character of area
  - Scale & bulk - resulting in loss of light
  - Trees
  - Noise
  - Smell
- Traffic generation, parking & safety
- Design
- Materials
- Crime and community safety
- Need (eg Agricultural workers dwelling)

## Non-Material Considerations

**Not** normally considered in the determination of applications

- Loss of property value
- Land ownership and boundary disputes
- Business competition (e.g. second takeaway in the same vicinity)
- A loss of a private view
- Legal rights/consents - deeds, covenants, private rights of way, licences (eg. entertainment)
- Internal layout
- Provision of services, e.g. water, electricity
- Matters controlled under other legislation (e.g. Building Regulations)

## How to comment

Although the case officer will be happy to explain the submitted scheme with you, any comments have to be made in writing (including fax and email or through our website). The minimum statutory period for comments is 21 days from the later date of either the notification letter, publication in the local newspaper or posting of a site notice. A decision will be made as soon as possible after that time. Although any comments will be considered up until a decision is finally made, it is best to ensure that comments are submitted within the time period. Your comments will be available for public inspection on the working application file and on our website, and available for copying in accordance with the provisions of the Access to Information Act, so you should only include information you are happy will be available in this way. Please do not include any telephone numbers or signatures, as we do not require this information.

## What happens to your letter

All letters are acknowledged and then considered by the case officer. If objections can be supported in planning terms but could be overcome by minor changes to the proposal, the officer may contact the applicant and suggest amendments, if timescales permit. Alternatively, conditions can sometimes be imposed on a permission to require such changes.

When applications are considered by a Planning Committee all letters are summarised in the officer's report which is available from the Planning Reception or the Administration Service (Andover) 5 working days prior to the Committee meeting. Individual application reports can also be sent by email during this period. If you have made representations on the application you will be advised in writing if the application is to be considered at Committee (normally a week before). You may like to keep in contact with the Planning Office about the progress of particular applications.

If an application is to be dealt with by the Head of Planning and Building under powers delegated by the Committee, the case officer will summarise any comments in the report put forward for delegated approval or refusal.

## Parish Councils / Ward Members

Parish Councils and Test Valley Ward Members play an active role in the planning process and you can also approach them about any concerns you may have on applications in their area.