

Guidance on the Planning Process

The aim of the planning process is to secure the best use of land in the interests of the community and protect the environment from excessive or inappropriate development.

Local Authorities achieve part of this through their decisions on planning applications. These guidance notes explain, in broad terms, how planning applications are dealt with by Spelthorne Borough Council.

The planning application

All planning applications, whether for large developments or small extensions, receive careful and detailed consideration by the Council.

The application (which consists of completed forms, certificate, plans and a fee) is submitted to the Planning Department by the applicant or an agent acting on their behalf.

Applicants are encouraged to discuss their proposals with planning officers prior to submitting their application in order for the more obvious errors to be corrected or inappropriate [forms](#) of development to be discouraged altogether. There is a charge for all [pre-application advice](#). It is also recommended at the pre-application stage that applicants contact neighbouring property owners to explain their proposals.

Planning applications are checked by our planning staff to make sure that all the necessary information has been provided. If complete, the application will be registered and acknowledged; if incomplete, the missing details will be requested to enable the application to be registered as quickly as possible.

The Government requires local authorities to make a decision within an 8 week period from the date of registration of an application (except for major planning applications where there is a 13 week period). Extensions of time may be sought if necessary.

Consultation/neighbour notification

A public consultation period (normally 3 weeks) follows registration of the application and allows residents and public bodies, such as the Highway Authority and the Environment Agency, to comment on what is proposed. The Council is also required to notify the owners/occupiers of properties near the proposal. Certain types of applications are also advertised in the local newspapers.

The occupiers of neighbouring properties are invited to make their comments in writing. It is important to note that we can only refuse planning permission for development where the proposal would be contrary to the approved policies in the Spelthorne Core Strategy and Policies Development Plan Document Plan and/or national planning guidance and where it is clear that the proposed development

would damage the environment, the appearance of the area or the quality of lives of local people to an unacceptable extent. However, we cannot refuse a proposal simply because a lot of people are against it.

You may view a planning application and make comments via [Planning Applications Online](#) on our website. Sometimes additional information may be required from the applicant, or modifications may be sought to overcome problems that the proposal would otherwise create. However, the Council is committed to processing as many planning applications as possible within the statutory period. This means that applications are now normally determined as originally submitted. However, if amended drawings are provided, adjoining properties (and other interests) will be re-notified and a period of 14 days given for comments if the amendments could result in a potentially greater impact compared with the original plans.

If you have made your comments in writing you may also contact one of your local Councillors to make further representation on your behalf. It is suggested that you initially contact your local Ward Councillor by clicking [here](#).

Determining the application

Applications are determined in accordance with the Council's planning policies and any other relevant factors. Within the first few weeks of registering an application the site will be visited by one of our Planning Officers (often called the Case Officer) who, in due course, will prepare a report and recommendation, taking into account the Council's policies and their site assessment. The Case Officer's name will be identified in the initial correspondence sent out by the Council. Any previous decisions on the site or in the immediate locality will also be considered, as will the views expressed by the occupants/owners of the neighbouring properties and others who have been consulted. All other relevant factors will also be assessed.

Larger applications are determined by the Planning Committee consisting of locally elected Councillors. A report is produced for each application and forms part of the agenda, a copy of which is available for inspection a week before the Committee meeting. The Agenda may be viewed [online](#).

Any letters of representation received will also be available for public inspection. The Council operates Public Speaking at Committee for most types of applications where one person can speak in favour of the planning application and one person against.

Delegated powers

Minor applications are determined under what are called 'delegated powers' to the Planning Development Manager and other nominated senior officers. This includes the majority of household extensions and other smaller scale proposals and applies whether or not letters or representation have been received. In addition, large proposals can be refused permission under delegated powers. However, the Council's Delegation Agreement does enable Councillors to 'call-in' applications for decision by the Committee if the reasons are in the wider public interest and if circumstances show this to be appropriate.

The issues and concerns raised by all consultees and neighbouring properties will be assessed in detail, irrespective of whether the application is dealt with by the Committee or under delegated powers.

The decision

A Decision Notice is issued after a decision has been made. If planning permission is granted it is likely to be subject to conditions. These conditions are legally binding. They may impose time limits, the type and colour of materials to be used, later agreement of landscaping details, etc. The time limits for the majority of cases require that the development is commenced within three years from the date of the permission.

Refusal/appeal

If an application is refused, the Decision Notice will state the reasons. If you receive a refusal notice you may wish, in the first instance, to contact the planning case officer to discuss the refusal and investigate whether the proposal might be amended to overcome the objection. If no suitable agreement can be reached and you remain aggrieved by the Council's decision an appeal can be made within 12 weeks of the decision for householder and minor proposals and within six months for other proposals to the Planning Inspectorate. There is no fee to pay to appeal against a refusal of planning permission.

If you have made representations on an application, you will be notified of the decision. If an appeal is lodged against the Council's decision, you will be notified and given details of how further representations can be made.

Summary and more information

The planning system operates ultimately by carefully considering and balancing all the relevant factors in a case (often referred to as 'the material considerations'). More often than not, the key balance will be between the appropriateness of a development against the task of seeking to minimise its likely impact. It is not always an easy balance to strike and we realise that planning applications can often raise strong feelings. Nevertheless, the professional planning officers and elected Councillors at Spelthorne are committed to ensure that all relevant and material considerations are properly weighed up before any planning decision is taken.

If you wish to know more about the planning process or are seeking clarification on any issues raised in these guidance notes, please do not hesitate to contact the Council on 01784 451499, or email planningdm@spelthorne.gov.uk