



SERVICE PLAN 2014

DEVELOPMENT MANAGEMENT IN BEDFORD

1. Development Management is a major part of the Town and Country Planning Service. This document explains how Bedford Borough Council provides a development management service for its citizens.
2. The Council administers the planning system for Bedford and is an elected body with 40 elected Members representing the 27 electoral Wards in the Borough. We also have an elected Mayor but the Mayor cannot sit on the Planning Committee or get involved in detailed town planning matters.
3. For a list of Borough Councillors by Ward
<http://www.councillorsupport.bedford.gov.uk/mgMemberIndex.aspx?bcr=1>
4. For more general information and details about the Planning Committee
<http://www.councillorsupport.bedford.gov.uk/mgCommitteeDetails.aspx?ID=245>
5. If you want your local Borough Councillor to assist you with a planning issue, there are guidelines governing their involvement in the planning process. For more information on Member (Borough Councillor) involvement in the Planning process
<http://www.councillorsupport.bedford.gov.uk/ecSDDisplay.aspx?ID=248&RPID=41350138&sch=doc&cat=13172&path=13019%2c13172>

WHAT IS DEVELOPMENT MANAGEMENT?

6. The town and country planning system in England exists to regulate the development and use of land in the public interest and it does this by requiring owners of land and buildings to seek planning permission for new development. Every local planning authority in the country is therefore required to prepare development plans for its area and to manage development by either granting or refusing planning permission in order to achieve the aims and objectives of those plans.
7. The Council is continually revising and updating its development plans. Details on the current development plan for Bedford can be found using the following link:
http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/planning_policy_its_purpose.aspx
8. The Development Management Service complements the development plan process by dealing with applications for planning permission in a way that ensures that development in Bedford conforms to the adopted plan and also with Government guidance. Our aims are to promote and facilitate economic growth and to encourage inward investment whilst protecting the environment and the quality of life of our residents.



9. In particular, we want to engage with residents and local businesses to make Bedford and its surrounding villages and countryside attractive places to live, work in and visit.

WHAT SERVICES DO WE PROVIDE?

General planning enquiries: if you want general advice about the planning application process

10. We provide advice on general planning matters. You can either telephone 01234 718068 or email planning@bedford.gov.uk
11. Our Customer Service Centre staff in Horne Lane, Bedford can give help and direction on initial enquiries but any detailed planning advice must be via the “pre-application” procedure (see below).
12. If you want to know whether or not you need planning permission for a development you are already contemplating, you should normally submit an application for a “Certificate of Lawfulness of Proposed Use or Development”. Use the following link http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/apply_for_planning_permission.aspx to obtain form number 15 or contact planning@bedford.gov.uk if you need assistance.

Pre-application advice:

13. If you already know that you need to submit an application for planning permission but you want help in preparing your submission or advice on the likely outcome of an application, we offer written pre-application advice. We now charge for that advice, although we do give exemptions from charging for certain types of development, primarily those that will create new jobs within Use Classes A1 (shopping), B1 (offices, research & development and light industry), B2 (general industry) and B8 (storage & distribution). Details can be found via the following link

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/does_i_need_planning_permission.aspx
14. Pre-application advice can be provided in two ways. Our “Fast-track” method guarantees a response within 14 days (usually less) while more detailed advice, which can include a meeting with a case officer and/or the advice of other statutory bodies, will be provided within 28 days. Please use the E-Form for this purpose or, if you can only provide a hard copy of your proposals, send your request for pre-application advice to the Head of Development Management, Borough Hall, Cauldwell Street, Bedford MK42 9AP. Any enquiries should contain sketch plans, photographs or any other similar information to enable us to give a constructive response. For full details on the pre-application process please go to www.bedford.gov.uk/planning
15. We also publish guidance on various aspects of development to help you prepare your application. They are available to view on our website. Go to



http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/planning_policy_its_purpose/publications_list.aspx

16. In addition, for householder developments, guidance on how to assess whether or not you need planning permission for your development is available on-line by using the Interactive House via the national planning website called the Planning Portal at www.planningportal.gov.uk

Planning applications:

17. Planning applications are usually determined by us within 8 weeks of receipt (13 weeks for “Major” applications and 16 weeks for applications with significant environmental effects that must be accompanied by an Environmental Statement). If we fail to meet the target for your application, you have an automatic right of appeal to the Secretary of State (see **THE PLANNING APPEAL PROCESS** below).
18. We aim to validate and start considering your application (or provide you with a written request for further information to enable us to validate your application) within 3 days of receipt.
19. Our current performance targets for determining different types of application are:
 - “Major” Applications – 60% within 13 weeks
 - “Minor” Applications – 65% within 8 weeks
 - “Other” Applications (including householder applications) – 80% within 8 weeks
20. We regularly publish details of the applications we have received (weekly) and the decisions we have issued (daily and weekly). They can be viewed at http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/search_plans_page/applications_lists.aspx

The planning application process:

21. Each planning application is assigned to a case officer who will be the first point of contact for applicants, consultees and neighbours. The case officer will always visit the application site (target – within 5 days of validation of the application).
22. We will consult other statutory bodies and notify adjoining occupiers of an application and invite them to comment within a specified period (normally a minimum of 21 days but any variation will be set out in our request for comments). Notification will include letters to adjacent properties and may also include the posting of a notice at a publicly accessible location on or near the site and/or advertisement of the application in a local newspaper. If we do not receive comments within the specified time, we will normally still proceed to determine the application within the 8 week or 13 week deadline (see below for the impact of this on performance and on the reporting of applications to the Planning Committee).



23. English planning law incorporates a presumption in favour of development (nationally, 88% of applications are approved; in Bedford an average of 90% were approved in 2012/2013). We are required by law to determine applications in accordance with the development plan unless other “material planning considerations” indicate otherwise. In reaching our decision we will have regard to the views of consultees and other relevant parties including neighbours and give them appropriate weight in the decision-making process. Where unacceptable impacts are identified, we will either request amendments to overcome the concerns or, if an applicant cannot or will not amend the application, it will be refused.

PLEASE NOTE

24. If your application is not acceptable in planning terms and you have not previously sought, and accommodated pre-application advice, we will still try to negotiate improvements to your scheme if that will result in an acceptable scheme which is capable of approval within the statutory 8 or 13 weeks (as appropriate). However, if the necessary improvement cannot be achieved within the statutory 8 or 13 weeks, the application is highly likely to be refused.

PUBLIC INVOLVEMENT IN THE PLANNING PROCESS

25. The Council is the decision-making body for all applications in its area. Responsibility for determining individual applications is delegated to the Planning Committee which, in turn, delegates around 83% (in 2012/2013) of applications for determination by planning officers in accordance with the “Planning Committee Scheme of Delegations” which can be viewed at

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/view_applications_plans_docs/idoc.ashx?docid=dbf0a5f1-4224-4482-99ef-21f71a0da224&version=-1

26. The Scheme of Delegations describes how applications are determined but also how the right of the public to remain involved in the planning process is protected.

27. All written representations on planning applications received in time (by letter or email) will be considered as part of the assessment process. If you make written representations, by law they will have to be made available for public scrutiny. However, personal information (signatures, personal email addresses and personal phone numbers) will not be disclosed on the Council’s website. Comments will be given due weight depending on their relevance to planning. For a list of those matters that are not considered to be “material” (and which cannot therefore be given weight in the planning assessment process) see the “Planning Committee Scheme of Delegations” which can be viewed at

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/view_applications_plans_docs/idoc.ashx?docid=dbf0a5f1-4224-4482-99ef-21f71a0da224&version=-1



28. All current (undetermined) planning applications and the documents associated with them are viewable on the Council's website. To view an individual application, you can search either by address or by the Reference number assigned to the application when registered (The format is - Year/5 digit number/Suffix – e.g. 12/01234/FUL). The progress of the application can also be tracked on-line. Click the following link to view details:-

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/view_applications_plans_docs.aspx

29. If you have made a written representation on an application and it is determined by a planning officer under delegated powers, you will be informed of the decision in writing (by letter or email). Only those who have made written representations will be notified directly but all decisions are posted daily on the website.
30. If the application is to be reported to the Planning Committee, the Committee Agenda, including the officer report and Recommendation, will be published on the Council's Website at least 5 working days before the date of the Committee. To see Committee Agendas, click here

<http://www.councillorsupport.bedford.gov.uk/mqCommitteeDetails.aspx?ID=245>

31. If you made a written representation on an application and it is to be reported to the Planning Committee, you will be notified in writing (by letter or email) of the Committee date and the officer Recommendation and, in accordance with the Council's "Right to Speak" scheme, you may have an opportunity to address the Committee. See details of the "Right to Speak" scheme at:

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/view_applications_plans_docs/planning_committee.aspx

32. Sometimes, in order to meet the statutory deadlines for determining planning applications, we have to prepare and publish a report and recommendation on the planning application before all comments have been received. On other, rare, occasions, the date of the Committee meeting will precede the last date for the receipt of comments. In those circumstances, we will:-

- (i) Ensure that any recommendation is subject to the consideration of any further representations received prior to the Committee Meeting
- (ii) Report all further representations to the Committee at their Meeting so that they can be taken into account
- (iii) Where the date for receipt of comments is after the Committee date, hold any decision notice until the date for receipt of comments has passed and, if further representations are received within the period for comments and they raise new issues not considered by the Committee, we will report the application

back to the next available Committee meeting to ensure that Members can take them into account and reconsider their decision.

THE PLANNING APPEAL PROCESS

33. The person applying for planning permission may appeal in 4 circumstances:-
- (i) If we make unjustified requests for information/documentation prior to validating the application
 - (ii) If we fail to determine an application within the specified period and we have not agreed an extension of time with the applicant
 - (iii) If we refuse an application
 - (iv) If we have imposed a condition on a planning permission that is not acceptable to the applicant
34. Only applicants have a right of appeal. Third parties (consultees and neighbours) do not have that right but can challenge a planning decision if they feel that due process has not been followed correctly. This can be done by seeking a judicial review of a decision in the High Court. [Click here](#)
- http://www.planningportal.gov.uk/uploads/pins/procedural_guide_planning_appeals.pdf
35. Planning appeals are not determined by the Council but by the Planning Inspectorate (an independent body currently based in Bristol) on behalf of the Secretary of State for Communities & Local Government. They will be considered in one of 3 ways; by the exchange of written representations, by means of a local hearing chaired by a Planning Inspector, or by Public Inquiry, also chaired by a Planning Inspector. For more details on how and when to appeal, see the Planning Inspectorate website at
- <http://www.planning-inspectorate.gov.uk/>

ENFORCING PLANNING CONTROL

36. It is primarily the developer's responsibility to comply with the terms of any permission granted. However, we can also check compliance with planning conditions, investigate planning complaints and ensure compliance with planning control using a variety of methods.
37. We will investigate alleged breaches of planning control but, in order to optimise our use of limited resources, we have to undertake investigations using a priority-based approach. This means that relatively minor breaches of planning control may go unchallenged.
38. For further detail on the Council's Planning Enforcement Policy and the priority-based approach, see



Environment & Sustainable Communities
PLANNING SERVICES (DEVELOPMENT MANAGEMENT)

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/planning_enforcement.aspx



COMPLAINTS AGAINST THE SERVICE

39. We do not always get it right and you may wish to raise a complaint about the way we have handled a planning matter. If you feel that we have not followed our procedures correctly or that you have received a poor standard of service, please contact the planning case officer in the first instance so that we can try to put matters right. If you remain dissatisfied, you can complain to the Council using our Complaints Procedure.

http://www.bedford.gov.uk/council_and_democracy/complaints_and_other_feedback.aspx

HOW TO CONTACT US

40. Our business contact address is planning@bedford.gov.uk alternatively, you can call 01234 718068.

THE PLANNING SERVICE – Key Contacts

The **Planning Service** is headed by the Assistant Director (Planning) – email paul.rowland@bedford.gov.uk or telephone 01234 718535

The **Development Management** Service is overseen by the Head of Development Management – email jain.blackley@bedford.gov.uk or telephone 01234 718537

Team Leaders in Development Management:

Major applications Team:

Mike Robinson (email Michael.robinson@bedford.gov.uk or telephone 01234 718538)

Minor Applications Team:

Paul Lennox (email Paul.Lennox@bedford.gov.uk or telephone 01234 718547)

Enforcement & Appeals Team:

Peter White (email Peter.White@bedford.gov.uk or telephone 01234 718555)

Heritage Team, dealing with Conservation, Listed Buildings, Archaeology and Trees:

Ian Johnson (email Ian.Johnson@bedford.gov.uk or telephone 01234 718559)