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Reserve horses enjoy the cool water near swans and cygnets, from Cadbury Hide, NWT Hickling on 01/06/2019. Contributed by: Tina Andrews

Guide for responding to planning applications

Introduction and Background

- Planning applications are submitted to the Local Planning Authority (LPA).
- The LPA publicises the application by posting on the local authority website, in local papers and displaying notices at or near to the proposed site.
- The public and statutory consultees usually have 21 days to comment on the application. (Statutory consultees with an interest in environmental matters include Natural England, the Environment Agency and the Forestry Commission.)
- The LPA produces a report summarising the results of the consultation to the Planning Committee which is comprised of elected members (Councillors) for determination. Small to medium sized applications may be 'delegated' for the case officer to determine, where there is no conflict with council policies and few objections have been received.

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Founded in 1926 as The Norfolk Naturalists Trust, the first Wildlife Trust

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VAT no. 876 3225 06. Registered Office: Bewick House, 22 Thorpe Road, Norwich, Norfolk NR1 1RY.

Saving Norfolk's Wildlife for the Future

- Nationally significant infrastructure projects (NSIPs), such as new harbours and offshore wind farms, are submitted to and examined by the Planning Inspectorate.
- Most other applications are dealt with by the District or Borough Council, but highways, schools and minerals and waste applications are determined by the County Council.

Writing a planning response – advice and tips

To make an impact it is good to be prepared and have as much supporting information as possible. In addition to the guidance below, we advise also using the **‘Guide to Planning Legislation and Policy’**.

- Make a note of the planning reference number from the Local Planning Authority website
- Note the deadline for responses (comments which arrive late are normally not given due consideration)
- Ensure you read through the application and supporting documentation on the relevant local authority website. (There may be ecological reports and environmental impact assessments already submitted that address your concerns or inform your comment)
- Check your local records office [Norfolk Biodiversity Information Service \(nbis.org.uk\)](http://nbis.org.uk) to see what species have been recorded and if you have any County Wildlife Sites locally that could be impacted by the development
- Check the Natural England mapping tool [MAGIC \(defra.gov.uk\)](http://defra.gov.uk) to see if any designated sites, such as Sites of Special Scientific Interest (SSSIs) will be impacted by the development
- Check the National Planning Policy Framework and any other legislation and policies which could be relevant. (Please see our **‘Guide to Planning Legislation and Policy’**)
- Address the planning officer for the case and clearly state the planning application number in your response
- Use sub headings to highlight individual points and keep it factual, brief and polite, avoid using emotive language
- Don’t include information you are unsure about
- Ensure your letter is based on planning issues rather than personal opinion
- Comments should not be of a discriminatory, defamatory or libellous nature
- Suggest way of reducing the impact of the development on wildlife and the environment
- Photographs may help to illustrate your concerns
- Send your response to the local planning authority by post or by email
- If you are writing as part of an action group, encourage all members to make individual submissions. This will ensure that each one is counted as an individual response. You could offer support to members of the group by providing bullet points of all the issues they need to cover in their submission

- Remember that comments will be posted on the LPA portal and accessible by all

You can either

- Support the application in full (for example, if it is for wildlife enhancements)
- Support the application but ask for details of the proposed development to be reconsidered and changed – this would either be through the applicant revising parts of the application, or by the Council setting Conditions attached to a permission requiring specific actions to be completed
- Take no action
- Register an objection to the application, but suggest action that could be taken to address your objection for example through amendments to the application or planning conditions, as above
- Register an objection, requesting that the application be refused planning permission

Links to Local Planning Authorities (LPA) planning pages

North Norfolk District Council: [Home | Planning \(north-norfolk.gov.uk\)](http://north-norfolk.gov.uk)

Breckland Council: [Planning - Breckland Council](http://Breckland Council)

Broadland District Council/South Norfolk Council: [Planning – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](http://southnorfolkandbroadland.gov.uk)

Great Yarmouth Borough Council: [Search planning applications - Great Yarmouth Borough Council \(great-yarmouth.gov.uk\)](http://great-yarmouth.gov.uk)

[Broads Authority: Planning \(broads-authority.gov.uk\)](http://broads-authority.gov.uk)

Norwich City Council: [Planning | Norwich City Council](http://Norwich City Council)

Norfolk County Council: [Planning applications - Norfolk County Council](http://Norfolk County Council)

After you have submitted your comments

- Find out when the application will go to the Planning Committee.
- You are entitled to attend Planning Committee meetings to hear the applications being considered.
- Usually members of the public are given the opportunity to speak at committee meetings. This time is strictly controlled so it is advisable to have a pre-written speech. The exact procedure will vary between councils, so talk to your LPA for more information about how you can get involved, but there is usually an administrative deadline for registration a few days before the committee date.

A decision on the application may be made at the Planning Committee meeting. If the application is refused permission by the Planning Committee, the applicant has 28 days to decide whether they wish to appeal, which is then heard by the Planning Inspectorate - [Planning Inspectorate - GOV.UK \(www.gov.uk\)](http://www.gov.uk). Applicants have a right

to appeal a planning decision they are not happy with, but there is no right to appeal for third parties such as objectors should you disagree with the decision.

Other ways to help

- Talk with other local residents or contact your MP to ask for their support
- Seek the creation of new wildlife habitat in your Neighbourhood Plan
- Have your say during public consultation periods for Local Plans

Further Useful Information

The UK Government has also produced a [Plain English guide to the planning system - GOV.UK \(www.gov.uk\)](http://www.gov.uk) which explains how the planning system works in England.

Types of Planning Application

There are different types of planning application which may affect the comments you might wish to make:

Full: A full planning application should include all of the information relating to the proposed development necessary for the LPA to make a decision.

Outline: Outline planning applications establish the scale and nature of a development. Details such as landscaping, drainage or access may be 'reserved' to be dealt with at a later stage. Outline permission on its own does not confer the right to start works.

Reserved Matters: A reserved matters application follows an outline permission to deal with the details of larger developments omitted from the outline application. Typically these will include access, layout, scale and landscaping.

EIA Screening: This is an application asking the LPA to determine whether the development requires a full Environmental Impact Assessment. What constitutes EIA development and what should be included in the EIA document are both covered by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2011 \(legislation.gov.uk\)](http://legislation.gov.uk).

EIA Scoping: Scoping applications usually include basic details of the proposed development to allow consultees the opportunity to highlight any issues which they feel should be covered in the full or outline application once it is submitted.

Discharge of Conditions: Planning permissions will often attach conditions which must be satisfied either before development can begin, or during or post-works. Wildlife related conditions may include establishment of landscaping, provision of bird or bat boxes, or additional pre-commencement surveys. Sometimes LPAs will condition ecological surveys: case law has demonstrated (*Woolley v Cheshire East Borough Council*, October 2009) that this is not good practice and LPAs should require protected species surveys prior to determination so that they can make a fully informed decision on any potential impacts.

Listed Building Consent: Listed building consent may be applied for independently or sometimes in tandem with a full planning permission. This will be required where a listed building is proposed to be demolished or where alteration or extension of a listed building may affect its character as a building of special architectural or historic interest.

Wildlife Assessment Check launched (England)

The [Partnership for Biodiversity in Planning](#) has launched the '[Wildlife Assessment Check](#)' tool. It is a free online tool designed to help householders and smaller developers check whether their proposed site and works are likely to require expert ecological advice before making a planning application. The tool aims to smooth out the planning application process by encouraging applicants to consider the potential impacts to 'protected' and 'priority' wildlife species and statutory designated 'protected' sites early on, reducing the risk of not passing planning checks, avoiding unnecessary delays and costs, as well as encouraging wildlife protection. It also aims to help Local Planning Authorities to meet their Biodiversity Duty, by raising awareness with developers of the need to take responsibility for wildlife impacts in their building projects.



Little egret taking off at NWT Hickling Broad on 27/05/2022. Contributed by: John Ford