

**Question 1.** Do you agree with the proposal for an Accelerated Planning Service?

**No. With larger schemes it's difficult to get them determined in 13 weeks, particularly with a S106 and the number of statutory consultees involved. Some issues such as response times from statutory consultees are outside of the LPAs control. This doesn't present time to consider amended plans. It reduces the ability of the Planning Authority to engage with the community and other consultees, and will result in applications being refused 'within time' when otherwise sustainable development could be approved more quickly than would be the case with a refusal and appeal or resubmission.**

**Question 2.** Do you agree with the initial scope of applications proposed for the Accelerated Planning Service (Non-EIA major commercial development)?

**No for the reasons outlined above.**

**Question 3.** Do you consider there is scope for EIA development to also benefit from an Accelerated Planning Service?

**No – EIA development may have even more material considerations / sensitive issues to consider than most applications and the reduced timeframe would not allow for a full and thorough consideration of all the matters which need consideration with all the key stakeholders.**

**Question 4.** Do you agree with the proposed exclusions from the Accelerated Planning Service – applications subject to Habitat Regulations Assessment, within the curtilage or area of listed buildings and other designated heritage assets, Scheduled Monuments and World Heritage Sites, and applications for retrospective development or minerals and waste development?

**Yes.**

**Question 5.** Do you agree that the Accelerated Planning Service should:

a) have an accelerated 10-week statutory time limit for the determination of eligible applications

**No. 13 weeks is already a tight timeframe when taking into account legal agreements to negotiate and possible Planning Committees and the relevant lead-in times for these public reports, plus multiple stakeholders which need to respond to applications and seek possible amendments.**

b) encourage pre-application engagement

**Yes.**

c) encourage notification of statutory consultees before the application is made

**Yes. This doesn't necessarily mean in practice that the developers will consult / notify prior to submission and due to resources, or that the consultees will be able to give them any time.**

**Question 6.** Do you consider that the fee for Accelerated Planning Service applications should be a percentage uplift on the existing planning application fee?

**In principle yes, but it's uncertain how the additional fee will be calculated and how these will be ring fenced to provide additional resources. It would be very difficult for LPAs budget for this as it's not a guaranteed income.**

**Question 7.** Do you consider that the refund of the planning fee should be:

- a. the whole fee at 10 weeks if the 10-week timeline is not met.
- b. the premium part of the fee at 10 weeks if the 10-week timeline is not met, and the remainder of the fee at 13 weeks.
- c. 50% of the whole fee at 10 weeks if the 10-week timeline is not met, and the remainder of the fee at 13 weeks.
- d. none of the above (please specify an alternative option).
- e. don't know.

**None of the above. Developers generally want a positive outcome and if they can secure this within an agreed timeframe with the LPA it would be better for all parties to be able to agree to an EOT rather than be forced into a position of refusing the scheme and starting the process again.**

**Question 8.** Do you have views about how statutory consultees can best support the Accelerated Planning Service?

**They need to be appropriately financed and resourced to be able to consider applications in the consultation timeframe, or even submit their comments before the application is formally submitted to the LPA. It would be helpful to legislate to make developers engage them directly in pre-application proposals.**

**Question 9.** Do you consider that the Accelerated Planning Service could be extended to:

Major infrastructure development

**No.**

b. major residential development

**No.**

c. any other development

**No.**

**In all cases for the reasons given above.**

If yes to any of the above, what do you consider would be an appropriate accelerated time limit?

**Question 10.** Do you prefer:

- a. The discretionary option (which provides a choice for applicants between an Accelerated Planning Service or a standard planning application route)
- b. The mandatory option (which provides a single Accelerated Planning Service of all applications within a given definition).
- c. Neither
- d. Don't know

**Neither**

**Question 11.** In addition to a planning statement, is there any other additional statutory information you think should be provided by an applicant in order to opt-in to a discretionary Accelerated Planning Service?

**Issues often arise from lack of detail or quality of submission, not necessarily that applicants haven't submitted the required information. LPAs already have the ability to direct for a lot of information as part of their Local Validations list.**

**Question 12.** Do you agree with the introduction of a new performance measure for speed of decision-making for major and non-major applications based on the proportion of decisions made within the statutory time limit only?

**Yes, for non-majors. No, for majors. It is possible to progress decisions on non-major applications within 8 weeks with well-resourced and experienced planning teams, with good responses from consultees, and with efficient systems of application processing. The figure for majors appears unrealistic considering the complexities that these cases usually have, coupled with S106 Agreements which can take a considerable amount of time to sign, depending on the number of interested parties.**

**Question 13.** Do you agree with the proposed performance thresholds for assessing the proportion of decisions made within the statutory time limit (50% or more for major applications and 60% or more for non-major applications)?

**As above.**

**Question 14.** Do you consider that the designation decisions in relation to performance for speed of decision-making should be made based on:

b) both the current criteria (proportion of applications determined within the statutory time limit or an agreed extended time period) and the new criteria (proportion of

decisions made within the statutory time limit) with a local planning authority at risk of designation if they do not meet the threshold for either or both criteria

**Yes. This will give the opportunity to review in the round the Council's performance rather than based on one threshold.**

**Question 15.** Do you agree that the performance of local planning authorities for speed of decision-making should be measured across a 12-month period?

**Yes.**

**Question 16.** Do you agree with the proposed transitional arrangements for the new measure for assessing speed of decision-making performance?

**Yes.**

**Question 17.** Do you agree that the measure and thresholds for assessing quality of decision-making performance should stay the same?

**Yes.**

**Question 18.** Do you agree with the proposal to remove the ability to use extension of time agreements for householder applications?

**Yes.**

**Question 19.** What is your view on the use of repeat extension of time agreements for the same application? Is this something that should be prohibited?

**These should be allowed for major applications for the reasons previously given. The Council agrees with the abolition of extensions of time for non-major applications.**

**Question 20.** Do you agree with the proposals for the simplified written representation appeal route?

**Yes.**

**Question 21.** Do you agree with the types of appeals that are proposed for inclusion through the simplified written representation appeal route? If not, which types of appeals should be excluded from the simplified written representation appeal route?

**Yes.**

**Question 22.** Are there any other types of appeals which should be included in a simplified written representation appeal route?

**No.**

**Question 23.** Would you raise any concern about removing the ability for additional representations, including those of third parties, to be made during the appeal stage on cases that would follow the simplified written representations procedure?

**No.**

**Question 24.** Do you agree that there should be an option for written representation appeals to be determined under the current (non-simplified) process in cases where the Planning Inspectorate considers that the simplified process is not appropriate?

**Yes.**

**Question 25.** Do you agree that the existing time limits for lodging appeals should remain as they currently are, should the proposed simplified procedure for determining written representation planning appeals be introduced?

**Yes.**

**Question 26.** Do you agree that guidance should encourage clearer descriptors of development for planning permissions and section 73B to become the route to make general variations to planning permissions (rather than section 73)?

**Yes.**

**Question 27.** Do you have any further comments on the scope of the guidance?

**Provide more certainty on what can be considered 'minor' material amendments.**

**Question 28.** Do you agree with the proposed approach for the procedural arrangements for a section 73B application?

**Yes.**

**Question 29.** Do you agree that the application fee for a section 73B application should be the same as the fee for a section 73 application?

**73B could involve a lot more work than a S73 application and therefore should have a higher fee.**

**Question 30.** Do you agree with the proposal for a 3 band application fee structure for section 73 and 73B applications?

**Yes.**

**Question 31.** What should be the fee for section 73 and 73B applications for major development (providing evidence where possible)?

**No comments beyond the in-principle points in response to question 29.**

**Question 32.** Do you agree with this approach for section 73B permissions in relation to Community Infrastructure Levy?

**N/A as SDDC does not have a CIL in place.**

**Question 33.** Can you provide evidence about the use of the 'drop in' permissions and the extent the Hillside judgment has affected development?

**N/A.**

**Question 34.** To what extent could the use of section 73B provide an alternative to the use of drop in permissions?

**The proposed use of S73B applications could provide more clarity as to which permission is being built for all involved.**

**Question 35.** If section 73B cannot address all circumstances, do you have views about the use of a general development order to deal with overlapping permissions related to large scale development granted through outline planning permission?

**S73B applications would be sufficient.**

**Question 36.** Do you have any views on the implications of the proposals in this consultation for you, or the group or business you represent, and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

**No.**