

Milton Keynes Council Development Management Charter

Development Management plays an important role in delivering sustainable economic growth. We aim to deliver a high quality service when dealing with planning applications and associated matters.

This charter has been put together to set out our pledge and commitment as well as setting the standards of service that the Council will provide its customers within our Service.

The document summarises how the development management process operates and sets out the standards of behaviour for Council Officers.

Key principles in the charter include:

- Customers will receive a service that is helpful, clear and timely.
- Elected members will see a service that makes a real contribution to meeting the Council's financial challenges and a service that enhances the Council's reputation.
- Stakeholders including businesses and other partners will experience a service that plays an effective role in making it easier to invest and operate in the city.
- A service focused on facilitating useful and deliverable outcomes – not just professional judgements.

Our commitment to our customers...

Honest

We will act with honesty and integrity and will treat all users of our service fairly, objectively and respectfully. All decisions will be made on the basis of their planning merits and in conjunction with relevant planning policy and guidance.

Accessible

We will make planning information clear, concise and easy to access. It will be easy to contact us and to comment on applications and policies. We welcome all contributions and take customer satisfaction feedback into account to continuously improve our service. Any complaints will be dealt with through the Council's corporate procedure.

Transparent

We will publish relevant and appropriate information about planning applications and key decisions on the Council's website.

Responsive

We will provide timely advice and planning decisions to our customers. We will always try to improve the speed and quality of our service through reviews and feedback received.

Effective

We will provide accurate and useful planning advice to the elected representatives of the public, applicants and other stakeholders. We will make planning recommendations that ensure a high quality of development and which deliver the strategic aims of the Council.

Officer Code of Conduct

- All relevant correspondence received relating to an application will be published onto the Council's website (and redacted where appropriate) within 48 hours (Monday to Friday) of receipt.
- Answer telephone calls within 4 rings and provide a voicemail service if unavailable.
- Voicemails should explain the reason for unavailability and provide your line manager's contact details.
- Respond to all voicemail and telephone messages within 1 working day (Monday to Friday).
- Respond to all general letters and emails within 5 working days (or 48 hours (Monday to Friday) in the case of correspondence from Ward Councillors and/or Parish Councils).

Planning Performance Agreements/Pre-Application Enquiries

In some cases the application may be lengthy and complex which may require a series of meetings to negotiate amendments to schemes or planning obligations. This means that the usual timescales will not apply and further time will be required.

In these circumstances it is expected that Pre-Application Enquiries and/or Planning Performance Agreements are agreed before the application is submitted to us. There are associated fees for this. Our officers will help to support and guide any enquiries through this process and assist wherever possible to provide thorough, timely responses. Full details of Pre-Application and Planning Performance Agreement options are available via the Planning Hub sections of the Council's website.

Validation and Acknowledgement of Applications

Validation

We aim to register planning applications within 48 hours (Monday to Friday) of submission to ensure that all relevant neighbours and/or consultees have as much time as possible to consider applications with the statutory timescales. Our officers will help support and guide applicants through this validation process to submit the required information. We will consider documentation to ensure we are publishing in-line with Data Protection. However if you become aware of a document or information which should not appear online please contact us.

Acknowledgement

Once applications have been through the validation process we aim to issue acknowledgement letters and begin the consultation period within 5 working days from receiving planning applications.

Protocol Process – Determining a Planning Application

Week 1

Case Officer to check:

- All plans and supporting information have been submitted?
- The application form is correct and application description is accurate?
- The application has been publicised correctly e.g. is it EIA development/Listed Buildings/Reg.3 or 4 application?
- All appropriate consultations (stat/non-stat/neighbours) have been sent?

| | |
|--------------------------------------|--|
| | <p>Undertake site visit and site notices where appropriate. Site notices and visits are required for the following:</p> <ul style="list-style-type: none"> • Planning applications for all major developments • Planning applications affecting Listed Buildings (or curtilage of Listed Buildings) • Other applications that are considered by the Case Officer to be of sufficient complexity or public interest. |
| Weeks 2-3 | <p>Whilst the consultation period is pending, the case officer will identify any main material considerations and planning policies relevant to the determination of the application.</p> |
| Week 4 | <p>After the consultation deadline has passed, the case officer will assess the comments received and contact the applicant to confirm:</p> <ul style="list-style-type: none"> • Whether any amendments are necessary to the scheme. • If the application can be determined as a Delegated Decision or if it needs to be considered at Development Control Committee (DCC) or Development Control Panel (DCP) (and if so the date of the DCC/DCP meeting). • Please note that we will endeavour to redact any details in-line with Data Protection however if you become aware of a document or information which should not appear online please contact us. <p>If a S106 is required, the case officer will send Instruction to our Legal team following receipt of consultations from a Planning Obligations Officer.</p> |
| Week 5 | <p>If no amendments are required and application can be determined as a Delegated Decision, the case officer will draft a delegated report and decision notice – The Report/Decision Notice will be signed off by a senior officer within 24 hours (Monday to Friday).</p> <p>The Decision Notice will be sent to applicant/agent (by email if possible) and the Delegated Report/Decision Notice indexed to I@W (the Council’s internal storage system) within 24 hours of sign-off (Monday to Friday).</p> <p>If amendments are required the case officer will re-consult on amendments for 14 days. Please note that we will endeavour to redact any details in-line with Data Protection however if you become aware of a document or information which should not appear online please contact us.</p> |
| Weeks 6-8 (13 for majors) | <p>Following the receipt/re-consultation of amendments, the application can be determined as Delegated Decision and the case officer can proceed as above.</p> <p>If the application is to be determined at DCP/DCC, the case officer will draft a report in accordance with committee timetable to ensure the application is considered at a meeting previously agreed with the applicant.</p> <p>The agreed DCC/DCP date should be within the 8 week determination period for minor applications and the 13 week determination period for major applications.</p> <p>In the exceptional circumstance that an application cannot be determined by the statutory determination date, a formal Extension of Time should be sought. The applicant is not obliged to agree to this, but if they do agree confirmation should be provided in writing. This confirmation should then be indexed in I@W and the EoT field on Uniform updated within 48 hours of receipt.</p> <p>If the application is determined at DCC/DCP, the case officer will draft a decision notice within 48 hours of the DCC/DCP meeting – the report will also be signed off by a senior officer within 3 working days of the DCC/DCP meeting.</p> |

Complaints Procedure and Feedback

The Council will make decisions based on appropriate legislation, guidelines, professional judgement and following relevant Council procedures. If however you feel that a decision has been made without due care and consideration you are able to contact the Council to provide feedback.

We welcome all types of feedback and hope that you will feel able to inform us of any problems that you might experience with any aspect of the work of the Council in the future. If it is necessary to explore any concerns in more detail there is a corporate Council complaints procedure – details of which can be found on the Council website www.milton-keynes.gov.uk

Applicants can also follow the appeals process in certain circumstances if they wish to and this will involve the Planning Inspectorate who deals with planning appeals, national infrastructure applications, examinations of local plans and other planning-related and specialist casework in England and Wales. The Planning Inspectorate is an executive agency, sponsored by the DCLG and the Welsh Government.

More details can be found at: <https://www.gov.uk/government/organisations/planning-inspectorate>

Planning Enforcement

Published in May 2017 the Planning Enforcement 'A Handy Guide to Policy and Procedures' aims to provide an introduction into the work and priorities of the Council's planning enforcement officers. Sitting within Development Management our enforcement officers are able to investigate certain breaches and unauthorised works within the Milton Keynes Borough.

This guide sets out:

- Examples of typical planning breaches.
- Options to investigate.
- Formal Enforcement Action and
- Details of scoring for the assessment of harm.

The guide is part of a wider set of publications which have recently been drafted. Most notably the Planning Enforcement Plan 2017 and the Corporate Enforcement Policy. These provide more detailed information on the priorities and processes around Enforcement. Full details are available to view online via the Council's website.