

From the Lookout Post April 2013

The Planning System

The British Planning System has always operated on the basis that “an Englishman’s home is his castle” and he may do anything to it unless there are sound reasons to prevent it. The planning system endeavours to categorise the various issues which may be considered grounds for refusal and the processes for consultation. National policies are made more specific by local policies, established by the local authority and drawn up after local consultation. Individual applications are judged against these policies, known as the Local Development Scheme.

Localism and recent changes

National policy now requires that a “presumption in favour of sustainable development” is reflected in all local policies. At the same time, many national policies have been substantially slimmed down so that they are less specific and are more open to interpretation. The debate continues as to what is “sustainable development.” The Sustainable Development Commission, which was disbanded in 2011, adopted the definition in the 1987 United Nations Brundtland Report that, “Sustainable Development is development that meets the needs of the present, without compromising the ability of future generations to meet their own needs.”

The National Planning Framework states: “Decision-takers at every level should assume that the default answer to development proposals is ‘yes’, except where this would compromise the key sustainable development principles” However, there is as yet no clear statement of what those principles should mean in practice. It seems likely the practical definitions will emerge from case law as appeals on individual applications are considered by the Planning Inspectorate. Many developers employ specialist planning lawyers and it is unlikely those lawyers will be short of work.

Neighbourhood Planning

The Localism Bill provides for local people to be involved in producing a plan for their neighbourhood which would shape and influence how development should take place in their area. The Neighbourhood Plan for the town of Thame has now been submitted to South Oxfordshire District Council for independent examination. Nearer to Caversham, Sonning Common is working on a plan which might give more local influence on how the requirement for additional housing should be implemented.

The area north of the Thames represents over a fifth of the Borough of Reading. It is large and diverse and so it is unlikely that the whole area would be suitable for the production of a Neighbourhood Plan. However, there may be opportunities for smaller, more defined areas to explore options.

Local Development Scheme

The scheme encompasses different policy documents. These include the Core Strategy, the Central Area Action Plan and the Sites and Detailed Policies Document. More detailed policies (Supplementary Planning Guidance) include those on Parking, Housing Extensions and Planning Obligations (Section 106 payments). Other policies cover specific sites such as the Caversham Lock Area and the Reading Station Area.

All of this seems very dry but, with the presumption in favour of sustainable development, applications should be approved unless local policy provides otherwise. This means that consultation on local policy becomes ever more important and we ignore it at our peril. If the issues you care about are not represented in an agreed local policy, they are unlikely to constitute grounds to refuse an application.

Submitting and responding to applications

The website of the Caversham and District Residents' Association has a Planning Section: www.cadra.org.uk/planning.php which sets out more information and gives links to further advice, including a Helpful Hints document for those who wish to oppose an application.

The Monthly Planning List, maintained by the CADRA team, shows a list of significant applications in Caversham, summarising progress and giving a direct link to the relevant documents and plans on the Council website. Once the decision is confirmed, the Decision Notice will also be posted on the Council website, including details of any planning conditions imposed.

Listed Building Consent

Any work to demolish, alter or extend a listed building requires Listed Building Consent. An application for Planning Permission is often necessary alongside an application for listed building consent and so you may see two application references, one with the suffix LBC.

There are 77 Grade II listings north of the river.

The barn at Chazey Court Farm is the only Grade I listing. The barn is on the English Heritage 'At Risk Register' prompting considerable local concern that action needs to be taken to prevent further deterioration. The large, impressively constructed barn has been very little altered since its original construction. Analysis of the timber dates this around 1611.



As part of the Caversham 100 Years On project, a document was produced showing all listed parks and buildings north of the river. This is available on the Local History page:

www.cadra.org.uk/history.php

Advertising Control

Local authorities have the right to control advertisements and signs. Applications have to be submitted for new signs or advertisement boards. The reference for these ends ADV. A recent application for very large signs in Caversham was refused by the Council and an appeal was submitted. It was interesting that the Planning Inspector gave a robust refusal on the basis of the visual appearance. He rejected the need for local marketing as being not relevant to his decision.

Applications for larger signs and illuminated signs are now much more common. Some of these are out of character with the area and comments to the Planning Department do help to prevent a situation where every trader feels they need a larger and brighter sign than their neighbour.

Tree Protection Orders

Tree Protection Orders or TPOs are highly significant to determining planning applications. A full list is shown on the Reading Borough Council website, listed alphabetically by street. Go to: www.reading.gov.uk and search for Tree Protection Order. Planning Officers apply provisional TPOs to sites where a planning application is under consideration. The Planning Natural Environment Team can be contacted on 937 3787.

There has recently been a case where an application was approved after all trees and shrubs had been cleared. Had the trees and shrubs still been there, there may have been strong grounds for refusal.

What we can do

The planning system is far from perfect but it does try to balance different factors including local opinion – providing of course local views have been expressed. Planning Officers and Enforcement Officers have very limited time to make site inspections so they do need us to be their eyes on the ground. A dated digital photograph can be a powerful message.
