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please contact: 01422 392228

اگر آپ کو یہ معلومات کسی دوسری زبان  
یا شکل میں چاہیے تو رابطہ کریں:

01422 392228

আপনি যদি এই তথ্য অন্য কোন মাধ্যম অথবা ভাষায় চান  
তাহলে দয়া করে যোগাযোগ করুন :

01422 392228

## The Development Management Service

Development Management is the service that aims to enhance and protect our environment whilst at the same time allowing the development necessary for our economic and social well being to take place in an appropriate way.

Most people come into contact with the Service when they are submitting an application or when they are affected by a development proposal, but the work of this Service effects everyone in the borough as it plays a part in controlling the quality of the environment that we all live in.

Specifically the Service:-

- Considers planning applications for development in the borough and other applications such as listed buildings, the display of advertisements and applications in relation to protected trees
- Consults with local people who may be affected by development proposals
- Gives advice to people making enquiries about new proposals
- Provides general information and advice about planning
- Looks into cases where planning regulations have not been met
- Deals with planning appeals when an application has been refused

The planning policy framework that guides all the decisions that we make is provided by:-

- Central Government advice
- The Yorkshire and Humber Plan (Regional Spatial Strategy)
- The Calderdale Council Replacement Unitary Development Plan
- Planning case law

In delivering this service we aim to:-

Contribute to the quality of life of Calderdale's citizens through the improvement and protection of the physical environment and the enhancement of the economic prospects of the District

## Service Qualities

Whilst we currently exceed the Government's targets of 60% of major applications determined within 13 weeks, 65% of minor applications within 8 weeks and 80% of other applications within 8 weeks we believe there is more than just speed to providing a quality service.

There are a number of qualities that we believe will be important to all our customers when we deliver our service, namely:-

### Speed

We will determine applications as speedily as we can without having a detrimental impact on the quality of the built environment.

### Communication

We will keep those that could be affected by developments informed of proposals as well as keeping those who make applications up to date with the progress on their case.

### Accessibility

We will provide a range of easy and convenient access options to ensure all members of our community can use our services.

### Helpfulness

We will offer a friendly and accessible service whenever we are approached for help or advice.

### Fairness

We will deal with all enquiries and applications in an equal and impartial manner.

### Accountability

We will keep accurate records of what we do with each application and enquiry so that we can justify why we have made the decisions that we have.

### Consistency

We will ensure that the decisions we make will be in line with the Development Plan, other Government legislation and case law.

## The Purpose of the Charter

This Charter sets out the standards you can expect from your Development Management Service. The Charter is for all customers of Development Management, including applicants, agents, consultees, local residents, parish councils, amenity societies and any individual with an interest in a planning matter.

We are committed to ensuring that customers can use all areas of our service by providing a choice of ways to access the different aspects of it. We would be happy to arrange a translator or a sign language interpreter and we can also provide documents in large print. If you have difficulty in viewing documents then we can arrange for them to be sent to you or where appropriate for a member of staff to visit you at home. If you would like any assistance then please just call Planning Services. (All the contact details are listed on the back of the Charter.)

There are 10 key service areas:-

1. Pre-application advice
2. Submitting a planning application
3. Who do we consult
4. Keeping you informed
5. Processing a planning application
6. Amended plans
7. Decision making and Planning Committee
8. Planning appeals
9. After an application has been determined
10. If things go wrong

# 1 Pre application enquiries

We encourage discussions with potential applicants before an application is submitted. The majority of enquiries are dealt with by Planning Officers, however in recognition of the complexity of some major development enquiries we have established a multi – service ‘Development Team’ to deal with them. (Please see definition of major development on the Councils website [www.calderdale.gov.uk](http://www.calderdale.gov.uk) ) Discussing a proposal before its submitted allows us to point out any problem areas that you could sort out before you submit your application. This can result in your application being dealt with more quickly and your development being of better quality. These enquiries can be dealt with in a number of ways:-

1. **By phone** – you can phone the Department (see back cover for contact numbers) between 9.00-5.00 Monday-Friday and speak to a Planning Officer
2. **By writing/e-mail** you can write to, or e-mail us with an enquiry about a specific proposal
3. **By visiting us-** you can visit our Reception (2<sup>nd</sup> Floor Northgate House) and see a Duty Planning Officer between 9.00-5.00 Monday-Friday for general planning enquiries.
4. **By making an appointment** – you can arrange an appointment with a Planning Officer to discuss a specific development proposal.

If you wish to find out whether you need planning permission for your proposal you can apply for a ‘Certificate of Lawfulness’. This is a formal application and the forms and guidance notes are available on the website.

## 1.1 We will aim to answer the phone within 5 rings

## 1.2 We will aim to respond to your written enquiry (pre-application advice) within 20 working days of receipt (this includes e-mails and major development enquiries)

# 2 Submitting an Application

Application forms and guidance notes are available from Planning Services Reception as well as the Council’s website. (In addition you can download the application form from the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or phone Planning Services and they can send you the forms. The guidance notes should cover every aspect of your application form and the information that you will need to submit with it. In addition if you have an application for a major development we have a ‘Major Applications Protocol’ for you to follow. This is available at Reception or on the website.

Some people choose to employ an agent to do this work, however if you need further assistance please contact us and we will be happy to help. **(Please note that if you employ an agent any discussions we need to have about your proposal will be with them and any correspondence including the decision notice will be sent to them.)**

It is your (or the agents) responsibility to submit all the necessary plans or drawings, supporting information and the correct fee to enable Planning Officers to assess a proposal. Once you have submitted your application we will send you an acknowledgement to say that we have received it. The application will be examined to see whether all the necessary information and correct fee has been provided. If it has, you (or your agent) will be sent a letter letting you know that your application is valid and you will be given a target date for when a decision is due. If it is not valid we will write to you and explain what you need to do to make it valid. You will be given a deadline in which to provide this information, if after which we haven’t received the requested information the application will be withdrawn and returned to you.

## 2.1 We will aim to acknowledge your application within 1 working day of receipt

## 2.2 We will aim to write to you to let you know whether your application is valid within 5 working days of receipt.

## 3 Who do we consult?

When an application has been received and we have checked to see if it's valid we will establish (based on a set criteria) who needs to be consulted about it. This is split into two categories.

### Consultees

The application details will be sent to consultees such as, the Environment Agency, our own Highways Development Management Service, Building Control, Yorkshire Water, as well as amenity bodies such as the Civic Trust and Town and Parish Councils. These organisations and services will be asked to comment on the application within 21 days. Their comments provide expert/specialist advice, which assist the Planning Officer when assessing the proposal.

### Community

Plans are then examined to establish who may be affected by the proposed development. Those who may be affected are then notified either by letter, site notice or press notice depending on the scale and type of development. Case Officers will also check when they visit the site to try to ensure that those that might be affected have been informed about the application. The submitted plans and forms are public documents once they have been validated and can be inspected at any point after this time. You are given 21 days in which to send in your representations (objections/letters of support) in writing or by e-mail (comment form on Councils website) about an application. If your views relate to planning concerns they will be taken into account when a Case Officer is assessing the proposal and wherever reasonable the Case Officer will discuss these with the applicant. (Planning concerns include such issues as highway safety, appearance of a development and proximity of a development to existing properties. Non planning issues that we cannot consider include loss of views and house value and trade objections.)

From the date we receive a valid application:-

- 3.1 We will aim to notify you if a proposal is likely to affect you within 10 working days**
- 3.2 We will aim to notify Parish and Town Councils within 8 working days**

## 4 Keeping You Informed

In order to make it easier for you to make comments the application form and drawings (including amended plans) are placed onto a statutory register called the 'Part 1 Register' at Planning Services Reception in Northgate House, onto the Councils website and where appropriate in Town and Parish Council Offices and libraries for you to view

You can also view the progress of an application on the Council's website. This will tell you if consultees have responded and whether any letters of representation (objections/letters of support) have been received.

In addition each application is allocated an application number and given to a specific Case Officer who will be named on any letters that you receive from us. The Case Officer will be happy to discuss any concerns you have about the application, whether you are the applicant, someone wishing to make a representation or someone wanting to know more about a proposal.

If an application is going to be decided at Planning Committee and you sent in comments about it you will be notified by letter of the committee date and invited to attend. Agenda and reports will be available to view at Planning Services Reception and on the website.

If you have written to us about an application you will also be informed as to whether the application was approved or refused in writing.

- 4.1 We will aim to place applications (and amended plans) on to the part 1 register and website within 3 working days of receiving a valid application**
- 4.2 We will aim to write to you 7 working days before an application is going to Planning Committee**
- 4.3 We will aim to write to the applicant/agent and any person who has made representations of the outcome of an application within 3 working days of the decision being made**

## 5 Processing an application

Once an application has been validated and the consultees and community invited to comment, the application is passed to a Case Officer. The Case Officer will then visit the site.

Once on site the Case Officer will examine the plans to assess how the proposal will impact on the site and its surroundings and take photographs. They will check whether the site notice is in the right position (when a site notice is used) and also establish whether anyone else should be notified of the development.

Once the consultation responses and any letters of representation have been received the Case Officer will make a full assessment of the proposal against current legislation and policies.

If the Case Officer finds that they need more information to determine your application they will let you know as soon as possible and agree a date by which you should provide it.

If the application is unacceptable as submitted but amendments could overcome the concerns the Case Officer will explain this to you (or your agent) and give you a deadline to submit amended plans.

The Case Officer will then prepare his or her report including a recommendation for either Senior Officers (under delegated powers) or Planning Committee to determine.

If you wish to speak with the Case Officer about an application (whether you are the applicant (or agent) or someone wishing to comment on it you can phone them on their direct line, e-mail them or make an appointment to come in and see them.

**5.1 Case Officers will aim to carry out site visits within 15 working days of the application being publicised**

**5.2 We will aim to determine minor/householder and other applications within 8 weeks, major applications within 13 weeks and those requiring an environmental impact assessment within 16 weeks.**

## 6 Amended Plans

If the Case Officer seeks amendments to your proposal you (or your agent) will be asked to submit them by a given deadline. If they are not received by this time the application may be determined with the information your agent has given us.

If the amendments are very minor the application will be determined without any further consultation with the community. However amendments that are more significant than this would ordinarily be re-publicised. If you were sent a letter about the application when it was submitted or if you sent in a letter of representation about it you would be notified about significant changes and given further time to comment. We will not determine an application where an amended plan has been received and publicised until the community has had 10 working days in which to make comments on it. (The amended plans will be made available for inspection at Planning Services Reception and on the web site).

Where fundamental changes would be required you (or your agent) would be asked to withdraw your application and re-submit a revised scheme.

If you reconsider your proposal and wish to make substantial or repeated changes we may advise you to withdraw it and resubmit it as the additional time involved in assessing and re-publicising revisions can impact on yours and other applicant's target dates.

If an amendment is received after an application is approved we will deal with it as quickly as we can. However if it is not considered to be minor you (or your agent) will be asked to submit a fresh application, which will be publicised in the normal way.

**6.1 We will aim to deal with minor post decision amendments within 10 working days of receipt**

## 7 Decision making and Planning Committee

The majority of planning applications are determined by Senior Officers under powers given to them by the Council ('Delegated Powers'). The only applications that are determined by the Planning Committee are those that are considered to be sensitive or controversial, schemes that have been considered by Planning Committee in the past or those where a Ward Councillor has a planning reason for it to be determined by Planning Committee.

If you consider it important that Planning Committee consider your application then you can ask the Ward Councillor to make a written request on your behalf. The written request must include planning reasons for wanting the application to be determined at Planning Committee.

If the application is to be determined under 'Delegated Powers' you (or your agent) and any one that wrote in about it will be informed of the outcome after the decision has been made.

If the application is to be determined at Planning Committee you (or your agent) and any one that wrote in about it will be informed in writing about the Planning Committee date.

If considered necessary Members (Councillors) may visit the site of the proposed development before they consider it at Planning Committee.

If you attend the Planning Committee you will be given a 'Planning Committee Procedure Note', which will explain at which point you can present your views on the application. You or your agent can speak for up to 5 minutes about your application. If you wrote in about the application then you may also present your views for up to 5 minutes. (Please note that usually only one representative of the objectors may speak.)

**7.1 Decision notices will be placed on the application file and the web site within 3 working days of the application being determined.**

## 8 Planning Appeals

If your application was refused and you do not agree with the decision then you have the right to appeal. Details of how to appeal can be found with your decision notice or with the Planning Inspectorate.

(With the exception of a legal challenge members of the public who objected to a proposal do not have the right of appeal if an application was approved.)

The majority of appeals are dealt with by 'Written Representations', where an Inspector would only consider issues in writing and visit the site. However on occasion if the proposal was sensitive or controversial it may be considered necessary to hold an 'Informal Hearing' or 'Public Inquiry' where the issues can be explored in the presence of an Inspector appointed by the Secretary of State.

Both the Council and the applicant can request the way in which an appeal is dealt with.

If you do 'lodge' an appeal there are a series of deadlines that we must adhere to if we are to respond to the appeal.

Once you have lodged your appeal the Council must prepare a response to it called the 'Councils Statement'. This is kept on the application file and made available on the web site.

The Planning Inspectorate will provide the applicant/agent as well as the Council with a copy of the decision.

**8.1 You will be able to see the inspectors decision on the application file (hard copy) and the web site within 3 working days of it being received**

## 9 After an application has been determined

### Implementing Development

Most planning permissions are subject to 'conditions'. You will find these on your decision notice. There will be a number that may have to be complied with before you start your development. **If you are building or changing the use of something without meeting all the conditions then you could be approached and asked to sort it out by our Enforcement Service. It is your responsibility to ensure that the person who will build your development is aware of all the conditions that need to be complied with and has a copy of the decision notice as well as the 'approved' plans.**

Please apply to have your conditions discharged by sending the necessary details to the Case Officer who dealt with your application and we will deal with them as quickly as we can. This service is currently free; however it is likely that a fee will be introduced in the near future.

### Monitoring development in Calderdale

We monitor selected planning decisions i.e. for mineral sites and major developments to ensure that when development does take place; conditions imposed as part of the planning consent are complied with.

### Complaints

We are committed to offering an effective and efficient Enforcement Service and if you contact us and provide your details about a suspected unauthorised development then we will investigate it. However with over 700 complaints received every year we have to prioritise the different cases. Officers from our Enforcement Service will visit the site and assess what action needs to be taken. You will be kept informed of the outcome of this investigation.

## 10 If things go wrong

We aim to provide a courteous and efficient service in line with procedures and guidance but we need to know if you think we have got something wrong. We welcome all forms of feedback about the service, both good and bad. If you have a concern then please feel able to pass this along to any member of our staff, however if you would like to, you can write to us at:-

Planning Services  
Northgate House  
Northgate  
Halifax HX1 1UN

We will acknowledge your concerns, investigate and send you a reply. However if you are still not satisfied, you have the right to make a formal complaint. We have a formal complaints procedure that is available at Planning Services Reception and the web site.

Every complaint or feedback from our customers is taken seriously and wherever possible acted upon to ensure the problem does not arise again.

**10.1 We will aim to acknowledge complaints within 2 working days of receipt**

**10.2 We will aim to respond in writing to a complaint within 15 working days of receipt**