

## Planning Service Charter - Our offer to you

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## What the Planning Service does

The Planning service aims to shape Camden's places to deliver better outcomes for our communities.

It seeks to:

- Secure homes, jobs and facilities for Camden's communities
- Make sure development in the borough is sustainable
- Promote high quality design
- Protect and enhance our heritage assets and natural environment
- Strike an appropriate balance between different interests.

The Planning Service:

- Prepares the Council's planning strategy and policies
- Deals with applications for planning permission, conservation area and listed building consent, advertisements and trees
- Makes sure planning rules and permissions are properly complied with and enforced
- Handles planning appeals
- Provides advice and information on planning matters
- Carries out land charges searches.

This Service Charter sets out the level of service you can expect from us, and how you can help us achieve our aims.

## What level of service you can expect from us

We will:

- Deal with you fairly and courteously
- Respond to emails and letters within 10 working days
- Regularly publish details of our performance against our key performance measures. These are set out below -

<b>Performance measure</b>	
Planning consultee and applicant satisfaction with the planning service (including duty desk) - using customer satisfaction surveys.	Customer Satisfaction
Median time taken to deal with application by type (e.g. householder applications, major applications, advertisement consents etc).	Timeliness
Percentage of applications approved	Quality
Number of applications received, number of fee paying applications and the amount of fees paid.	Cost

## **Pre-application advice and assistance**

### **Face-to-face Duty Planner service**

From 4 April 2011 the duty planner service will be by appointment only, and from summer 2011 a fee will be required for the face-to-face pre-application advice appointments. The service provides pre-application advice on simple queries and free consultation assistance between 9am and 1pm Monday to Friday.

#### **Application types considered:**

- Certificates of Lawfulness
- Advertisements
- Shop fronts
- Approval of details
- Householder applications
- Simple extensions & alterations
- Simple Change of use
- Simple Listed Building applications

#### **If you require pre application advice we will:**

- Ensure you pay the correct pre application fee for your proposal post summer 2011
- Allocate a 30 minute meeting slot with a planning officer in a minimum of two working days from the request being made;
- Provide clear, up to date and consistent advice

#### **You will need to ensure:**

- As much information about your proposal is provided one working day prior to the meeting to enable informed advice to be given. Failure to provide this information may result in the appointment being cancelled.

#### **We will not provide:**

- Pre application advice without an appointment

#### **If you require consultation advice we will:**

- Allocate a 10 minute meeting slot with a planning officer in a minimum of two working days from the request being made;
- Provide clear guidance on the application process and what will be considered relevant when making comments on an application
- Give clear directions on where to find further information on the Camden website
- Assistance in interpreting plans relating to a current application

#### **Where you can get more information:**

[Pre-application advice](#)

## **Pre-application advice and assistance**

### **Charged pre-application advice and assistance for minor and small scale developments**

We provide a fee paying written pre-planning application advice service for minor, householder and smaller applications.

#### **Advice on minor proposals including:**

- change of use up to 499m<sup>2</sup>
- equipment
- air conditioning/ ventilation equipment
- shop fronts
- advertisements
- conservation area consent for demolition
- amendment to previously approved schemes
- discharge of conditions attached to previously approved schemes

#### **Advice on your house or flat:**

- 'Householder' pre-application advice (if you propose or alter or extend your house or flat) at a lesser fee

#### **Advice on smaller proposals including:**

- Conversion relating to 1-4 residential units or up to 499m<sup>2</sup> of floor space, whichever is the larger
- New build or conversion with extension relating to 1-4 residential units or up to 499m<sup>2</sup> floor space, whichever is the larger

#### **If you require pre application advice we will:**

- Ensure you pay the correct pre application fee for your proposal
- Ensure you submit the correct information to assess your proposal
- Provide clear, up to date and consistent advice on your development proposal and relevant Council planning policy in writing within 15 working days of the submission of the required information and the relevant fee
- Provide additional written advice on any changes to your proposal and respond if requested for an additional fee within 10 working days
- Contact you within 10 working days of receiving the fee and any other information we have requested from you (such as plans) to arrange a suitable date for a meeting if appropriate

#### **You will need to ensure:**

- As much information about your proposal is submitted to enable informed advice to be given

#### **We will not provide:**

- Pre application advice without the requisite fee and supporting information
- We will not charge for advice if it can be easily and briefly provided over the telephone

## **Pre-application advice and assistance**

### **Charged pre-application advice and assistance for medium and major developments**

We provide a fee paying pre-planning application advice service for medium and major applications, including appointments to meet Council officers.

#### **Advice on medium development proposals including:**

- 5-9 residential units or
- Any other floor space of 500-999m<sup>2</sup>

#### **Advice on major development proposals including:**

- 10-20 residential units or
- Any other floor space of 1000m<sup>2</sup>-2000m<sup>2</sup>

#### **Advice on large major development proposals including:**

- 21-50 units of residential accommodation or
- 2001m<sup>2</sup>-5000m<sup>2</sup> of non-residential floorspace

#### **Advice on large scale development proposals including:**

- More than 50 residential units or
- Any other floor space of more than 5,000m<sup>2</sup>

#### **If you require pre application advice we will:**

- Provide written confirmation within 10 working days of receiving your request to tell you what fee should be paid.
- Provide details of what further information you may need to supply
- Contact you within 10 working days of receiving the fee and any other information we have requested from you (such as plans) to arrange a suitable date for a meeting
- Arrange a meeting with you and all the council officers needed to advise you on your case, including any site visits needed.
- Provide detailed written confirmation within 15 working days of the meeting of the advice and views given by us. This will include what you will need to supply in order to submit a valid application. If further information arises during the meeting or is required following it, then this timescale may be amended by agreement.
- Advise on whether a section 106 agreement is likely and the process we use to agree it
- Give you advice on groups and organisations you may need to consult with
- Ensure any necessary confidentiality
- Negotiate any relevant bespoke planning performance agreement (PPA) for any major development as appropriate
- Advise on those pre-applications suitable for a development management forum

You will need to ensure the following information is submitted:

- Site location plan
- Brief summary of the proposed development
- Information on existing and proposed uses, floor spaces and occupation  
Drawings/photographs to describe the site or building as it exists
- Photographs of the immediate surroundings
- Drawings to describe the proposal

**Disclaimer**

We cannot offer advice that can bind the Council but we will give you the best advice possible based on the information and proposals that you provide. We cannot guarantee that any subsequent application you make will be valid or will get approval. However, the pre-application advice we give you will aid this process significantly.

**Where you can get more information:**

You can get more information on our [website](#).

# **Pre-application advice and assistance**

## **Development Control Forum**

Development Control (DC) Forums enable developers to present their proposals for complex or sensitive major developments in a public meeting before they make a formal application.

The forum does not replace our formal consultation process on applications, but aims to raise local awareness of a scheme at an early stage. Local residents, businesses and groups are able to ask questions and make comments before the proposal is finalised.

We will arrange Development Control Forums for a fee. Details on fees can be found [here](#). The Council reserves the right to agree the venue as part of the arrangements for Forums.

### **What is the purpose of a Development Control forum?**

- It familiarises local people with proposals for major developments in their area before an application is made
- It enables local residents, businesses and organisations to comment on proposals at a time when developers are in the earliest position to consider them
- It complements any local consultation which developers carry out before they submit an application
- It helps ensure more meaningful public involvement on proposed schemes rather than awaiting the formal consultation stage of an application when it is harder to influence changes in the scheme.

### **What does the Development Control Forum not do?**

- It is not a decision-making meeting. Its purpose is to answer questions and raise issues. If a formal application is made in future the Council will decide the application on its merits following normal planning rules.
- It does not replace the legal duty for local councils to publicise certain types of planning applications that they receive.
- Camden Councillors and officers who attend will not express any opinions on the merits of the proposal.
- It cannot be used for lobbying members of the Development Control Committee. This is because members of the Committee have to keep an open mind until a formal decision on an application is made. If they express views about the proposals they may not be able to take part in any future decision.
- It cannot require the developer to make changes to the proposals as a result of the discussion at the meeting.



### **How will you know if a DC Forum is being held?**

We will publicise the dates of the meetings and where they are to be held on Camden's [website](#) and through notices being displayed close to the proposed development site. We will also send letters about the meeting to individual residents and groups who might be affected by the proposal.

### **Who can attend the meeting?**

Everyone is welcome to attend the meeting and take part although press representatives can attend as observers only and not take part in the discussion or ask questions. Councillors who serve on the Development Control Committee will also be limited in the questions they can ask because they may have to consider an application in the future and will not be able to do this unless they can approach it with an open mind.

### **What happens at the forum?**

- The forum is an informal meeting chaired by the Head of Development Control in Planning or a representative
- An agenda and short briefing on the scheme is provided
- Question and answer comment and discussion is then open to all except press representatives

### **How will the meeting be organised?**

The meeting will follow the agenda. Any changes to timings will be at the discretion of the Chair.

- Background information about the site will be provided by a planning officer. This will include a summary of the planning history of the site including any previous applications or appeals, details of any planning briefs or whether the site is in a conservation area or includes or is near to listed buildings. Up to 5 minutes
- Presentation by the applicant/agent. Up to 15 minutes
- Questions and views from local residents, businesses, groups or ward members and response by applicant to questions/comments. Up to 70 minutes
- Chair concludes with final comments. Up to 5 minutes

### **What happens after the forum?**

A summary of the key points made at the meeting will be:-

- Posted on the Camden website and circulated to all who attended the meeting
- Placed on the site file and/or filed with the application if and when it is received
- Referred to in the officer's report recommending approval or refusal if and when a valid application is received for the scheme

You should not send any comments on the proposed development to Camden's Development Control service at this stage of the scheme.

If you want us to let you know if and when we receive a valid application for the site, please tick the attendance sheet at the meeting and fill in your contact details.

**Where you can get more information:**

You can get more information by contacting:

Email: [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk)

Advice and Consultation team  
London Borough of Camden  
Town Hall  
Argyle Street  
WC1H 8EQ

## **Pre-application advice and assistance**

### **Pre-validation check of your application and on the spot validation service**

From summer 2011 we will provide a fee paying appointment based pre-validation checking service between 1pm and 5pm Monday to Friday.

#### **Applications types considered:**

- Certificates of Lawfulness
- Advertisements
- Shop fronts
- Approval of details
- Householder applications
- Simple extensions & alterations
- Simple Change of use
- Simple Listed Building applications

#### **We will:**

- Ensure you pay the correct fee for your proposal
- Allocate a 30 minute meeting slot with a planning technician
- Provide clear, up to date and consistent advice
- Confirm registration of the application by signed check list by the planning technician at meeting if applicable
- Should further information be required to register the application clear guidance will be provided.

#### **You will need to ensure:**

- Documents are submitted 24 hours in advance to enable informed decision on registration to be given

#### **We will not provide:**

- A pre validation check or on the spot validations without an appointment

#### **Disclaimer:**

- A pre-validation check is to determine solely whether all necessary documents are provided to enable validation of the application. The check will not prejudice the merits of the application.
- The contents of the documents submitted will be assessed on a 'fit for purpose' basis against the requirements of the validation check list.

#### **Where you can get more information:**

You can get more information on our [website](#).

## **Dealing with your application**

### **On-line application tracking**

The online tracking web page enables you to follow an application from registration to decision.

#### **You will be able to track:**

- The date the application is registered
- The duration of the consultation period
- The decision date
- The committee date (where relevant).

#### **Where you can get more information:**

You can get more information on our [website](#).

# Dealing with your application

## Planning Performance Agreements

For larger scale planning applications of a complex or strategic nature we offer an enhanced level of service in the form of a Planning Performance Agreement (PPA). PPAs have been identified by the Department for Communities and Local Government as an important tool for managing the end-to-end planning process and improving the quality of decision-making for the largest and most complex planning applications.

A PPA will start as an extension to our charged pre-application advice and assistance for major development and will continue through to the determination of an application.

### What are the benefits from entering into a PPA?

- A PPA provides a structured framework for steering a major development proposal through all the necessary stages of identifying issues, consultation and negotiation in order to arrive at a well informed decision.
- Entering into a PPA leads to a more collaborative approach between the developer and local planning authority in which issues, timescales, costs and requirements such as community involvement or specialist supporting evidence are agreed at an early stage.
- It provides an alternative route from the standard 13 week time-constraint that would otherwise be imposed for determining Major Applications in line with Government targets.

### When will a PPA be appropriate?

- PPAs are only suitable for Major development (i.e. proposals for 10 or more residential units, or over 1000sqm new floorspace) where there are issues of a complex or controversial nature that require on-going negotiation and public and/or third party consultation to resolve.
- We offer two types of PPA according to the scope of issues and level of complexity to be encountered.
- A “Type 1” PPA is a highly bespoke form of agreement that starts during the early stages of the pre-application process. It is suitable for schemes raising multiple issues of a highly complex or contentious nature and offers a clear framework and ‘tasks plan’ for front-loading as much of the information, negotiation and consultation as possible prior to submission of an application. These will be particularly suitable for large scale major applications likely to require an Environmental Impact Assessment and/or a high number of pre-application meetings.
- A “Type 2” PPA provides a more standardised form of agreement to guide the pre-application process through to submission and determination of the planning application. It is suitable for most significant major applications but where the level of complexity is not likely to require more than one or two pre-application meetings.

**What a PPA does not do:**

- A PPA does not give any guarantees as to the outcome of a planning application. It is purely to assist the project management and process of communication between the Council and the applicant and builds in added flexibility to properly address any issues or problems prior to the Council making its decision.

Applicants are requested to have an early discussion with the Planning Service about the suitability of a PPA to their proposals and which type of PPA may be appropriate.

**Where you can get more information:**

You can get more information by contacting:

Email: [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk)

Advice and Consultation team  
London Borough of Camden  
Town Hall  
Argyle Street  
WC1H 8EQ

# Dealing with your application

## Use of planning obligations

We require applicants to enter into a legal agreement, known as a planning obligation, where we consider this will address the impacts of a development which would otherwise be unacceptable and achieve the aims of our planning policies. This could involve prescribing that certain things should happen (e.g. requiring affordable housing), compensating for the loss of something (e.g. open space), or mitigating the impact of a development (e.g. by contributions to community infrastructure or improved public transport accessibility).

### **If you are an applicant, we will:**

- Ensure we have up to date planning policies on our website which explain when planning obligations are required.
- Ensure we have up to date guidance on our procedures relating to planning obligations.
- Apply these policies in a clear and consistent way and give you an explanation of why an obligation is justified.
- Provide you with an accurate legal agreement which makes it clear what is required of you and when.
- Keep an accurate record of what has been agreed and of any payments and expenditure.
- Provide a dedicated officer to handle any queries you may have relating to your planning obligations.
- Respond to your written queries within 10 working days.

### **If you are someone who is affected by a development subject to a planning obligation, we will:**

- Keep accurate records of legal agreements and ensure that details of legal agreements are available on the Camden website.
- Ensure that details of our policies and procedures on legal agreement are available on the web site.
- Provide a dedicated officer to answer any questions you may have on the content of a legal agreement.
- Respond to any written queries you may have within 10 working days.
- Carry out regular monitoring and ensure that developments are implemented in line with their planning obligations.

## Publicity and community involvement on planning applications

We recognise there are many benefits in involving local communities in considering planning applications. Local communities know the most about their neighbourhood and are also the most affected by development in their areas.

The way we will involve local people and stakeholders when we consider planning applications and prepare our planning policies is set out in our **Statement of Community Involvement (SCI)**.

The SCI provides detail on:

- What we involve the community on
- When we will involve the community
- How we will involve the community
- Who we will involve.

You can view our Statement of Community Involvement [here](#).



## Appeals

If you wish to make an appeal you should do so via the [Planning Portal](#).

### **If an appeal is submitted we will:**

- Submit supporting documents, representations and statements of case in accordance with Planning Inspectorate guidelines.
- Consult on all appeals in accordance with the Council's undertaking in the [Statement of Community Involvement](#), including all those who commented on the relevant application or enforcement case.
- Provide guidance for third party engagement in the submission of representations.
- Provide all necessary support for appellants in respect of agreeing common ground, securing S106 planning obligations and other submissions as set out in Planning Inspectorate procedural guidance and provide cooperation in minimising appeal time.
- Make available for inspection all relevant documents submitted as part of the appeal process.
- Ensure full consultation on the location and date of appeal hearings or inquiries in accordance with statutory requirements.
- Ensure appropriate accommodation is provided for all hearings or inquiries in accordance with Planning Inspectorate guidelines, including disabled access
- Publish all appeal decisions on the website.
- Seek to ensure that the Council behaves in a reasonable manner at all times.

### **You should be aware:**

- The Council is a principal party in defence of an appeal and is not the determining Authority nor does it determine the procedure.
- The Council will only defend the decision of the Council in accordance with its stated reasons.
- All representations in connection with an appeal should be submitted directly to the [Planning Inspectorate](#).

### **Where you can get more information:**

You can get more information on the appeals section of our [website](#).

## Planning compliance and enforcement

We investigate breaches of planning rules and pursue appropriate action using the powers that are available to us. All allegations of planning control breaches are prioritised and investigated thoroughly and accurately within 1, 10 or 20 working days (depending on level of priority).

### **If you make a complaint about a possible planning enforcement issue, we will:**

- write to acknowledge your complaint within three days of receiving it
- write to let you know the priority it has been given and who is investigating it
- contact you if we need further information
- Keep you informed - contacting you with initial findings within a month and then at least every two months to update you on the investigation
- let you know the likely course of action we will be taking and how long this might take
- Contact you at each key event, e.g. investigation progress, notice served or appealed
- Let you know the final outcome of your complaint
- As far as is possible we will treat your complaint sensitively and where possible confidentially. However it may be difficult to preserve confidentiality in every single case e.g. if we need to go to court we may ask you to give us further help with the case.

### **If we have been informed that you may be responsible for a planning breach, we will:**

- provide the name of the officer carrying out the investigation
- provide identification whenever we visit
- investigate the complaint thoroughly before making any decision on what action to take
- write to you explaining our conclusions
- explain what you need to do to put matters right, how long you have to do this and what the consequences might be if this does not happen
- Inform you if we decide to issue an Enforcement Notice or start legal action.

### **We will not:**

- accept reports of breaches from anonymous callers.

### **Where you can get more information**

You can view our Planning Enforcement Policy on our [website](#).

# Land Charges

## **What the Local Land Charges team does:**

- The Local Land Charges Team provides prospective purchasers of both residential and commercial properties with information such as; conservation areas, tree preservation orders, conditional planning permissions, financial charges, miscellaneous charges, listed buildings and light obstructions notices
- We maintain the statutory local land charges register which contains information on the majority of properties within Camden e.g. information on conservation areas, tree preservation orders, and conditional planning permissions and Crossrail.

## **What level of service you can expect from us**

We will:

- Accurately respond to all search requests within 10 working days
- Tell you about any possible delays within 5 working days
- Work to improve the quality of our service
- Listen to and value your comments and suggestions
- Investigate all complaints and respond to them within 10 working days

## **Why would I need to do a search? What is the difference between the four chargeable search types?**

- If you are buying or leasing a property, you will want to know the details of all entries registered against it that fall within the definition of a Local Land Charge (LLC) e.g. expressly made a local land charge by statute or a charge which is a restriction or prohibition on a parcel of land securing payment or restricting use that is binding on successive owners.
- There are 12 different parts of the LLC Register covering a wide range of areas. For more information please visit: [www.llci.org](http://www.llci.org)
- The CON29 enquiry form provides prospective purchasers with further information which relates to the property being searched and in some cases the area in which the property is situated, it provides information on items in existence as well as items that are proposed/being considered, and/or awaiting approval.
- It is often these items that without the CON29 enquiry form would go unnoticed and have a material effect on the future use, development and enjoyment as well as financial burden of the property. Whilst some of the enquiries seem to replicate areas of the LLC Register this is not the case as the information revealed in response relates to notices or procedures prior to LLC Statutory Registration.
- The vast majority of the information used to respond to the CON29 enquiries comes from within the local authority.
- A CON29 enquiry form is completed by the local authority. A local authority completed CON29 is backed by the local authorities insurance and is commonly referred to as an official CON29. Completion of the

CON29 form is not a statutory function but a contractual one upon payment of the required fee

### **How do I apply and how much does it cost?**

- **An official Local Land Charges search of the register LLC1:**

- [apply online](#) for a local land charges search

You will receive the official Camden certificate within 5 to 10 working days; there is a charge which is payable online.

Additional charges may be required if additional properties are involved; if you are unsure please contact the local land charges team.

- **An official Local Land Charges search CON29R Enquiry Form**

- [apply online](#) for a local land charges search

You will receive the official search within 5 to 10 working days; there is a charge for this service which is payable online.

Additional charges may be required if additional properties are involved; if you are unsure please contact the local Land team.

- **Optional Local Land Charges search CON29O Enquiry Form**

- [apply online](#) for a local land charges search

You will receive the official search within 5 to 10 working days; there is a charge for this service which is payable online.

Additional charges may be required if additional properties are involved; if you are unsure please contact the local land charges team.

- **Assisted Local Land Charges search of the Register**

- [apply online](#) for a local land charges search

You will receive the response by email within 2-3 working days; there is a charge for this service which is payable online.

This service is limited to three per organisation or person per day.

Additional charges may be required if additional properties are involved; if you are unsure please contact the local land charges team.

- **Visual inspection in person**

- You can book an appointment to inspect the register in person at the Town Hall Extension between 9am-4:30 pm Monday to Friday. We will send you an appointment within 20 days of receiving your request.

Please contact the local land charges team to arrange an appointment. This service is Limited to three per organisation or person per day. This service is not chargeable.

**Where you can get more information:**

You can get more information on our [website](#).

## Planning policy and information

### Community involvement in preparing our planning policies

The Council produces a range of planning policy documents which together make up our [Local Development Framework](#). This provides our strategy, policies and guidance for managing growth and development in Camden.

We involve the community in the preparation of all of our planning policy documents, with each having a number of opportunities of public consultation and engagement.

Detail on the way we will involve local people and stakeholders when we prepare our planning policies and consider planning applications is set out in our **Statement of Community Involvement (SCI)**.

The SCI provides detail on:

- The type of planning policy documents that we prepare and the stages in their preparation
- The opportunities for community involvement at each stage
- Methods for involving the community
- Who we will involve.

You can view our Statement of Community Involvement [here](#).

## Planning policy and information

### Planning monitoring and information

We will:

- Maintain the 'evidence base' for the planning policies in our [Local Development Framework](#).
- Provide a basic information service for planning-related information that is not available on our websites (see below). This is subject to charge and the availability of capacity.
- Publish an annual report monitoring how well the policies set out in the LDF are being achieved.
- Continue to fulfil our obligation under GLA Act 1999 to input information into the London Development Database (LDD).

What we will expect from you:

- To look for planning, demographic and socio-economic data on our [website](#) before you contact us.

## How to give feedback

We try to get things right every time, but we recognise that there will be times when the service we provide falls below the high standards we set ourselves.

If you are not satisfied with the service you receive, you may first wish to discuss the matter with the case officer

The Council's [website](#) provides further information if you feel there is cause to make a formal complaint. This includes our Corporate Complaints policy and an online complaints form.

The Planning Service also welcomes your suggestions on how we can improve the service we provide.