



The CRARA Guide to Planning

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- Aldersey Road
 - Clandon Road
 - Cranley Close
 - Cranley Road
 - Cross Lanes
 - Easington Place
 - Fielders Green
 - Guildcroft
 - Hilgay
 - Hilgay Close
 - Hillier Road
 - Ivor Close
 - Maori Road
 - Pit Farm Road
 - Springhaven Close
 - Tormead Road
 - Watford Close

Cranley Road Area Residents' Association

May 2005



Introduction

You have just received a letter from Guildford Borough Council Planning Department informing you of a planning application which affects you. If this is of no concern, or you have already agreed the plans with your neighbour, then you can ignore the letter. The planning application will go through the planning process and unless a ward councillor requests it, or there are ten or more objectors, the planning officers will deal with it under “delegated powers” and the application will normally be determined within eight weeks.

But if you are concerned, either because you are affected directly, or by the impact of the development on the character of the area, loss of amenity, loss of trees, noise, traffic congestion or parking, then you will need to object.

This document describes the planning process and what you need to do.

What to do first

First, keep the letter from Guildford Borough Council. This gives you the name of the planning officer, the planning reference number (e.g. 04/P/01234) and the date by which letters of objection must be received (usually within 21 days). Be sure to keep all subsequent correspondence, even after a refusal. Further applications may be made in the years to come and the planning history of a site is integral to the decision process.

Discuss the planning application with your neighbours and if you are concerned, get the details of the planning application. There are two ways of looking at the planning application, both can be located using the planning reference number.

Either log onto the Guildford Borough Council Website at www.guildford.gov.uk and look under Environment/Planning/ for the Guildford “Online Planning Application Search” (This allows you to read and download the details of the planning application.)

Or go to the Planning Department on the second floor of the Guildford Borough Council offices at Millmead and ask to see the plans, quoting the planning reference from the letter. If you are unable to go yourself, ask a neighbour or friend to go on your behalf. Show this leaflet to your friend so they understand the process.

The “public” file (in a blue cover) contains the plans that are on the website. But if you have taken the trouble to go to Millmead, ask for the “case” file (this has an orange cover, or mauve for a major development). This file contains the plans, case notes and most importantly, the correspondence with the applicant, Surrey County Council (highways), environmental health, arboriculturalists, etc.

At this point, it is worth ensuring that, if you are dealing with a major development (e.g. a development of 10 flats), it is being treated as such (notices posted outside the site and in the Public Notices section of the Surrey Advertiser). If not, insist the planning officer complies with these requirements.

If you want copies of the plans, it is easiest to download them from the GBC website. You can take a camera to the planning department and photograph them yourself. A digital camera gives you instant results. Alternatively, you can ask the planning department to photocopy them, but this is quite expensive.

If you have any difficulty interpreting the design brief or architectural plans submitted by the applicant, ask at the desk, for assistance from the case officer.

Still Concerned? What to do next

If you are still concerned, you have 21 days from the date on the original planning letter to write a letter of objection to the planning officer. If there are less than 10 letters of objection, the planning officers will normally determine the application within eight weeks, under “delegated powers”.

When there are at least ten letters of objection, the planning application has to be determined by the planning committee. Twenty three councillors sit on the planning committee. They will hear the case from the planners, the ward councillors, two objectors and two representatives of the applicant before deciding to approve or refuse the application.

If you and your neighbours have strong concerns, you must try and ensure that at least ten people, from ten different addresses, write letters of objection. These letters should be addressed to the planning officer named on the planning letter. They should explain the reasons for your objection and clearly state your name and address. Your name and postal address are particularly important if you e-mail your letter.

Send copies of your letters to the Christchurch ward councillors. If the application affects the adjoining wards of Holy Trinity or Merrow then it is worth copying to those councillors as well. You can find their names, addresses and e-mail addresses on the GBC website. Councillors will not usually express their views about an application in advance of the planning meeting.

How to get at least ten letters of objection

Try to get as many people as possible to write letters. Consider delivering a leaflet to the area with a draft letter of objection. The strength of public opinion may not impress the planners (who are council employees), but is an important consideration for the councillors who are elected. In presenting the case for the application, the planning officer will declare the number of letters objecting to and supporting the application and summarise the main points raised.

You should plan to have a meeting with your neighbours as soon as possible. Make sure that everyone in the vicinity is aware of the planning application. The Council is legally obliged to inform the immediate neighbours on either side. But this does not necessarily include people living opposite, or further up or down the road.



The council will carry out a neighbour consultation. The addresses consulted will be listed in the planning “case” file. The number consulted is based on locality and distance – typically 20 to 30 households.

If the application is of interest to more than the immediate neighbours, invite CRARA to send a representative to your meeting. CRARA can provide expertise, local knowledge and help you work out an action plan. CRARA will not normally be interested in house extensions or conservatories, but the redevelopment of sites with multiple dwellings or blocks of flats has implications for the whole neighbourhood.

You should invite the Ward Councillors. They may attend to gauge the strength of public opinion and offer advice. Do not expect them to take a position. They are constrained by the national guidelines - rules of probity.

The first action should be to appoint a group of three or four people to define and carry out the action plan. This will include developing detailed arguments against undesirable proposals, leafleting households in the area (not just your road) with a draft letter of objection, lobbying councillors and finding speakers to address the planning committee.

Grounds for objecting

The grounds for objecting are summarised in the planning notification. These include the relevant planning policies/government guidance, design, privacy, traffic, access, landscaping, noise and effect upon amenity. Planning considerations do not include covenants and other private property matters, effect on property values, loss of view, matters covered by other legislation, or the character or motives of the applicant.

In the first instance, letters of objection should refer to planning matters, but they do not need to be too legalistic, quoting chapter and verse of the planning policies.

However, once you have the ten letters and the matter is going to the planning committee, it is worth preparing a more detailed set of objections with references to the appropriate planning policies. So what are they and where do I find them?

The Office of the Deputy Prime Minister (ODPM) issues Planning Policy Statements (PPS):-

- **PPS3: Housing** is the most relevant and recommends that new development should have a density of between 30 and 50 dwellings per hectare. This has a major impact, because the average density in the CRARA area is currently about 10;
- **PPS 13: Traffic** is also important, because it attempts to discourage car ownership by limiting parking spaces;
- **PPS 1: General Policies** is also useful.

Surrey County Council (SCC) publishes:-

- **Surrey Structure Plan** which sets house building targets, where development is encouraged;
- **Surrey Design** is a strategic guide to good design and local character.

Guildford Borough Council (GBC) publishes the most important and detailed documents:-

- **Guildford Borough Local Plan;**
- **Residential Design Guide SPG** (Supplementary Planning Guidance).

These two documents address the key areas affecting the neighbourhood character, design, amenity, parking, trees, landscaping and noise.

All of the above documents are available for downloading from the internet or alternatively they can be purchased for a few pounds from HM Stationery Office, SCC and GBC.

I've got ten letters – what next?

The planning department will acknowledge your letter and if there are ten or more objectors, the application will be heard at a meeting of the planning committee. The committee meets every three weeks on a Tuesday at 7 pm at Millmead House, but you may have to wait longer than three weeks for the application to get on the agenda. Contact GBC to find out the expected date.

About a week before the planning committee meeting the objectors will be notified and invited to speak. Only two objectors will be allowed to speak for three minutes each.

These are allocated on a first come first served basis. So it is important to decide who will speak well in advance. The applicant is also allowed two speakers. The objectors speak first.

The public speakers are followed by a discussion by the planning committee. Normally one of the ward councillors will introduce the subject and sum up after the others have had their say. Then there is a vote.

There are four possible outcomes to the vote. The application may be passed or refused by a majority. Sometimes there is a tie, in which case the chairman has a casting vote. There is a fourth possible outcome: the committee may decide that they do not have enough information and they will defer the matter to a later meeting. They may well arrange a site visit to see the issues first hand. At subsequent meetings, there are no public speakers, so you do not get a second chance to speak.





Lobbying Councillors

The twenty three members of the planning committee and their eleven named substitutes are listed in the planning meeting agendas and on the GBC website. The committee membership reflects the political and geographical make up of the full Council (which has 48 members).

The councillors will be heavily influenced by the recommendation of the planning officer, unless they can be persuaded otherwise. It is important to lobby the councillors and particularly your local councillors, so that they are aware of the strength of local opinion. You must also present them with good reasons for refusing the planning application.

Sending the local councillors copies of your letters of objection will show the strength of local opinion, but is unlikely to sway other members of the planning committee. To increase your chances of success you need to write to all the members of the planning committee detailing specific planning reasons for not approving the application.

Other parties worth contacting are the Guildford Society (historic buildings), EGRA, the East Guildford Residents Associations which includes CRARA, Downsedge and the Holy Trinity Amenity Group and if the development is adjacent to the railway, Network Rail.

The NIMBY (Not In My Back Yard) argument will not win you any friends. There are many valid reasons for objection contained in the Guildford Borough Local Plan and the Residential Design Guide Supplementary Planning Guidance.

The main reasons are:-

1. Amenity of neighbours

- Overshadowing – loss of sunlight
- Overlooking – loss of privacy
- Noise – due to car parking
- Smell – due to bin stores, kitchen and boiler vents

2. Size, bulk, height, design of building

- Relationship to nearby buildings
- Detrimental to street scene
- Visual impact on character of area

3. Density of development

- 30 to 50 dwellings per hectare is recommended by the government
- 50 to 100 dwellings per hectare can be recommended in special circumstances to meet local housing targets and protect the greenbelt, you have to counter this argument to protect your neighbourhood.

4. Traffic congestion and road safety

- Additional traffic from the new development
- Congestion at school collection times
- Coach pickup points
- Parking for local workers

N.B All the above are valid objections, but in the past, traffic congestion has not been grounds for refusal, unless supported by SCC Highways (unlikely).

5. Loss of trees, front gardens and green residential environment

- Paving over gardens for parking
- Loss of wildlife habitat
- Loss of trees and greenery*
- Loss of open space
- Preservation of the building line

**If there are established trees on the site, the Guildford Borough Council Arboriculturalist can tell you if they are protected by Tree Preservation Orders (TPO's). If not, invite him to visit the site with a view to putting TPO's on valuable trees and to make recommendations for the protection of all trees during development. It is worth seeking TPO's early in the process to prevent the developer cutting trees down before or after planning permission is given.*

6. Removal of good quality or family homes from the housing stock

7. Setting a precedent for future development

8. Quality of life

- Pollution
- Noise
- Nowhere for children to play

Speaking at the Planning Committee meeting

If the application is to be heard by the planning committee, prospective speakers must make a written representation, at least one working day before the meeting (to the Planning Committee Administrator in Democratic Services).

The Planning Agenda, produced one week before each meeting, contains the full details for each application and is provided to all Councillors and Officers involved. It is available on-line or at the Council Offices. Before preparing your speech, read the Planning Agenda report and determine whether the planning officer is recommending approval or refusal and make your arguments accordingly. When you are invited to speak, be aware that the three minutes is rigidly enforced and



that no visual aids are permitted. This puts you at a considerable disadvantage if the recommendation is to approve the application, because the planning officer is not time limited and uses visuals and photographs.

In practice, this means that you must concentrate on no more than three or four items and you must practice your presentation so that you can finish in under three minutes. You lose impact if you are cut off before you finish.

The best advice is to attend some planning meetings, to see how it is done. Listen to what works and what doesn't. Learn from the best and avoid the worst.

What happens if the Planning Application is refused?

If the planning application is approved, the developer will have five years in which to carry it out. Unfortunately, when an application is approved against the wishes of the neighbours, there is nothing that you can do, ordinary citizens have no recourse to appeal the decision.

However, if the application is refused, then the applicant will probably amend the plans and re-apply or he may appeal against the decision.

If you are lucky, the developer will have listened to your arguments and the new plans may be acceptable. If not, you will have to go through the whole process again, getting at least ten letters of objection and convincing the planning committee to refuse the new application.

If you are unlucky, the developer will appeal against the decision to the Planning Inspectorate in Bristol. If he wins the appeal, then Guildford Borough Council might have to pay the applicant's costs. This is often cited as a reason for approving "borderline" applications.

Appeals may be hearings (like a court) usually held at the Council offices, favoured by developers or written appeals, favoured by GBC, because it is cheaper. Major developments can also result in a public enquiry. Either way, you will have to make written representations to the Planning Inspector and in the case of a hearing, attend and, if possible, speak.

Realistically, once developers have invested money in developing plans for a site, they will be reluctant to give up and lose that money. Planning applications can be a protracted process lasting from eight weeks up to a year or more. You will need determination and perseverance to succeed.

Your CRARA road representative is: