



Planning Services

Development Control Customer Charter



What we do:



Development Control is a process which regulates development in the public interest. This includes assessing planning applications, monitoring development and taking enforcement action. Malvern Hills District Council is responsible for the majority of the decisions made about planning matters within the district.

The service exists for the benefit of the whole community. Development Control seeks to achieve the right balance between:

- n enhancing and protecting the natural and built environment,
- n satisfying the wishes of individuals or businesses who want to develop, and
- n encouraging sustainable development that will provide for the environmental, economic and social well-being of the community.

Development Control is a complex process governed by a comprehensive legal framework and national policies. This Charter sets out what you can expect from the service and the standards that we aim to achieve. It also includes recommendations for you, as an applicant or as a local resident, to minimise delay and help us to reach a satisfactory conclusion.

To help meet these aims we will act in an efficient, professional and courteous manner. We will demonstrate commitment to the Council's values of approachability and accessibility, partnership working, customer focus, personal development, effective communication, team working, equity, fairness and mutual respect, innovation and creativity, and a flexible attitude.

Information & advice before a planning application is submitted

We encourage discussions before you put in a planning application to:

- n identify the main planning issues involved with a particular proposal,
- n improve the quality of applications that are received and
- n ensure that applications are determined without undue delay.



To help you to understand what the planning requirements are, we will:-

- n Ensure that a Customer Service Advisor and Duty Planning Officer are available daily between the hours of 10:00am – 01:00pm, to provide general planning advice, and information on processes and procedures.
- n Provide pre-application advice in accordance with our Pre-Application Advice Guide which is available on our website and from the Customer Service Centre.
- n Aim to reply to 90% of letters within ten working days for most general enquiries and fifteen days for requests for pre-application advice. Where the issues involved or the planning history for a site is more complex, this will take longer and an initial, explanatory letter will be sent.
- n Make Planning Policy Documents or other Council guidance, such as the Malvern Hills District Local Plan, available to you at the Customer Service Centre and on our website.
- n Provide a Domestic Development Enquiry Form for you to complete to establish whether you need planning permission, and aim to respond to all such enquiries within ten working days.

Submitting your planning application

The applicant, or agent, is responsible for the correct and complete submission of a planning application. In order to help you, we will:-

- n Provide guidance notes and advice on the completion of application forms, or additional information required, and the payment of planning fees.

- n Enable you to submit applications on-line.
- n Aim to register and acknowledge all applications within two working days from the date of receipt and always provide the name and contact details of the case officer or support officer.

Assessing the application

All correspondence will be directed to the named agent. Where no agent is involved all communication will be with the applicant. To assist, we will:

- n Always visit the application site, and normally within ten working days of validation.
- n Suggest minor amendments to your proposal if these are necessary to overcome any harm.
- n Determine most applications under delegated powers in accordance with the Council's Scheme of Delegation.
- n Publish a report detailing all planning applications to be considered by the Area Development Control Committee at least five working days before the date of the meeting.
- n Send out letters advising interested parties at least five working days in advance, of the date, time and venue for the Committee meeting and the public speaking arrangements.

Publicity and community involvement

To ensure that the community is aware of planning applications that we receive, we will:

- n Notify neighbours in accordance with the Council's Neighbour Notification Policy and carry out all publicity in accordance with our Statement of Community Involvement.
- n Provide a pink site notice for the applicant or agent to display on site.
- n Make the details of the application, including representations, available at the Customer Service Centre and on our website.
- n Allow a period of twenty one days for written comments to be made and make these publicly available at the Customer Service Centre and on our website.
- n Re-notify neighbours and other consultees when significant revised proposals are received, and allow a further period of fourteen days for comments to be made.



- n Make planning history files available for you to view by prior appointment, and provide access to a summary of determined planning applications back to at least 1990 on the Council's website.
- n Ensure that a Customer Service Advisor and Duty Planning Officer are available daily between the hours of 10:00am – 01:00pm to help you understand planning applications and processes.

The Decision

Once we have the necessary information and consultation responses, we will

- n Aim to determine applications within the government's targets, including at least 80% of all house extensions, within eight weeks.
- n Send the decision notice to the applicant or agent within three working days of the date of the Committee meeting.
- n Notify everyone who has submitted written comments on the application, including brief reason(s) for refusal or a summary of the conditions attached to an approval, and make the decision available on our website.
- n Refer to any relevant policies that have been taken into account in determining the application in the decision notice. Where an application is refused we will set out the right to appeal. The notice will also be accompanied by a letter providing additional information relating to the reason(s) for refusal and who to contact if you need to discuss the matter further.



Monitoring development and enforcement

The aims of the Council's Enforcement Team are to control unauthorised development, and to ensure effective compliance with planning decisions. Our aim is to provide an approach that is fair, proportionate, targeted and clear, and in the interests of protecting the environment, local amenity and the community.

It is the developer's responsibility to ensure that development takes place in accordance with the planning permission and to comply with any conditions imposed.

However, on occasions, unauthorised development does take place. To make sure that such instances are kept to a minimum, we will:

- Monitor all high risk developments.

- n Investigate all alleged breaches of planning control, allocate each case to a named officer and prioritise cases according to the level of risk in accordance with our Enforcement Policy Document.

Where a breach of planning control is alleged, we will:

- n Investigate all complaints made in writing. A Complaints Form will be made available at the Customer Service Centre and on the Council's website.
- n Acknowledge all written complaints, normally within three working days, and always provide a reference number, named case officer and contact details.
- n Allocate each complaint a code appropriate to the level of harm caused and commence investigations in accordance with our Enforcement Policy Document.
- n Determine the appropriate course of action with regard to policies in the Development Plan and the level of harm caused, in accordance with our Enforcement Policy Document and provide the complainant with a written response explaining the outcome of the investigations and any action it is proposed to take.

Performance Monitoring

To ensure that we are achieving the high standards that we have set ourselves we will:

- Monitor our own performance against national targets, our own service standards and our Management Plan.
- Publish our performance annually in our Annual Monitoring Report and report our current performance at least monthly to all meetings of the Area Development Control Committees.
- Identify any necessary policy changes through our Annual Monitoring Report and Local Development Scheme.





Appeals and complaints

If your application is refused (and the reasons cannot be overcome through the submission of an amended scheme), or you are served with an Enforcement Notice, there is an appeal procedure which is explained in the notice.

If you have any complaints about the way in which an application, enforcement complaint or other issue has been handled which cannot be resolved with the Case Officer, or Area Planning Officer, these should be taken up in the first instance with the Customer Service Department in accordance with the Council's Complaints Procedure. Having followed this procedure, if you are not satisfied with the outcome, you can refer the matter to the Local Government Ombudsman.

Need help with this?

01905 25121 سے رابطہ کریں ٹیلیفون: [Ethnic Access] رہائشی مسائل میں مدد چاہتے ہیں۔ [Urdu]

ইংরেজি ভাষার বিজে সাহায্য চান – এথনিক অ্যাকসেস [Ethnic Access] এর সঙ্গে যোগাযোগ করুন, টেলিফোনঃ 01905 25121 [Bengali]

'Necessita de ajuda com o seu Inglês? – contacte Ethnic Access Tel.: 01905 25121' [Portuguese]

'Potrzebujesz pomocy z Angielskim – skontaktuj się z Ethnic Access Tel: 01905 25121' [Polish]

“如需我們幫助你理解英文 聯繫 Ethnic Access (少數民族服務獲取組) , 電話 : 01905 25121” [Chinese]

How to contact us:

Development Control

Malvern Hills District Council

The Council House

Avenue Road

Malvern

Worcs

WR14 3AF

Tel: 01684 862151

Fax: 01684 862499

Email: developmentcontrol@malvernhills.gov.uk

Website: www.malvernhills.gov.uk/planning

To speak to the Duty Planning Officer please contact the Customer Service Centre on the number above.

This leaflet is also available in large print upon request

*Planning Services DC Customer Charter
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