Southend-on-Sea Borough Council
Development Control
Customer Service Charter
Our Commitment to Service

Southend’s Development Control service is committed to providing high quality services for all its users within the resources available. Development Control is a complex process governed by a comprehensive legal framework as well as national, regional and local policies. This Charter sets out what you can expect from the service and describes the standards we aim to achieve.

In meeting these aims we will act in a courteous and professional manner at all times. We will demonstrate commitment to the Council’s values by ensuring good customer service is at the heart of everything we do. We will endeavour to work as one organisation, valuing the contribution of all of our people, understand we are all responsible for the performance of our organisation, be open, honest and transparent and listen to other’s views, support, trust and develop each other and aspire for excellence in our work. This in turn will allow us to deliver the corporate priorities of creating a safe, clean, healthy, prosperous and excellent Southend.

What do we do?

Development Control is a process that regulates the development and use of land in the public interest. This includes making decisions on planning and other associated applications, dealing with appeals against decisions, monitoring development, taking enforcement action where necessary and providing information and advice about the planning system and individual proposals.

Its objective is to ensure that changes in land and buildings are right for their purpose and location. National and Regional Government guidance, the Local Development Framework and Local Plan Policies provide the context for considering development proposals.

The service is divided into the following groupings, enforcement and appeals team, business support team, and a development control group (consisting of the Town Centre and Central Seafront team and the Borough wide team).

Pre-application Discussions and General Planning Advice

We encourage all applicants to talk to us about development proposals prior to submitting an application. This allows both parties to understand any issues associated with the development and with positive discussions should reduce the likelihood of refusals.

The Development Control Service will ensure:

- A planning officer is available for general advice for members of the public (not including planning agents) without appointment through the Customer Service Centre Monday to Friday between 8:45am and 5:15pm (the last appointment is at 5.00pm). This service is currently available at the Civic Centre, Victoria Ave, Southend on Sea.
• A planning officer is available for general advice over the phone Monday to Friday between 8:45am and 5:00pm by calling 01702 215004.
• Appointments for pre-application meetings (agents, applicants or both), are arranged to take place within 3 weeks or such other time that is convenient for those concerned.
• All other pre-application queries submitted by letter, or emails are answered within 10 working days, either by phone, letter or email. Where these queries are detailed the response may be an initial assessment followed by a more detailed reply.

The applicant/agent will be asked to provide written details and/or drawings prior to a pre application meeting. Pre application meetings may occur more than once if the proposal is continuously revised following officer feedback.

**Development Team Approach**

The service will provide the opportunity for applicants to present large-scale development proposals to the major development team which meets on a fortnightly basis. The team consists of the Council’s key internal consultees who are consulted on major developments within Southend. The applicant will be expected to make a short presentation regarding the proposed development, clearly outlining the proposal including suitable drawings. The Council will provide a written response within 15 working days in relation to the main planning issues raised within the meeting. This letter will also identify who the case officer is to handle any additional pre application meetings. The presentation to the major development team meeting is not the point at which a full discussion will be undertaken with the applicant. It is expected that the applicant will have a presentation which clearly outlines the development proposal including drawings and plans. It is also expected that heads of terms for any section 106 agreement will be discussed as part of this process.

**Available Planning Documents**

We will provide the following information at the Contact Centre, Civic Centre, Victoria Avenue, Southend on Sea:

- List of applications received (also available on the Council’s website)
- Copies of current applications (including plans and supporting documentation)
- Copies of decision notices and enforcement notices
- Copies of historic plans and case files on specific properties (24 hours notice required through the Contact Centre by phoning 01702 215000)
- Planning advice notes, list of historic buildings (national and local), conservation area leaflets, tree preservation orders, local planning policy documents
- Ordnance Survey maps for use as part of a planning application (a fee for this service is payable)

There may be a charge for some of these documents.
Submitting a Planning Application

Applicants must submit the appropriate information in accordance with the guidelines on how to submit planning applications. These are available at the Civic Offices and through the Council’s website.

We will aim to:
- publish guidance on how to complete application forms & on what information is required to be submitted;
- notify you within five working days if the application has been accepted as valid, giving details of who the case officer is and how to contact him/her;
- notify you within five working days if the application is invalid due to missing information. We will specify what you need to do and give you a timescale to submit the information. Your application will not be processed without the requested information. If the information is not submitted within the timescale (usually 21 days), no further action will be taken on your application and it will be returned.

All information submitted with a planning application, including details of the agent and applicant, is public information. It will also be made available on the Council’s website.

Dealing with an Application

All local planning authorities across England and Wales are required to meet targets set by the Government for delivering decisions on planning applications. The targets are as follows:
- 60% major applications within 13 weeks
- 65% minor applications within 8 weeks
- 80% ‘other’ applications within 8 weeks
- applications for works to trees, applications for discharging conditions and telecommunications applications within the nationally specified deadlines.

In order to meet the corporate objective of becoming an excellent authority, the development control service has set itself more challenging targets in which to deal with the above categories of applications. These change year on year and are therefore available on request from the Development Control Service.

In considering the application:
- The allocated case officer will usually carry out a site visit (if access is required he/she will usually contact the applicant/agent to arrange a mutually convenient time).
- The Council will generally make a decision on the application as submitted unless minor amendments, which will not require re-consultation, can be submitted in sufficient time to still enable the above targets to be met. If this applies the case officer will notify the applicant/agent by phone, email or letter.
• If a proposal needs considerable modification in order to provide an acceptable scheme and this would involve either a material change in the proposal or would necessitate additional consultations, a new application will generally have to be submitted following withdrawal of the original. If the applicant is not willing to withdraw the application, it will be determined on the basis of the original submission.
• Where a proposal is unacceptable in principle and simple modification will not result in an acceptable scheme the Council will determine the application as it stands.
• Where a proposal is unacceptable, but addressing certain aspects would be likely to result in an acceptable scheme, a decision will be made on the application and you will be invited to contact the case officer to discuss a revised application.

Publicity and Consultation

We will aim to:

• Publish details of applications received on the Planning pages of the Council’s website;
• Publicise all planning applications either by writing to the occupiers of properties directly affected by proposals within 5 working days of receipt of a valid application (neighbour notification);
• And/or placing a site notice on or close to the site;
• And, where in a conservation area, within the curtilage of a listed building, a major development or because otherwise required, publish a list of applications received in the local press;
• Give guidance on the planning process and what are relevant comments to make on planning applications
• Give 21 days for people to submit written comments on an application;
• Acknowledge receipt of written comments within 5 working days
• If substantial amendments are made to an application, third parties will be re-notified and allowed additional time for further comment.
• All relevant planning comments received will be considered as part of the assessment of the application and will be recorded in the report or supplementary.
• If the application is to be determined by Committee, anybody who commented will be notified of the committee date at least 5 working days in advance of the meeting.
• Notify anybody who submitted written comments of the decision taken
• Make committee reports publicly available 5 working days before committee.

All comments received in relation to an application are public information and will be available for inspection at the Civic Centre.
Making the Decision

We will:

- Write a report to accompany all recommendations on applications based on planning policies, results of consultation and an assessment of the planning merits of the proposal.
- Recommend in the report appropriate conditions and informatives, or detail reasons for refusal as appropriate.
- Make these reports and the decision letter available to the public and make available on the Council’s website.
- Publish general guidance on whether applications are determined by senior officers under delegated powers or by Committee, and on how members of the public can address the committee.
- Deal with applications under delegated powers in accordance with the Council’s scheme of delegation (other applications are decided by Committee).
- Write to the agent (or applicant) and anyone who has written comments on an application, giving them at least five working days notice in advance of any committee meeting to consider the relevant application, and invite them to attend.
- Aim to issue a decision letter within three working days once a decision has been made (except if a S.106 legal agreement is required).

Applications Decided by Committee

Where an application is considered by Committee

- Applicants and objectors may speak at the meeting, as long as their request has been received by the Council no later than noon on the working day before the day of the committee meeting. For full details please see our leaflet “Public Participation”. You may either download this from www.southend.gov.uk or pick up a copy from the Council offices.
- Committee will only consider representations that have been received by the Council at least 3 full working days prior to the meeting.

Obligations under Section 106

Some applications may be granted subject to the completion of a legal obligation under section 106 of the planning Act. Planning obligations are intended to make acceptable development that would otherwise be unacceptable in planning terms, ensuring that development accords with published local, regional or national planning policies. The Council seeks to determine applications with a legal obligation within the target times detailed above. Therefore, to meet these timescales it is essential that draft heads of terms for a Section 106 obligation are discussed at pre-application stage.
so that detailed information (including agreed heads of terms, ownership details, agreement to model S106 and solicitor’s details) can be provided at application submission stage. It is likely that if an agreement cannot be concluded within the target timescales, then planning permission will be refused.

Detailed guidance is provided in a separate supplementary planning document on section 106 agreements.

**Approval of Details Following Planning Permission**

Once planning permission has been given, the applicant may need to submit additional details that are required by conditions attached to the permission. In some cases approval must be obtained before work can start. In order to obtain approval an application must be made and a fee paid to the Council. The Council will aim to deal with the application within 8 weeks. Development must be carried out in accordance with the approved plans and conditions. Certain checks may be undertaken to ensure that conditions attached to the planning permission have been complied with and that the scheme being built is in accordance with the planning permission.

It is the applicant’s responsibility to let the Council know if amendments to the approved development are necessary prior to those amendments being implemented. If the amendments are significant in their effect, a new application for the development may be required.

**Complaints**

All written complaints about the way in which development control matters have been handled will be dealt with under the Council’s Complaints Procedure, details of which can be found on the Council’s website. The procedure is there to deal with complaints about the satisfaction with the service provided. It is not there to review the nature of the decision made on an application. All written complaints will be acknowledged and fully investigated by the Group Manager (stage 1). If you are not satisfied with the response there is a second stage where your complaint will be investigated by the Corporate Director or Head of Service. Finally there is a right of appeal to the Chief Executive and Leader of the Council (stage 3).

If the complainant remains dissatisfied about the way in which the Council has handled the matter, the procedures for making a complaint to the Local Government Ombudsman and the terms of his jurisdiction are explained on the Council’s website or are available through the contact centre at the Civic Centre.

A summary of this publication can be provided in alternative formats such as Braille, audio-tape or in large print. Translations of this document in alternative languages are also available.
Albanian

Nëse dëshironi një kopje të kësaj fletushke në gjuhën tuaj amtare, ose nëse doni të në kontaktioni, ju lutemi telefononi në numrin e poshtë-shënuar. Ne do të përdorim një përkthyes për mes telefonit të ndihmojmë me kërkesën tuaj.

Czeh:

Zkrácená verze této publikace je k dostání i v alternativních formátech, konkrétně v Braillu, na audiokazete a tištené veklým typem písma, které je snadno citelné. Tento dokument byl preložen i do dalších jazyků a tyto preklady jsou vám také k dispozici.

Ndebele:

Lolugwalo luyatholakala njalo lunciphisiwe ngalezi indlela; ngombhalo weziphofu (Braille), kasethi (audio tape), loba lulotshwe ngamabala amakhulu. Luyatholakala njalo lolugwalo lulotshwe ngezihlobo ezizhinyenyo.

Polish

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Portuguese

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Punjabi

ਇਸ ਪਿਕਤ ਦਾ ਨਤੂਨ ਪ੍ਰਤੀਨਿਧਤਾ, ਆਧਰੀਕ ਦੱਖਣੀ ਕੱਟਦੀ ਲੂਪ ਲਈ ਰੇਲਸ ਟੈਪ ਦੇ ਲਈ ਭੁਲਦੀਆਂ ਕਵਿਦਾਂ ਨਾ ਸ਼ਾਦ ਹੈ। ਇਸ ਕਰਨ ਦੋ ਦਲਵਾਈ ਹੋਣ ਲਈ ਇਹ ਅਤੇ ਕਰਨ ਦੀ ਭੁਲਦੀਆਂ ਕਵਿਦਾਂ.

Shona

Pfupikiso yegwaro iri inowanika zvakare seBraille (bhuku rinoveryengwa nemapofu), tepi yekuteerera nezvakanyorwa nerunyoro runooneka. Gwaro iri rakaturikirwa mune imwe mitauro zvakare, uye magwaro acho aripo.

Chinese

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Urdu

اے رسالے کی کاپی کسی دیگر زبان یا شکل میں حاصل کرنے یا اس کی مزید کاپیاں آرڈر کرنے کے لئے برائے مہربانی درج ذیل نمبر ذاکر کریں۔

Bengali

অন্য কোন ভাষা, আকারে এই ম্যাগাজিনের কপির জন্য, অথবা অতিরিক্ত কপি অর্ডার করার জন্য অনুরোধ করে যে নম্বরে ফোন করবেন সে নম্বর নিচে উল্লেখ করা হলো।