

# CULTER COMMUNITY COUNCIL



## DEVELOPMENT MANAGEMENT: CONSULTATION PAPER COMMENTS BY CULTER COMMUNITY COUNCIL

The members of Culter Community Council Planning Sub-group (CCC) have studied this consultation paper as far as possible given the time constraints. We also bore in mind the Hierarchy Consultation and our responses to it. However since we were unaware of the earlier consultations relating to Development Planning and Enforcement we were unable, in the short space of time available, to study them in order to see their relationship with this consultation. We have viewed the questions therefore perhaps more from the perspective of our experience of the present system but hope our answers still prove useful.

Our answers to the questions are as follows:

Q1 Agree

Q2 No. They seem sufficiently wide ranging.

Q3 We can agree with the 'contents required' as described in para 2.9 a)-e). Under f) however we are very concerned that a site for Major Development is agreed (say, through the Structure Plan coming down to the Local Plan) but is then to be developed in phases (of, say, 25 houses or one or two industrial units) or by a number of developers each developing 'Local Development sized parcels' of the Major Development. Would a pre-application consultation still be required as originally intended? We would very much hope and expect this to be the case and ask that this is made clear in the 'requirements' and in Section 35 or any other appropriate Section of the Statutory Instruments. Our concerns are made stronger by what is said in paras 2.10 and 2.11, pages 4 and 5.

Q4 Yes (bearing in mind comments made above).

Q5 Yes we agree but would go further and suggest 'with an independent chair'. is added to Regulation 8 (2) (a) who will also validate the 'account' required in Regulation 9.

Q6 Cannot think of any others.

Q7 Nothing more than the requirements we suggest under Q5

Q8 We agree on the content of the reports but repeat what we said at Q5 that they should be signed by the 'independent chairman' as a true/objective record of the consultation and meeting(s).

Q9 Agree

Q10 Yes, if what they have is relevant and their reason for not responding in time is acceptable/valid.

Q11 From Community Council perspective it could just be added as another item on the agenda of the next full Council meeting (if being held within a reasonable timescale) or allow the Council to call a special meeting if time is of the essence and the development significantly major (or 'national').

Q12 Yes

Q13 Yes

Q14 Yes

Q15 There may be cases when statutory consultees should sign the processing agreement if they have had a key part to play. The decision should rest with them.

Q16 Yes

Q17 The members of CCC do feel that the examples given in 5.3 a) and b) are over prescriptive. We find the information provided (to Aberdeen City Council) in the planning applications we request to see is usually sufficient. We are attracted to the idea (5.3 c)) of 'stopping the clock', bearing in mind the 28 day limit, but on further consideration instead ask the question "**Should an application be considered valid if the Planning Officers find they have to ask (legitimately) for more information?**"

Q18 Nothing more than the question asked at Q17.

Q19 Yes

Q20 Yes except for the point made under Q17 above.

Q21 The members of CCC prefer Option 2 with 'secured by design' being added as a 'concept' (if it is not already in place). With this option in place we should see a great improvement in the layout and physical appearance of houses and estates as well as making them accessible for everyone.

Q22 Cannot think of any.

Q23 They must be engaged from start – in pre-application consultations.

Q24 Yes, if voluntary access panels are engaged from the start of the process.

Q25 Ensuring the access panels are engaged from the start.

Q26 Since we have not been involved in any access panel so none of our members feel qualified to judge whether the process provides sufficient information.

Q27 We are very much in favour of the planning authority taking the responsibility of notifying the neighbours but do not agree that 1<sup>st</sup> or 2<sup>nd</sup> Class post is sufficient unless a stamped addressed envelope is included so the 'neighbour' can acknowledge receipt (or send notification by recorded delivery). Presumably costs will be recovered from the applicant.

Q28 Agree only if a proper search (by the applicant ?) does not reveal the owner.

Q29 Yes

Q30 Yes, if the guidance will ensure when circumstances arise a wider distance than 20 metres will be used in the interests of the wider community likely to be affected.

Q31 Yes, if a proper search cannot reveal the land owners.

Q32 Yes

Q33 Yes but with the proviso that what has been removed from the planning controls, that is, the minor developments, will also be published in weekly lists. **(See comments CCC made on the Hierarchy Consultation).**

Q34 Are monthly advertisements feasible when representation/objections have to be made within 21 days? **Adverts should appear fortnightly.**

Q35. We have seen comments from a variety of statutory consultees in Planning Officers' recommendations to the Councillors. We have assumed they were chosen on a case by case from a list but we do not know its extent. Could this not be continued or perhaps related to the Hierarchy classes? If police architects with expertise in crime prevention through design are not on the list we suggest they should be added and used in the early stages of consultation especially for Major Developments.

Q36 Yes

Q37 Yes

Q38 We suggest they are sent a copy of what is sent to the applicant. (or a summary of this ) It could be agreed at some earlier stage whether this is sent by letter or e-mail. We also suggest that the costs should be met by the applicant.

Q39 Yes

Q40 Not for CCC to comment.

Q41 The best suggestion we could think of was 'Contentious Developments'

Q42 Yes we agree and no have no other suggestions.

Page 35 para 13 3 . We feel we need to comment on the last sentence and suggest that the 'planning authority **must** give notice of a variation'. Even a small change could result in an objection being withdrawn.

Page 36 para 13 .10 We must continue to point out that not all community councils may have computers or easy access to them or can afford the costs to print documents to take to meetings for showing and for discussion In addition members may have varying levels of computer skills, making an electronic process difficult and time consuming for them if not totally off-putting.

Page 36 paras 13.11 and 13.12. We relate the content of these two paras to the comments we made under Q17 on what is considered a valid application.

Q43 Cannot think of anything else.

Q44 We think all the mezzanine floorspace should come under planning control.

Q45 No, should be nil.

Q46 Yes, if the proposal for a no planning permission required for the first 200 square metres goes ahead.

Q47 and Q48.introductory We did not have the time to study the related Annexes so cannot comment except to **ask if community councils are classified as 'voluntary sector'. See comments on this written in our reply to the same question at the end of the Hierarchy consultation.**

Q49 No

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