

Planning and Building Control

May Update during Covid –19



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“ Welcome to the second Planning and Building Control Newsletter which hopefully finds you all well. As the Cabinet Member for Planning and Coastal Management I am really pleased with the work of all the teams managing the services for which I am responsible. It appears that we will be in either full/limited lockdown for some period of time and we are all having to adjust but equally we have to try , where possible, to maintain our services as the delivery of planning and building control services are important to all our communities and businesses as part of ensuring we limit the economic harm and being ready to support the full recovery. I hope you find the information informative and please all keep safe.”

Cllr David Ritchie

Cabinet Member for Planning and Coastal Management for East Suffolk Council

“I fully endorse Cllr Ritchie’s comments and I am proud of the way my teams have embraced the challenges of CV19. We have maintained business as usual as best we can however some of the team have been redeployed where appropriate to work elsewhere across the council to support our communities in this emergency. This newsletter will update on all matters relating to the planning and building control services including how we are proposing to instigate remote Planning Committees, hopefully commencing from the w/c 18th May. Please note that we are not undertaking any site visits , except in emergencies, so if there is any visual information you can provide with/for an application, or in responding to an application please feel free to submit as this will complement our existing database. The team are also seeking to arrange virtual site visits and I can report that we have delivered one Completion Certificate for Building Control via a Whatsap video call. As always the team are available to discuss applications or potential proposals. They are also taking the opportunity to upskill taking advantage of many webinars and other modes available on line. All the teams are also having regular contact with each other by Skype, and other means, for both work and social purposes, and it is brilliant to here how everyone is adapting even with children joining in some conversations whilst home schooling. As always please feel free to contact me on any matter at philip.ridley@eastsuffolk.gov.uk. Thanks and take care.”

Philip Ridley BSc(Hons) MRTPI

Head of Planning and Coastal Management

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Planning Policy and Delivery Team

Suffolk Coastal Local Plan Update

The Local Plan is currently undergoing Examination by an independent Planning Inspector following its submission to the Secretary of State in March 2019. As part of the Examination, public hearing sessions were held in August and September 2019.

Following these sessions, the Inspector has now written to the Council advising what Main Modifications are needed to the Plan for it to be found 'sound'. The Main Modifications are intended to address issues of legal compliance and/or soundness within the documents.

The Council is now undertaking a period of consultation on the Main Modifications for ten weeks: **2pm Friday 1st May to 5pm Friday 10th July 2020.**

In view of the current Covid-19 social distancing restrictions, the Council has set out measures to enable safe participation in the consultation and to ensure that those who wish to engage in the consultation are not disadvantaged. This includes holding the consultation for an extended period of ten weeks and putting measures in place relating to the provision of the hard copies of documents. Whilst the Council would normally make hard copies of consultation documents available to view in libraries and the Council's offices, for those who are unable to view them online, as this is not currently possible the Council is offering to post hard copies where possible, free of charge, on request.

The arrangements will be kept under review throughout the consultation in view of any changing external circumstances. Any changes to arrangements will be communicated.

Following the consultation period the comments on the Main Modifications will be passed to the Inspector who will consider these in preparing his report on the Plan.

Alongside the Main Modifications, a series of Additional Modifications have also been proposed by the Council. These are also subject to public consultation during the same period. These additional changes are generally factual or typographical changes. Proposed modifications to the Policies Maps are also published for consultation. These modifications have been made to take account of Main Modifications or Additional Modifications, to make factual corrections or for presentational reasons. The Council welcomes any comments on the Additional Modifications and the modifications to the Policies Maps.

If you have any questions, would like to request a hard copy or would like any assistance, please contact the Planning Policy and Delivery Team by email at planningpolicy@eastsuffolk.gov.uk or by phone on 01394 444557. Please note if contacting us by phone, we are currently operating under a voicemail service. Please leave a message including your contact details and your call will be returned as soon as possible.

To find out more, view the consultation documents and submit comments, visit :

www.eastsuffolk.gov.uk/localplanexamination

Neighbourhood Planning Update

Support for our communities working on their neighbourhood plans continues to be available from the Planning Policy and Delivery Team. We are working with neighbourhood planning groups to provide assistance and help find solutions to any issues that may arise. An example is the Reydon neighbourhood plan where the 'Regulation 16' consultation is affected by the Covid-19 stay at home advice. People are prevented from accessing hard copies of the documents normally available in public locations. The Planning Policy and Delivery Team have agreed a new strategy with the Parish Council and implemented this to complete the consultation period. This includes an extension to the consultation period, additional publicity, and the option of sending out hard copies of the consultation documents. The consultation is due to close on 8th May.

It is recommended that anyone currently working on a neighbourhood plan reads the advice which has recently been issued by the Government, including updates to [Planning Practice Guidance](#) and an [FAQs document](#). The advice relates to referendums, consultations, examinations and decision making.

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North Lowestoft Heritage Action Zone – Design Guide Supplementary Planning Document

The North Lowestoft Heritage Action Zone, focused around the mediaeval High Street, is a partnership project which began in 2018 with the aim of focusing on the use of heritage led assets to regenerate the area. The production of the Design Guide forms one part of this project.

The Design Guide seeks to ensure that new development conserves and enhances the character of the area and maximises its contribution to the heritage led regeneration of the area. It identifies character areas within the Heritage Action Zone and sets out guidance related to the design of new development as well as identifying enhancements to the public realm.

Following considerable consultation and engagement, on 6th May the Council's virtual Cabinet meeting will be asked to consider the Design Guide and recommend that it is adopted by Full Council at its next meeting in September 2020. Once adopted, the Supplementary Planning Document will be a material consideration in decision making.

Statement of Community Involvement (SCI) suspension – Planning Policy

The Planning Policy and Delivery Team has also sought to temporarily suspend the Council's Statement of Community Involvement insofar as it relates to the provision of **hard copies of consultation documents at Council offices and Local Libraries** and to **publicity and consultation associated with the preparation of Neighbourhood Plans**. The details of which can be found on the website using the following link:

<https://www.eastsuffolk.gov.uk/planning/covid-19-updates/>

Community Infrastructure Levy (CIL)

Last week we made the six monthly statutory Neighbourhood CIL payments to Town and Parish Councils for April 2020. This important distribution of CIL to Towns and Parishes has been maintained in the usual timeframe despite the circumstances and the total of Neighbourhood CIL for the past 6 months amounted to £342,177 between 44 East Suffolk Towns and Parishes where development has been delivering homes this past year. The details of amounts paid are held under the East Suffolk CIL Reporting webpage: <https://www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/cil-reporting/>

An ongoing project for our team is to deliver the Exacom Developer Contributions database. This has not been affected by current circumstances and we have now commenced the use of this for processing CIL. The team continues to work on the project during the lock down period in order to populate the system with historic developer contribution data.

As reported in the previous newsletter, we have discussed the impact of the Covid-19 pandemic with officials from MHCLG and have developed a process to defer CIL payments where sites have commenced and are subject to paying CIL by instalments. It has been noted by the Royal Town Planning Institute and the planning legal community that East Suffolk are front runners with our early initiative on this. Ongoing updates in this respect will continue to be provided on this page: <https://www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/coronavirus-actions-for-cil/>



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Planning Applications and Support

Virtual Planning Committees

East Suffolk Council is to re-convene virtual Planning Committee's from May 2020. Accordingly, the last of the Advisory Panels will take place on Tuesday 5 May 2020.

With the exception of the first North Planning Committee, which is scheduled for the 19 May 2020, all other Planning Committee meetings will take place as stated on the Council's website (<https://eastsuffolk.cmis.uk.com/eastsuffolk/Meetings.aspx>) and continue to commence at 1400h.

The process of registering to speak at the meeting remains unchanged with contact needing to be made with the Democratic Services Team by 1700h the day before the Committee meeting. Any additional information that Interested parties wish to make the Planning Committee aware of, again, remains unchanged and needs to be received by the planning officer by no later than 1400h the day before the meeting. Details of how these will be viewed will follow.

Referral Panels

With the ceasing of the Advisory Panels and the re-instigation of the Planning Committees, the referral panels will re-convene the week commencing the 12 May 2020. The Referral Panel considers the process of determination for all applications where the officer recommendation is contrary to that of the officer, and determines whether the decision route will be one of delegation or referral to the Planning Committee. Once a determination route has been established the case officer will communicate the outcome with the relevant Ward Members, Town or Parish Council and applicant or their agent.

Site Visits and Site Notices

Planning and Enforcement Officers are not currently undertaking site visits unless in exceptional circumstances during this current period of lockdown.

With regards to considering planning applications, we would be grateful if all applicants could, with their submission, include suitable visual material to aid in the considering of applications. Likewise, if any interested party has comments or concerns over applications, if there is any visual information to support those comments, they also will be welcomed by the team. Such information will help Officers process the application in a quick a manner as possible. There are unfortunately going to be some applications that we are unable determine without an appropriate site visit and we will seek to work with applicants or agents in a proactive manner to set out suitable timeframes and mechanisms to taking these forward.

Officers are considering a number of ways that virtual site visits can be undertaken in certain circumstances and we will seek to engage with applicants and agents as these evolve.

The Development Management Team has also sought to temporarily suspend the Councils Statement of Community Involvement insofar as it relates to the posting of site notices. The details of which can be found on the website using the following link: <https://www.eastsuffolk.gov.uk/planning/covid-19-updates/>

During this period of lockdown, the Council is resorting to the publication measures as laid out in the Development Management Regulation Order which requires the posting of notices in the following instances: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements>

- Applications subject to an EIA
- Applications which do not accord with a development plan (departures)
- Applications which would affect a right of way
- Applications for listed building consent where exterior works are required
- Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building
- Applications which would affect the setting of a listed building or affect the character or appearance of a conservation area

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Where these notices are required, these are being sent out to the applicant by post with appropriate instructions. Officers will require evidence (via photographs) that the notices have been dated, posted in a suitable and safe location and remain in place for a 21-day period. Officers will require this comfort that suitable for publication purposes and without such evidence this may hold up the determination of the application. If there are any reasons why a notice is unable to be posted we urge communication with the appointed case officer to discuss further.

To counter the site notices, officers are proactively seeking to engage with a wider than normal community via means of individual letters advising of the application and where the details can be viewed. We see this as a proactive approach to making public details of the application whilst respecting the government mantra of encouraging people to stay indoors.

General Approach

The Development Management Team are committed to working with applicants and our communities in maintaining a high quality planning services. All our team, whilst remote working, are open for business and remain contactable via phone and e-mail. Case officers details are on all consultation and acknowledgment letters and should remain the first point of contact for all queries on live planning applications.

We are also maintaining a duty officer system for general planning queries which can be reached at [:dutyofficer@eastsuffolk.gov.uk](mailto:dutyofficer@eastsuffolk.gov.uk)

If anyone has any queries or comments please do not hesitate to contact Liz Beighton, Planning Manager (Development Management) on either 01394 444778 or 07775 406370 or email: liz.beighton@eastsuffolk.gov.uk

Energy Projects

Offshore Wind Farm Projects and Sizewell C

We are currently waiting for information from the Planning Inspectorate on their timetable in relation to Scottish Power Renewables offshore wind farm projects, and we are anticipating EDF Energy submitting their application for a new nuclear power station at Sizewell to the Planning Inspectorate in May. The Leaders of East Suffolk Council and Suffolk County Council have sent letters to the Planning Inspectorate and EDF Energy with regards to timing of the Sizewell C DCO, these letters can be found on our web pages here:

<https://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/development-consent-order-dco/>



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Building Control

National guidance

Following the publication of government advice on the provision of a Building Control service, guidance from RICS and CIC guidance on construction work activities, we have reviewed our current inspection regime.

The guidance states *“Building Control Bodies should continue to undertake normal, regular on-site inspection activity where this can be done safely, in line with Public Health England guidance. Building Control Bodies may wish to consider the use of alternative methods of checking compliance to supplement physical inspections, for example using digital photographs and video or other remote means of checking compliance.*

Building Control Bodies should satisfy themselves within the limits of their professional skill and care that these remote inspections are used appropriately. Remote inspections should not normally be used as the sole method of assessing compliance.”

These are designed to keep you, your staff and colleagues safe, whilst trying to minimise the impact coronavirus has on your business.

Site inspections

We recognise the need to balance service delivery with reduced personal contact, so where possible we will be conducting some virtual inspections. We will be asking you to provide suitable photographic evidence and any other relevant details and information on a case by case basis. Our aim is to minimise the number of site inspections but still protect the public.

Pre-visit safety

When booking a site inspection, we will ask you to confirm the following:

- If anyone at the site (property owner or builder) has been self-isolating, ill or displaying coronavirus symptoms: a new, continuous cough or a high temperature?
- If anyone at the site (property owner or builder) has travelled abroad within the last two weeks?
- Can the inspection be carried out in the absence of the builder or homeowner if necessary?
- Will there be vulnerable people on the premises?

Reduce mail handling

Wherever possible, please email us in preference to sending paperwork (cheques, plans and so on) via post. This will reduce the risk to everyone, including postal workers.

Should the current guidance change, we will let you know as soon as possible. Please feel free to contact us by telephone on 01394 444219 or email us at buildingcontrol@eastsoffolk.gov.uk should you wish to discuss any specific points raised.



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