



Northumberland County Council

Planning Services Frequently Asked Questions

COVID 19 Guidance Document

Given the frequently changing position with the outbreak of COVID 19 please ensure that you are always reviewing the most up to date version of this document.

Version	Last amended	Core changes	Amended by
1.0	03/04/20	First Release	Rob Murfin
1.1	16/04/20	Update	
1.2	16/04/20	Neighbourhood Plan Updated	David English
1.3	27/4/2020	Update on site notices and site visits	Elizabeth Sinnamon
1.4	15/5/20	Update on site visits and Planning Committees terms of Reference	Elizabeth Sinnamon
1.5	15/5/20	Update on ecological surveys	David Feige
1.6	29/06/20	Update on site visits	Elizabeth Sinnamon

Purpose of this guidance document

To give up to date guidance to our customers on Planning Service Business Continuity during the outbreak of Covid-19.

Questions and Answers

Question	Answer
<p>Are staff working remotely and able to work effectively?</p>	<p>Planning Services will continue to provide the best service possible and prioritise decision-making to ensure the planning system continues to function</p> <p>All staff are equipped to work remotely from base and are contactable either by email or to their landline which is diverted to their mobile phone</p>
<p>Will there be changes to the Delegation Scheme?</p>	<p>Constitutional and governance Measures were agreed by the Cabinet and the Chief Executive on 12th May 2020 in response to the coronavirus pandemic and the government's drive to see planning matters dealt with urgently as a priority part of economic recovery.</p> <p>As part of those arrangements within part (ii) it was agreed 'to extend the Chief Planning Officer's ability to determine planning applications which might otherwise fall to be determined by Committee under the relevant Terms of Reference where in the opinion of the Chief Planning Officer (Director of Planning), following written consultation with the Chair and Vice Chair of Strategic Planning Committee to whose views he should have regard, an application should be determined by the Chief Planning Officer for the reason that it does not raise issues of strategic, wider community or significant County Council Interest. This provision will not apply to decisions which would, in the opinion of the Chief Planning Officer, represent fundamental departures from the Local Plan, or fundamental departures from Made Neighbourhood Plans or Statutory Consultee advice.'</p> <p>This decision is to apply for 6 months</p>
<p>When will Local Area Councils resume the determination of Planning applications?</p>	<p>Constitutional and governance Measures were agreed by the Cabinet and the Chief Executive on 12th May 2020 in response to the coronavirus pandemic and the government's drive to see planning matters dealt with urgently as a priority part of economic recovery.</p>

	<p>This included amending Part 3 of the Council's Constitution. It was agreed that matters reserved to Elected Members and Committee Terms of Reference to suspend with immediate effect the existing powers of the Council's Local Area Councils in relation to the determination of planning applications and planning enforcement control and to transfer all such powers, again with immediate effect, to the Council's Strategic Planning Committee.</p> <p>This decision is to apply for a period of six months.</p>
<p>Are you accepting paper planning applications?</p>	<p>We are accepting applications by post however we would strongly encourage that all applications are submitted via the Planning Portal.</p> <p>All communication with the Technical Support Team is electronic only.</p>

Site Notices: what will be the publicity for planning applications in the Coronavirus outbreak

For all types of applications, both for Major Development and Minor Development, there is no express requirement to publicise the application by way of site notice (See Articles 15 (4) and 15 (5) Town and Country Planning (Development Management) Procedure (England) Order) save for those expressly required under Article 15, which is in fact only required for a relatively limited number of types of applications. These are;

- EIA development accompanied by an ES (Article 15 (1A));
- Affecting a right of way (Article 15 (2));
- That do not accord with the development plan (Article 15 (2));
- For technical details consent (where not major development or development that falls under Article 15 (2) (above)).

In addition, a site notice is also required under Section 73 the Planning (Listed Building and Conservation Areas) Act 1990 and Article 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990. These are for;

- Applications for Listed Building Consent
- Applications for Conservation Area Consent
- Applications which the LPA consider would affect the setting of a Listed Building (Section 67)
- Applications which the LPA consider would affect the character or appearance of a Conservation Area (Section 73)

In addition, many applications for Prior Approval require a site notice. Officers will check the relevant sections of the GPDO in each case

For applications that require a site notice as set out above officers can resume site visits provided that:

- The visit is in accordance with the most up to date version of Covid-19 Site Visit Protocol
- they are necessary,
- agreed with their line manager

Other than in those cases outlined above, serving notice on adjoining owners and occupiers will suffice to meet the publicity requirements of the Order and or legislation (in addition to publication of the notice in a local newspaper in the relevant cases).

	<p>Recognising the LPA's (Local Planning Authority) commitment to community engagement and the terms of NCC's Statement of Community Involvement (SCI) consultation will extend beyond the adjoining landowners to wider neighbour notification based on the discretion of the LPA on a case by case basis. The Councils SCI will be updated to reflect this approach. Validation officers will be generous with their neighbour notifications in these cases and case officers should make sure they check they are satisfied with this.</p> <p>Town and Parish Councils will continue to be consulted in the usual way on every application.</p> <p>Case officers will continue to request EOT on any applications which are delayed because of the above.</p> <p>We will update the above advice following any review of restrictions by Central Government</p>
<p>Will Planning Officers continue to make Site Visits?</p>	<p>For applications that require a site visit as set out above officers can resume site visits provided that:</p> <ul style="list-style-type: none"> ● they are necessary, ● agreed with their line manager ● and that the most up to date version of Covid 19 Site Visit Protocol is strictly adhered to. <p>In some applications it may be possible to determine an application without the need to visit the site. For instance it may be appropriate in certain circumstances for the officer to seek further photographs and video footage from the agent or applicant which could assist with the decision making process instead.</p> <p>Applications determined without a site visit and using additional photographic information will be determined on a case by case basis and only if it is considered appropriate by the case officer in conjunction with their line manager.</p> <p>All additional photographs and video footage will be uploaded onto Public Access.</p>

<p>Can meetings with officers regarding planning applications or pre-app enquiries go ahead using conference calling or video conferencing?</p>	<p>Telephone Conference meetings can be arranged with relevant officers</p>
<p>Is the Planning Authority increasing its use of delegated powers to determine planning applications?</p>	<p>The Planning Services Terms of Reference has been updated and amended to allow for the Chief Planning Officer in conjunction with the Chair and Vice Chair of Strategic Planning Committee to delegate decisions which would have otherwise have been brought before members of the Planning Committee for decision.</p>
<p>Will applicants be entitled to extend their 3 yr commencement of development on permissions?</p>	<p>MHCLG are expected to release further guidance on this however at this stage the LPA are not in a position to extend the date for implementation of Planning consents.</p>
<p>Will applicants still be expected to submit ecological surveys with their applications where these are needed?</p>	<p>Presently, CIEEM and DEFRA are advising that providing precautions can be taken to ensure social distancing, ecological surveys and monitoring can go ahead. More advice can be found here https://cieem.net/i-am/covid-19/. In some instances alternative survey methods may be required and CIEEM has produced guidance about this.</p>

<p>NORTHUMBERLAND LOCAL PLAN</p> <p>Is the Examination of the Northumberland Local Plan still continuing?</p>	<p>Yes, the Council is currently working on completing the actions following the Phase 1 and the Chapter 13 “Managing Natural Resources” hearing sessions.</p> <p>In light of the ongoing situation with regard to the Coronavirus outbreak, it is not currently possible to confirm when the next stages of consultation and the hearing sessions will take place. The Council is liaising with the Inspectors on these matters via the Programme Officer.</p> <p>The Local Plan Examination website will be updated with further information when it becomes available. The website can be accessed via the following link:</p> <p>http://northumberland-consult.objective.co.uk/portal/planning/localplan/lp-exam</p>
<p>NEIGHBOURHOOD PLANNING:</p> <p>Can neighbourhood plans continue to be prepared during a period of social distancing and self isolation</p>	<p>YES. Preparation of plans can continue. However, formal consultation on plans cannot take place, either by the County Council or town and parish councils while social distancing restrictions are in place.</p> <p>The Council’s Neighbourhood Planning Team will continue to support and advise parish councils by phone and email.</p> <p>Independent Examination of plans is continuing where formal consultation periods on those plans ended before social distancing measures were introduced.</p> <p>Referendums cannot be held until restrictions are lifted on social distancing.</p>

As you can appreciate this document will evolve as we all settle into working remotely. Please bear with us and any suggestions are welcome.

Report author

Planning Services Management Team