

What Is Planning?

Most people usually come into contact with the planning system when either they make a planning application to extend their own home or their neighbour makes an application that may affect them.

The planning system is concerned with how we plan for, and make decisions about, the future of our cities, towns and countryside.

The present planning system has evolved from the Town and Country Planning Act of 1947 and is based on a plan led system. This involves the preparation of a series of plans that set out what can be built and where. The current system was updated by a new Act of Parliament in December 2004 called the Planning & Compulsory Purchase Act.

The planning system is not designed to prevent change but instead seeks to ensure that a balance is struck between the economic and social need for new housing, shops and industry and the conservation of what we value about our natural and built environment. It also seeks to ensure that new development is environmentally sustainable. This means making the best use of buildings and land for the good of everyone now whilst at the same time safeguarding the environment for the benefit and needs of our children and future generations.

National Level

The Secretary of State from the Department for Communities and Local Government (DCLG) has overall control of the planning system in England. He/she is an elected member of parliament selected by the Prime Minister.

The Secretary of State's main duties include:

- Issuing Acts of Parliament e.g. Planning & Compulsory Purchase Act 2004
- Issuing secondary legislation explaining procedural matters and setting out guidance about the planning system e.g. Circulars and Regulations such as the Town & Country Planning General Permitted Development Order 1995
- Producing National planning policy guidance to guide local government on the preparation of local development plans and the implementation of policy e.g. Planning Policy Statements.

- Considering appeals against the refusal of planning permission or non-determination of an application by a Local Authority. The majority of these appeals are normally administered by The Planning Inspectorate, an executive agency of the DCLG.

Regional Level

Below the national level there is a regional level of planning.

The main role of regional government is to provide a strategy to assist the Secretary of State in the formulation of regional guidelines. This is called a Regional Spatial Strategy.

The Regional Spatial Strategy sets out for example how many homes are needed to meet the future needs of the people within its region and also identifies where there is a need for new infrastructure such as a new regional shopping centre or an airport. This document provides a framework for the preparation of local development plans by the local authorities in its area.

The Yorkshire and Humber Assembly is responsible for regional planning within the Yorkshire and former Humberside area.

Local Level

Local government in the form of a Local Planning Authority (e.g Bradford Council) is responsible for the day-to-day operation of the planning system. Within Metropolitan Areas such as West Yorkshire and some non-metropolitan areas planning functions are carried out by a single tier structure of local government known as a Unitary Authority whereas in Shire Counties such as North Yorkshire and other non-metropolitan areas the planning system is shared between a two-tier structure known as County Councils and Districts or Boroughs.

The Local Planning Authority's main role is to plan ahead area by formulating local planning policy, control development through the planning application process and act as a guardian of the local built and natural environment.

Planning Policy

Local Planning Authorities are required to produce a local development plan that sets out how they propose to manage changing demands and also changes in the way people live within their area.

A development plan must take account of national and regional planning guidance and is prepared in consultation with the community. It sets out a framework for planning decisions and specifies what can and cannot be built in a particular area through a series of policies and proposals, in order to help to provide the right development in the right place.

Until a recent change in legislation this plan was called a Unitary Development Plan. The "Replacement Unitary Development Plan for the Bradford District" was formally adopted in December 2005.

Local Development Frameworks

Following the change in legislation referred to above, local planning authorities are now required to prepare a new form of development plan called a Local Development Framework. The Local Development framework comprises of a folder of policy documents that set out how the local area may change over the next few years.

Supplementary Planning Documents

The Council can also produce Supplementary Planning Documents. These documents can cover a range of issues, both thematic and site specific and provide more detail about the policies and proposals contained in the Unitary Development Plan or Local Development Framework.

Development Briefs

Development briefs are another form of supplementary planning guidance. They can include site-specific development briefs, design briefs, development frameworks and master plans that seek to positively shape future development in a particular area.

Development Control

The policies and proposals in a Development Plan are mainly implemented through the development control process. This process seeks to regulate the construction, layout and appearance of new buildings and the use of land or buildings by requiring the submission of planning applications for most new development proposals.

Public participation is also an important part of the development control process and local residents will be notified about planning applications within their area.

Decisions on planning applications must be made in accordance with the policies contained in the adopted development plan or Local Development Framework for the District, unless there are other material considerations that override this. Material considerations include layout, design, highway safety and amenity matters etc.

In reaching a decision the Council will take into account the impact of the development on the environment and balance the wishes of the applicant with the affect on those people living nearby.

It is also the role of the development control process to establish what forms of development require planning permission and what do not.

Parish Councils

Parish Councils are statutory consultees who are invited to comment on development plan proposals and planning applications within their Parish. In Bradford there 17 Parish and Town Councils.

These Advice Notes are available in large print and braille on request.