

Your Planning Strategy

Having appraised a site and decided that it has development potential, your next step is to decide on the best means by which to achieve the desired outcome.

Some key questions to ask are:

- Can you make a good case for the development using existing policies?
- Is there a timetable for current policies to be reviewed?
- Is the principle of the development contentious?
- Will the site be sold once the planning position is established?
- Are there any time constraints, such as a date in a contract by which a result must be achieved?

If you can work within existing planning policies, either an outline or a full planning application is the likely approach. Otherwise, you may require a longer term strategy of seeking changes to the policy.

Planning Application

An outline application is submitted to establish the principle of development, and only limited details are required. These may include means of access, layout, scale, appearance and landscaping. Those details excluded are then called the 'reserved matters' and will be subject to later approval. However, a Council can insist upon any of these being in the initial application, where it believes this information to be necessary to reach a decision.

The outline application will need to include a Design and Access Statement which must include additional information such as the scale of the development proposed. However, these details do not automatically form part of the planning permission and so there could be the potential to change them later on.

As a minimum, you will usually have to submit the means of access in an outline application. Often Councils also ask for the layout, in order to demonstrate that the site can accommodate the type and amount of development proposed. We always ask that such plans should remain 'indicative'. Otherwise, a fixed layout could limit the future room for manoeuvre if you want to modify the proposals or sell the site.

The outline approach avoids abortive work where:

- the principle or parameters of the development are uncertain, or;
- the site will be sold to a developer with an enhanced land value based on the planning permission

If the site is to be sold, the final developer might then submit the 'reserved matters' based on their own detailed proposals, or apply for a different scheme using the outline permission as a benchmark for what will be allowed.

A full application is the obvious choice for a developer who wishes to actually implement the planning permission, particularly if there is a strong expectation that the application will be approved. Compared with an outline application followed by the submission of reserved matters, the single stage is faster, and one application fee is payable rather than two.

Policy Representations

Your initial appraisal should have identified when existing local policies will be subject to review by the Council. Of most relevance are the Core Strategy and the Site Allocations document. The Core Strategy comes first, and will set out higher level policies such as housing and employment land targets, or which settlements will be allowed to expand. It might include large-scale extensions to the urban area, but otherwise most individual sites will be considered in the subsequent Site Allocations document.

The Council should compile an evidence base to justify these documents. The Strategic Housing Land Availability Assessment (SHLAA) is an important part of this, assessing whether individual sites for housing are available, suitable and achievable. Landowners and developers have opportunities to suggest sites and provide supporting information about them.

Policy representations are more relevant if you have a long-term interest in a site, as there are several stages of consultation and the dates often slip. The timetables are an important consideration if you are negotiating a land deal, such as an option to purchase a site dependent on a policy change before planning permission will be granted.

Keeping the Options Open

Every project has a unique combination of circumstances which will affect the planning strategy:

- Depending on the consultation timetable, it might be advisable both to make a planning application and representations to a policy consultation, to allow for alternative outcomes or changes in circumstances
- Representations may seek to preserve an existing site allocation or policy as well as arguing for changes

Mosaic can offer strategy sessions with no obligation to discuss the most appropriate approach for your particular situation.