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Your Ref
IWC Ref COVID19

Contact Ollie Boulter
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The impact of Coronavirus (COVID-19) on the Local Planning Authority #2

Dear all,

I am aware that events continue to move at pace in terms of the impact of Coronavirus (COVID-19) on the planning system and how we work, so I would like to provide a further update from the LPA to my last one on 25 March.

Electronic submissions

Firstly, I would like to thank you all for submitting applications electronically – we haven't received any paper applications since the 'lockdown'. This is really helping us to process the information we receive and enables us to focus on getting information to statutory consultees. By doing this we can get as much done as possible, so that when we undertake site visits again we can move the application forward as quickly as possible.

Site notices

We are continually reviewing our processes and checking what we're doing against the approaches other LPAs are taking, to ensure that we are doing as much as we can to determine applications wherever possible. A barrier to this for householder and minor applications in these unprecedented lockdown conditions has been stopping the erection of site notices. Without site notices we are not able to make a lawful decision as we haven't met statutory requirements for the publicity of planning applications.

The Council's Chief Executive has agreed to my request to temporarily remove the requirement to erect site notices for householder and minor applications from our Statement of Community Involvement (SCI). Instead, for the period we are affected by the Coronavirus, we will write directly to adjoining landowners. This approach fulfils our statutory responsibilities for consultation and will enable us to determine these types of applications, subject to a suitable assessment being undertaken.

As a result, we will be re-advertising in the local press those householder and minor applications that were previously advertised on Friday 27 March but we did not put up a site notice. Comments on these applications will be welcome within 21 days of the advert and can be made online or via email. Any hard copies of comments received by post or delivered in person to the Seaclose office may risk the comment not being seen prior to the determination of the application and/or delays in the comment being made publicly available on the online system.

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Use of 'virtual visits' to inform our decision-making

We are happy to receive photographs of the site to help us with our assessment and to potentially remove the need for a site visit in the future. Photographs should be taken at the time of the submission and should show your property, neighbouring properties and the area where the works are proposed. Please make sure that photos are taken from a suitable distance and angle to allow us to understand the characteristics of your property and those close to it.

We will be able to complement any photographs received with up-to-date online imagery (such as Google Streetview) and, of course, any existing knowledge within the Team of the site and surrounding area.

Materials

If you need to submit material samples to us, we will accept photographs and manufacturer specifications / information where available. However, assessing materials in this way may be difficult due to the need to see them 'in the flesh', but we will endeavour to make this process work.

Commencements

We understand that the current lock-down is preventing some developments from proceeding as planned and that, in particular, this may cause some planning applications to lapse. In order to legally commence a development, works that form part of the development description, which is set out within your planning permission, must take place provided any pre-commencement conditions have been complied with. The extent of works to commence a planning permission can be relatively minor, even for larger developments. For example, a commencement can be considered to have taken place in the following situations:

- Partial or complete demolition of structures, where demolition forms part of the description of the development
- Partial works to form a new vehicle access or driveway that is part of the approved development
- Works to commence foundations – while you will need Building Regulations approval, for a commencement to be confirmed for planning purposes, a trench can be dug and partially filled even where Building Regulations approval is yet to be sought
- Installation of boundary treatments, landscaping or ecology works that form part of the planning permission and that have been formally agreed

The above list is not exhaustive but does give examples of works that may amount to a lawful commencement. Ultimately, we would advise you to discharge any pre-commencement conditions. However, we do understand that for particularly complex issues related to matters such as ecology, contamination, drainage schemes or archaeology, this may be difficult at the current time. Therefore, please do contact the Planning Officer who dealt with your planning application, because during this period of lock-down we may be able to agree some limited works in advance of conditions being discharged in order to protect your planning permission.

Please do note that we will continue to accept and determine applications for the discharge of conditions. They should be submitted online and include the information required by the conditions you wish to agree with us.

Our standard advice is that where there are queries over a commencement, a lawful development certificate should be applied for. However, during the lockdown period only we are happy to agree commencements informally in writing, where appropriate. Please do note that once the period of lockdown has ceased, our formal approach to confirming commencement will apply.

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Planning Committee

The Planning Committee scheduled for today 7 April has been deferred and following primary and secondary legislation being published, the Council's Legal and Democratic Teams are establishing how we can hold a virtual committee meeting that facilitates the requirements for public speaking. No matter how we hold the next committee meeting we will need to make sure we have enough staff to hold an effective and lawful meeting, as staff may be seconded to other services to assist with the Council-wide response to the Covid-19 pandemic on the Island. As such I am not yet able to confirm when the next committee will take place.

Parish & Town Councils

We have spoken to Parish & Town Councils on the Island to understand whether they are meeting virtually and are therefore able to comment on applications. The majority are, which helps us with our processes and understanding for how (and when) we move specific applications forward.

Trees

Please see the separate letter from Russell Chick, one of the Planning Team Leaders, regarding Trees.

As part of the Council's taskforce providing support to businesses in light of Coronavirus, I am well aware of the difficult challenges facing our local businesses. Our approach will always be as pragmatic as possible, both now and in playing our role in post-Coronavirus recovery but it will have to be within the confines of the national planning system and legislation. If you have any suggestions about how we can support the Island and its economy at this time please do let me know.

I hope you are all staying home and staying safe.

Yours sincerely



Ollie Boulter
Strategic Manager for Planning and Infrastructure Delivery

This information is available in Braille, large print, tape and community languages from the above offices and Typetalk calls are welcome