

**1. Could you explain the Local Plan process and what happens from initial consultation through to adoption?**

A Local Plan is a vitally important document that sets out where and what new development is to be allowed within a council's area over the next 15 to 20 years.

Once a Local Plan is approved, the law requires that all planning decisions be made in line with that Plan except in very special circumstances (known as material considerations). This may even be where a council subsequently changes its mind after a Local Plan is approved!

Unfortunately, the first time many people hear about a proposed development is when there is a planning application for that development, not when it is firstly being considered as a potential development within a Local Plan. By this point, it is often too late to object against the principle of the development.

For this reason, we strongly encourage those who care about Kent's countryside to engage with the Local Plan process. This is also why we campaign at national level for much better community involvement throughout this process.

We however recognise commenting on a Local Plan can be very complicated and can take up a lot of time. That is why we at CPRE Kent will always prioritise robustly responding to Local Plans in the county on behalf of our members and supporters. Above all, we will be seeking to ensure Local Plans protect the countryside and result in well-designed, locally-led planning proposals in sustainable locations.

To find out more about the Local Plan process, we have produced a flow chart setting out the various stages involved; it is available [here](#).

A more in-depth guide to the current planning system and how it works in practice is provided by CPRE National Office [here](#).

**2. I'm really worried about a planning application to build a new housing estate on green fields near me – will CPRE Kent automatically be campaigning against it?**

CPRE Kent strongly believes in a truly brownfield-first, well-designed, locally-led approach to new housing that provides an overall community benefit in sustainable locations. We believe that engagement with the Local Plan process is the most effective way of influencing this outcome as it will minimise what we consider unsuitable and unnecessary development on green fields.

Our first consideration will therefore be whether the site in question is allocated within a Local Plan for development. If it is, we are only likely to become actively involved if we consider it contrary to the allocation policy or there are exceptional circumstances.

If the site is not allocated within a Local Plan, or has previously given planning permission, we will firstly assess the extent the proposal is contrary to our charitable objectives. We will only become actively involved where we consider that there is an aspect of general significance to the issues we campaign on, or a really important issue of principle is involved. Where we have planning volunteers or district committees in an area, they will endeavour to help members and supporters make effective representations of their own.

Where we do decide to comment to a local planning authority on a planning application, we will do so in our own name and based on our own view of the merits.

We are however not a substitute for local action groups and are keen to empower communities to shape their neighbourhoods. As a local resident you may therefore wish to consider running your own campaign and we would certainly assist members where we have capacity. We would not however assist one interest group against another, or express views that could be construed as party-political.

### **3. My neighbour has submitted a planning application and I want to object – is that something CPRE Kent can help me with?**

We are always happy to discuss concerns about individual planning applications and other issues where those concerns are within our charitable remit. It is however worth noting that CPRE Kent has no official jurisdiction and as a charity we can only advise.

Where we have planning volunteers or district committees in an area, they will endeavour to help members and supporters make effective representations of their own. We also employ professional planners who may be able to assist where there is an aspect of general significance to the issues we campaign on, or a really important issue of principle is involved.

However, CPRE Kent is a charity dependent for the funding of its work on the subscriptions of individuals and organisations that join CPRE as members, and on legacies, donations and grants. We therefore do not have the resources to monitor or comment on the hundreds of planning applications received by all local planning authorities within Kent, many of which do not impact materially on the countryside. When members do contact us, we will seek to respond as quickly as resources, capacity and competing priorities allow.

In more general terms, while the circumstances of each application will be unique, our top tips to responding to an application are:

- Be clear and courteous, avoid personal issues that are not planning-related and concentrate on the facts of the case.
- Don't include information that is exaggerated or cannot be substantiated.
- Use your local knowledge. This may be personal experience of traffic within your area, or it may be your local knowledge of the flora and fauna.
- If you are a near-neighbour, be clear about how you think the proposed development is going to impact upon you.
- Gather as much supporting evidence as you can and remember to attach it to your submission. Photos can be particularly effective in this regard.
- Include details of any changes to the application or actions that could be taken that may overcome your concerns.
- Make sure your comment is in on time and ensure your letter or email clearly states the planning application number and site address.

For more advice in responding effectively, CPRE National Office has produced a useful guide providing general advice on how to respond to planning applications; it is available [here](#).

Planning Aid England also provides planning advice and support to help individuals and communities engage with the planning system and get involved in planning their local area. More information can be found [here](#).

#### **4. I want to object to an application that has gone to appeal – is that something CPRE Kent can help me with?**

As with planning applications in general, we may become involved with planning appeals where there is an aspect of general significance to the issues we campaign on, or a really important issue of principle is involved. However, if this is the case, it's also very likely we will have been involved with the application long before it gets to the appeal stage.

In most instances, this will involve ensuring the inspectorate is fully aware of all concerns raised within our appeal representation. In the most exceptional of cases and subject to approval from our Board of Trustees, we may seek to take a more active role in the appeal and apply to become what is known as a Rule 6 party.

Where we are not already actively involved, we will nonetheless endeavour to help members and supporters make effective representations of their own as capacity allows. You may contact us using this [form](#).

#### **5. Why is my council saying we need so many new homes? How can I challenge this?**

National government has committed to ensuring 300,000 houses are built every year in England. To inform this, the National Planning Policy Framework (NPPF) requires each council to undertake a housing-needs assessment that follows a standard method of calculating how many houses are need for that council area.

While councils can depart from the standard method, this is only if exceptional circumstances justify an alternative approach and must still reflect current and future demographic trends and market signals. So far in Kent no council considers there to be exceptional circumstances to depart from the standard method.

If the development industry fails to build the number of houses deemed required within a council area, that council can be punished by requiring more houses to be built, or by a general presumption being applied that all planning permissions for new houses be allowed unless there are exceptional circumstances, or by both these things at the same time.

CPRE Kent and CPRE at a national level are campaigning for a more refined approach to calculating need and help prevent proposed further changes to the calculation that would have led to even higher numbers within Kent. By joining and supporting CPRE Kent you will be assisting in this campaign.

#### **6. Is there a guide to planning jargon?**

We share the concern that the overly technical and legalistic language used by the planning industry acts as a barrier to effective community engagement. The Planning Portal website provides a useful summary of phrases relating to land use and planning matters in England; it is available [here](#).

The Planning Geek website also provides a comprehensive glossary of the various acronyms you are likely to encounter within a planning report; it is available [here](#).

## **7. There is a tree under threat in my area – what can I do to protect it?**

Trees are the responsibility of the landowner but may be protected by a Tree Preservation Order (TPO) or because they're in a conservation area.

If there is a TPO or the tree is in a conservation area, then it's an offence to damage, cut down or destroy the tree in any way without getting permission first. Anyone who prunes or cuts down a tree without permission could be prosecuted and receive an unlimited fine. They will also be required to plant replacement trees in the same location.

If a protected tree is in imminent danger of being felled or damaged, you should contact your local council immediately. You may also wish to contact Kent Police on 101. Your council will be able to confirm whether a tree is protected or not.

If a tree is not already protected or within a conservation area, then one can apply to have a TPO placed on it. If a tree is in imminent danger of being felled and is not in a conservation area, then an emergency TPO can be applied for if certain criteria are met.

To find out more about protecting trees, the TPO process and trees in conservation areas, we have produced a [flow chart](#) setting out the various stages involved available [here](#).

## **8. I am really concerned about the impact a proposed development will have on local wildlife – what can I do?**

CPRE Kent shares the view that all development must be designed and delivered in a way that contributes to nature's recovery, not its decline. We will often work closely with sister charities such as The Wildlife Trusts and the RSPB to ensure nature is protected from and/or integrated into development, not lost to development.

The following are positive actions we would encourage you to undertake:

- Proactively record all wildlife (flora and fauna) with the Kent and Medway Biological Records Centre – details of how to do this can be found [here](#).
- Identify trees that you think may require a TPO
- Join your local CPRE Kent committee
- Keep up to date with the Local Plan process in your area

If you feel a wildlife crime is in process, take photographs for evidence, ring 101 and report a wildlife crime in progress, contact planning enforcement. Further details of how to report wildlife crime can be found on the Kent Police website [here](#).

## **9. Someone is ignoring planning rules in my area – what can I do?**

Where there appears to be a breach of the planning rules, this should be reported to your local council to investigate. Most councils have online forms to do this, though if you are concerned about reporting directly, your parish or town council will often be willing to report on your behalf.

Once reported, all councils have a duty to investigate potential breaches. How they go about this and the likely timescales involved vary from council to council, though all are required to have an Enforcement Plan published on their websites clearly explaining what they will do.

The first step will be confirming whether there has been a breach of planning control and you may be asked to assist the council in evidencing those harder-to-prove breaches such as an ongoing change of use. Where there is a clear breach of planning control, planning law requires the breach to be something that would not be granted planning permission for the council to take formal action.

If you do not feel that the council adequately investigated the breach or disagree with its assessment, this should firstly be challenged via its internal complaints procedure and then then taken to the Local Government Ombudsman: click [here](#).

CPRE Kent may assist where a breach is likely to lead to significant and irreversible harm to the countryside or wildlife.

## 10. What else can I do to support Kent's countryside?

Voices like CPRE Kent help make sure that our countryside, rural businesses and communities thrive and are part of our national and local conversation. Everyone can however do their little bit to help as even doing something small can make a big difference. The following are some top tips from the CPRE Kent team at Charing to support Kent's countryside:

1. **Create a wildlife haven in your garden.** Plant pollinator-friendly plants, create a log pile and stop using herbicide, pesticides and peat-based composts. Further suggestions from CPRE Kent's very own Vicky Ellis can be found [here](#).
2. **Buy local, shop organically if you can.** Buying fresh local organic food is not only a great way to support local farmers while reducing your carbon footprint, it also supports shops that may be important for members of the community who don't have access to transport or need to stay closer to home.
3. **Holiday in Kent.** Rural areas are some of the most popular UK holiday destinations and spending your money here rather than abroad can help support these rural communities. If you are holidaying at home, make sure you're visiting local attractions. Not only is this a great way of learning about the area, supporting local businesses is incredibly important to ensuring that rural communities are viable and sustainable. Have a look at the [Visit Kent](#) website for some more inspiration.
4. **Don't buy single-use plastics.** Up to 12 million metric tonnes of plastic leak into the oceans each year, a figure that could double by 2025, with 40 per cent of marine species known to ingest marine debris. Simple steps like always ensuring you have a flask or reusable bottle in your bag when you are out and about add up to making a huge difference.
5. **Turn off all unnecessary outside lighting.** Artificial light at night (ALAN) can have a terribly negative effect on wildlife, from bats to moths to the flowers on which they feed. Find more info [here](#).
6. **Inspire your children to love the countryside.** A large population of the UK live in urban areas and don't make it out into the countryside. Research published by

the Prince's Countryside Fund in 2017 found that 1 in 8 young people had never seen a cow in real life. It is important for children and adults to learn about the countryside and better understand where the food on the shelves in the local supermarket comes from. The countryside can be enjoyed by walking, cycling, hiking, kayaking and many more activities. So next time you have a free weekend, consider going rural.

Finally, but no means least, our top tip is to become a member or supporter of CPRE Kent! This can be as much as you are able, from a one-off donation to volunteering, joining your local CPRE Kent committee, helping organise member outings or joining our Board of Trustees.

We rely on the support and generosity of people like you to fund this vital work. You can directly support us by:

- [Becoming a member](#)
- [Making a donation](#)

We are exceptionally grateful for any help you can give us!

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