

Chris Philp MP
Member of Parliament for Croydon South



HOUSE OF COMMONS
LONDON SW1A 0AA

Mr R Russell
Secretary – WURA
12 Zig Zag Road
Kenley
Surrey CR8 5EL

23rd August 2021

Dear Mr Russell,

Further to previous correspondence, I am writing to let you know that I have now received a response from the DWP with regard to the enquiry which I lodged on your behalf about planning issues relating to privately owned and maintained roads. I enclose a copy for your information.

I hope that you will find the response helpful but should there be any points arising which I can assist with, please do write and let me know.

Yours sincerely,



Chris Philp MP



Ministry of Housing,
Communities &
Local Government

Rt Hon Christopher Pincher MP
Minister of State for Housing

**Ministry of Housing, Communities and Local
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23 August 2021

Chris Philp MP
House of Commons
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Dear Chris,

Thank you for your email of 29 July to the RT Hon Robert Jenrick MP attaching correspondence from your constituent Mr Richard Russell, Secretary of Welcomes & Uplands Road Residents Association (WURA), concerning consultation requirements on local planning authorities when considering planning applications affecting owners of privately owned and managed roads. I am replying as Minister of State for Housing.

Local planning authorities are required to undertake a formal period of public consultation of no less than 21 days, prior to deciding a planning application. They retain the discretion to extend the period for representations, where they consider it necessary. Effective consultation allows local planning authorities to identify and consider all relevant planning issues associated with a proposed development. Consultees, particularly those living near to the site in question, may offer particular views or detailed information relevant to the consideration of the application. Where relevant considerations are raised by local residents, these must be taken into account by the local authority. However, the weight attached to a particular consideration is a matter of judgement for the local authority as the decision-maker in the first instance.

Our National Planning Policy Framework (NPPF) requires local planning authorities to plan for the required mix of housing and supporting infrastructure they need, including roads and transport links, through the Local Plan process. The NPPF makes clear that applications for development should create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles and allow for the efficient delivery of goods and access by service and emergency vehicles.

In assessing sites that may be allocated for development in plans, or specific applications for development, the NPPF sets out that it should be ensured that safe and suitable access to the site can be achieved for all users. Any significant effects from the development on the transport network in terms of capacity and congestion, or on highway safety, should be cost effectively mitigated to an acceptable degree. It should also be ensured that the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and National Model Design Code.

Local planning authorities are able to seek contributions from developers through section 106 planning obligations, which can be sought to mitigate the effect of a specific development, and the Community Infrastructure Levy (CIL), which is a set charge on most development to help address the cumulative effect across an area. CIL is able to fund the provision, improvement, replacement,

operation or maintenance of infrastructure to support the development of an authority's area. The infrastructure fundable by CIL incorporates a very wide range of infrastructure including public footpaths.

Thank you again for your email. I hope you and your constituent find this information helpful.

A handwritten signature in cursive script, appearing to read 'Chris Pincher', written in dark ink.

RT HON CHRISTOPHER PINCHER MP