



City of
Doncaster
Council

Approach to Successfully Negotiating Amendments Protocol

May 2025

1. Introduction

This Protocol explains the Council's approach to negotiating and accepting amendments to planning applications once they have been submitted for determination. This is to ensure a consistent approach in all cases, giving applicants and agents a clear and transparent understanding of what to expect when working with us to secure planning permission.

The National Planning Policy Framework states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

The Council is committed to working with applicants to meet these objectives and we aim to continue to build on our record of proactive engagement whilst making sure we set clear parameters and manage expectations of all parties in achieving this.

We understand that effective negotiations are an important part of the planning process, as they enable schemes to be amended and improved to:

- Meet the requirements of technical consultees where deemed necessary.
- Address material planning considerations.
- Comply with the requirements of policies of the Council.
- Allow for a pragmatic response to issues as they are identified.
- Improve the overall quality of proposals.
- Allow the grant of permission by overcoming initial shortcomings in schemes.

The guidance below sets out the principles which the Council will seek to apply in determining whether to seek amendments and how it will deal with them.

This Protocol is intended to provide a clear framework which establishes the principles underpinning this, whilst acknowledging that no guidance can address all possible eventualities. There may be very exceptional circumstances agreed between the Head of Planning / Planning Development Manager which would lead to a justifiable divergence from these principles. Please note however that any such circumstances will need to be fully justified and exceptional.

Furthermore, applicants should note that particularly strategic, large or complex schemes would be more appropriately addressed through the applicant and Council entering into a Planning Performance Agreement, to establish a clear project timetable with agreed objectives and milestones. These are entered into at the Council's discretion and only within the context of pre-application discussions.

2. Importance of pre-application engagement:

The ability to make amendments to overcome issues once an application has been submitted should never be an alternative to a properly thought through and prepared application. The Council's clear preference is for any necessary negotiation to take place before you submit your application as this improves the process and encourages a 'right first time' approach.

This approach is endorsed in the Planning Practice Guidance which states:

"Pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success."

We therefore strongly encourage those discussions via our comprehensive pre-application advice service before you apply formally. This will generally give more certainty at an earlier stage and help resolve issues so that speedier and simpler decisions can be made.

Information and guidance about the services we offer, including how to apply, charges, and the timescales for a response, can be viewed online by clicking on the link below:

[Pre-application advice - City of Doncaster Council](#)

Applicants should be aware that where no pre-application advice has been sought, or where advice has been sought but not fully taken into account, and issues could reasonably have been identified and addressed before submission, we will normally proceed to refusal without negotiation given the government's drive for a speedier planning process. To do otherwise would undermine the role pre-application advice plays in the overall process and could also elongate the process and result in the Council failing to meet statutory determination periods.

If pre-application advice was given but that advice has been ignored to the extent that proposal is identified, on balance, as being harmful, we will also normally proceed to a refusal without negotiation.

3. When we will negotiate amendments:

Any negotiation on the need for amendments must be initiated by the Council. Applicants should not submit amendments or additional information once an application is valid, unless first invited to do so by the case officer.

The decision to negotiate, or not, always rests with the case officer. They are empowered to exercise the discretionary powers of the Council as to whether to accept changes to an application whilst it remains under consideration. Using their professional planning judgement, they will agree the approach to take on a case-by-case basis.

Planning applications will typically fall into one of the following categories:

- i. The scheme is acceptable as submitted; in which case the Council will grant planning permission without delay.

- ii. The scheme is unacceptable as submitted; in which case the Council will refuse planning permission without delay.¹ Whilst the following list is **not** exhaustive, examples of this can include:
- If the necessary amendments would necessitate a change to the application site red line boundary – in these circumstances the application should be withdrawn and resubmitted instead.
 - If the necessary amendments would fundamentally change the description of the proposed development including through, for example, a change to the number of residential units or floorspace proposed or the introduction of different land uses. Again, in these circumstances, the application should be withdrawn and resubmitted instead.
 - Where a scheme is clearly unacceptable in terms of overarching principles of development given the relevant constraints of the site.
 - Where the detail of a scheme is clearly contrary to adopted policies contained within the development plan in some significant way(s), and on balance it is not considered that the relevant material considerations indicate a divergence from those policies.
 - If the scheme requires substantial or multiple alterations from the original proposals including, for example, where there are fundamental issues of, for example, design, height, layout, scale or footprint.
 - In circumstances where the Council has already provided pre-application advice which has not been followed by the applicant in the final submission, and consequently the development is considered, on balance, to be unacceptable.
 - In circumstances where the Council has not been approached for pre-application advice and therefore has not had the opportunity to highlight the shortcomings in the scheme before the application was submitted.
 - In circumstances where the case officer considers that amendments to address a specific issue raised by the scheme would result in further harms arising elsewhere in the consideration of the scheme.
- iii. The scheme is unacceptable as submitted and could benefit from minor amendments to make it acceptable in ways that would result in material improvements but would not fundamentally change the overall proposals. In these circumstances, the presumption will be that negotiations will take place on the changes required to allow a final set of revisions before a decision is reached. Whilst the following list is **not** exhaustive, examples of this can include:

¹ In such cases, the reason(s) for refusal on the decision notice will clearly set out the issues the Council has with proposals and where conflicts with policy exist. After the decision has been made, should applicants or their agents wish to seek advice on how to address these identified issues, they should utilise the Council's pre-application advice service before re-applying.

- If the site is allocated for the development proposed, and/or the proposal generally complies with the adopted development plan, but some detailed aspects require some improvement.
- In circumstances where the changes make the development acceptable without raising other issues.
- In circumstances where the issues to be overcome are technical in nature and it would be more efficient to address them within the current application.

This could include:

- Minor re-siting of a building(s).
- Reducing the size of a building(s).
- Changes to elevations, depending on the effect on the appearance of the building and the area, and the effect on neighbours amenities.
- Changes to internal design/configuration.
- Changes to external materials.
- Minor changes to access arrangements.

iv. The application is a type **which will not be subject to negotiation or requests for amendments.** These are set out as follows:

- Certificates of lawfulness (existing and proposed development). These are seeking a formal determination from the Council as to whether a development is “lawful”² rather than acceptable having regard to the policies contained within the adopted development plan. As such, the Council does not apply any judgement to these application types; they either meet the relevant tests or they do not, and a decision will be made accordingly at the earliest opportunity.
- Applications seeking prior approval for permitted development where these are time sensitive, and consent is deemed to have been granted automatically if a decision is not made within the original, statutory time frame.

In these instances, the Council would strongly encourage applicants to seek pre-application advice before making their formal submissions for determination. Once submitted as a formal application, these will be assessed and determined based on the original submission only.

4. Our expectations of applicants:

Upon receipt of an application, we expect it to be:

- supported by all relevant information; and

² As set out in sections 191 & 192 of the Town and Country Planning Act 1990.

- in a condition to be fully assessed and determined as submitted.

The Council will guide you through our requirements to achieve this as part of our pre-application advice service. Applicants should also fully take in account all relevant local validation requirements, which are published here: [How do I apply for planning permission? - City of Doncaster Council](#)

Broadly, applicants should note that:

- We will not accept unsolicited amendments once applications have been validated.
- Applicants should not directly negotiate with technical consultees on a planning application. All communication should be directed to the case officer who has overall responsibility for the case and who will use their own professional planning judgement to establish when it is necessary and appropriate to negotiate.
- Any deadlines we set for submitting amendments/additional information must be met unless there is good reason for not doing so and those reasons are explained to us in a timely manner.
- As set out in Section 2, where pre-application advice has been provided, this should be fully taken into account in the final scheme. When this has not been possible for any reason, the applicant should clearly set out the justification for this as part of the submission.
- Applicants will be expected to enter into an agreement for a reasonable extension of time for the determination of an application where amendments have been sought. This will be determined on a case-by-case basis by the case officer having full regard to the nature of the amendments sought, the need for any reconsultation to take place upon receipt, further assessment, report writing and committee schedules where necessary.

5. What applicants can expect from us:

In return the Council will:

- Provide a quality, detailed pre-application advice service to applicants.
- Be clear on our requirements to validate planning applications and always apply those requirements consistently and robustly.
- Deal with your application proactively, communicating efficiently and effectively throughout the application process.
- Request any amendments needed promptly, giving justified reasons in all circumstances. In such cases, the case officer will agree a date with you by which you must submit the plans and any additional information. If the amendments are not received by the date given or a subsequent date agreed between you and the case officer in writing, we will proceed to determine the application as it stands.
- Give clear and reasoned justification for any extension of time sought at the time amendments are requested in order that all actions are accounted for fully and with the aim of negating the need to require further subsequent agreements.

- Grant planning permission without delay, at the earliest opportunity where schemes are clearly acceptable.
- Adopt a considered approach to the imposition of planning conditions which require further information to be submitted for approval by the Council, recognising that this can delay the delivery of development.

Furthermore, the council accepts that on occasion circumstances beyond our control may occur resulting a change to your originally assigned case officer. Every effort will be made to make any such transition as smooth and efficient as possible, and in those circumstances, it may be decided that it is more appropriate to work outside the scope of this Protocol. This will be discussed with you at the earliest opportunity should the need arise.

6. What happens if you are invited to amend your plans or to provide additional information?

You, or your agent, will be contacted in writing and will be given an indication of what you are being asked to amend, and why. To prevent multiple channels of communication it is preferable if an agent is employed on a scheme that they are the only point of contact to avoid unnecessary replication and contact that potentially elongates the process and risks important matters being lost in translation. In all cases we will use all best endeavours to advise applicants or agents of the need for amendments as early in the process as possible. It is important that applicants do not seek to pre-empt any such requests by submitting amendments speculatively where they believe they may be requested because, for example, they have seen objections to the application on the website. Ultimately, it is the case officer's professional judgement that will be used to establish when and what amendments might be sought. Pre-empting any requests could cause additional delay and confusion to the process.

When a request for amendments is made, your case officer will give you a clear deadline by which you must submit the required plans and any additional information. An extension of time to the statutory decision date will need to be agreed for an amendment to be accepted.

Failure to submit the information by the date agreed in writing will result in the application being determined based on the details provided to date unless a good reason for a longer period is provided within the given timeframe. If further technical information is required which cannot be provided within the requisite timeframe (for example ecological surveys or transport surveys), the case officer will require that the application be withdrawn and resubmitted when the information can be provided comprehensively. It is not appropriate for the Council to effectively hold applications in abeyance pending the submission of such information.

Other than in exceptional circumstances, the Council will only accept one round of amendments to an application. It is therefore important that applicants deal with any such requests comprehensively and thoroughly, providing a single package of information to allow for any subsequent consultation and assessment to take place effectively. The expectation is that the amendments sought will not give rise to any fresh issues. Applicants will not be given the opportunity to correct this if it does happen.

When submitting your package of amendments, you should provide a clear summary of what the plans and/or associated documents contain and how they have positively sought to address the issues raised. Any associated documents that require updating as a result of the amendments should also be submitted as part of the package, not later on during the process.

If the amendments are not received by the date given or you confirm you do not wish to make any amendments, we will determine your application as it stands unless there is a justifiable, and agreed reason to not.

If you decide that you do not wish to proceed with the application as submitted, you can withdraw it at any time before the decision is issued. A formal withdrawal of any application must be made in writing.

7. Agreeing extensions of time:

It is important that the Council makes timely decisions on the planning applications submitted to us. Applicants should expect to receive a decision on their proposals within the statutory target timeframes set by Government.³ Equally, individuals consulted on applications and the wider public should also expect to find out how the Council has assessed a development proposal in a reasonable period. The council understand that when applications remain undetermined for long periods it can create uncertainty and undermine public confidence in the planning system.

Our performance against the statutory targets is closely and regularly monitored by Government and there are significant consequences for the Council if it does not determine applications in the relevant time period set by Government (and no alternative period as has been agreed in writing). As such, the Council will always endeavour to determine planning applications within the relevant statutory timeframe. If by agreeing amendments or additional information can be submitted during consideration of an application, the timeframe would be exceeded (most commonly due to the need to reconsult or readvertise), we will only accept that information if a sufficient extension of time is also agreed at the same time. The need for this will be explained to you by the case officer, along with a justification as to the further time period being sought.

³ As set out by Article 34 of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended).