

**REPORT FROM: REGENERATION SERVICES - PLANNING AND BUILDING CONTROL  
MANAGER**

**TO: BARROWFORD AND WESTERN PARISHES COMMITTEE**

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## **FOR INFORMATION**

### **PUBLICISING PLANNING APPLICATIONS**

#### **PURPOSE OF REPORT**

To provide members with information regarding the Council's approach to publicising planning applications.

The Council's adopted Statement of Community Involvement (SCI) is the process document that sets out how the Council intends to involve the community in the planning process and how they will be consulted on planning applications. The consultation process for planning (and related) applications involves consulting statutory bodies, such as the Local Highway Authority or the Environment Agency, as well as the wider community. The latter, commonly known as "neighbour notification" is the subject of this report.

Article 13 of the Town and Country Planning (Development Management Procedure) Order 2010 provides the framework for publicising planning applications. Separate arrangements relate to applications for Advertisements as well as Listed Building Consent and Conservation Area Consent (set out in the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

The Council's essential approach is that it will accord with at least the minimum publicity requirements as laid out in the relevant regulations.

The Council publishes a weekly list of all applications received throughout Pendle. The Council is obliged by law to carry out certain statutory consultations and uses the display of site notices

and individual letters to seek the views of local residents. Some applications are also advertised in the local press.

In publicising planning applications a balance needs to be struck between the time and cost required to provide the public with a reasonable time to comment and the need for speed in the decision-making process.

The Council publishes a weekly list summarising the valid planning applications it has received. This is posted on the Council's website and can also be inspected at Planning and Building Control Services in Nelson Town Hall and Council Shops throughout the Borough. Copies are also e-mailed to statutory consultees, interested parties and the local press. All planning applications are available to view on the Council's website.

The relevant regulations require, as a minimum, that the following publicity is carried out. In the case of applications subject to an Environmental Impact Assessment (EIA), or involving a proposal contrary to the Development Plan, or affecting a public right of way, an application must be publicised by the display of at least one site notice along with an advertisement in a newspaper. In the case of proposals involving "major development" (e.g. 10 or more dwellings or more than 1000 sq.m. of new floorspace) the regulations require, in addition to the site and press notices, that any adjoining owner or occupier is notified. For all other applications, that is, the great majority of applications received by the Council, the regulations require that the application is publicised by either a site notice or by individually notifying adjoining owners or occupiers. "Adjoining" in this context means those properties immediately adjacent to the site, where the boundaries touch. Roads are ignored, so that a property immediately opposite the site is also notified. Pendle's approach is, in all cases, to individually notify adjoining owners or occupiers. Site notices are used in addition to individual letters if the owner or occupier of land cannot readily be identified. In some instances other properties, in addition to those immediately adjacent to the site, that will be materially affected by the development or where the development has wider implications will also be notified by individual letters or a site notice will be used.

Applications for Conservation Area Consent and Listed Building Consent are publicised by site notice, press notice and individual letters (where appropriate). Applications for Advertisement Consent are publicised in a similar manner to planning applications.

The Council has a published document setting out its publicity procedure. This is attached as Appendix 1.

## **IMPLICATIONS**

### **Policy:**

None arising directly from the report.

### **Financial:**

Costs can be awarded against the Council if a successful appeal is made against An Enforcement Notice.

### **Legal:**

None arising directly from the report.

**Risk Management:**

None arising directly from the report.

**Health and Safety:**

None arising directly from the report.

**Sustainability:**

None arising directly from the report.

**Community Safety:**

None arising directly from the report.

**Equality and Diversity:**

None arising directly from the report.

**APPENDICES**

DC Publicity Procedure for Planning Applications

**LIST OF BACKGROUND PAPERS**

None.