

PUBLICITY FOR PLANNING APPLICATIONS

This document outlines Wirral Council's practice for consultation and publicity on planning applications and all related applications.

The purpose of publicity is to provide members of the public with notification of development which may affect them so that their views can be taken into consideration by the decision makers when determining applications.

The Council will apply the statutory requirements for publicity as set out in Article 15 of the Town & Country Planning (Development Management Procedure) (England) Order 2015, and Regulation 5 and 5A of The Planning (Listed Buildings and Conservation Areas) Regulations 1990.

The Council will give publicity to applications by means of;

- Neighbour Notification; or
- Site Notice(s); or
- Press Notice; or
- A combination of these three measures.

All applications will also be publicised on our web site.

Statutory Requirements for Publicising Applications

Nature of Development	Publicity Required
Development where an application: <ul style="list-style-type: none"> • is accompanied by an Environmental Statement • is a Departure from the Development Plan • affects a Public Right of Way 	Press Notice in local newspaper; & Site Notice
Major Development (see Appendix B: Definitions at end of this guidance)	Press Notice in local newspaper; & Site Notice or Neighbour Notification
Minor & Other Development (see Appendix B: Definitions at end of this guidance)	Site Notice or Neighbour Notification
Development affecting the setting of a listed building	Press Notice in local newspaper; & Site Notice
Development affecting the character or appearance of a conservation area	Press Notice in local newspaper; & Site Notice
Applications for Listed Building Consent	Press Notice in local newspaper; & Site Notice
Applications for Prior Approval as set out within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)	As set out within the GPDO

The following sections explain how these measures will be applied.

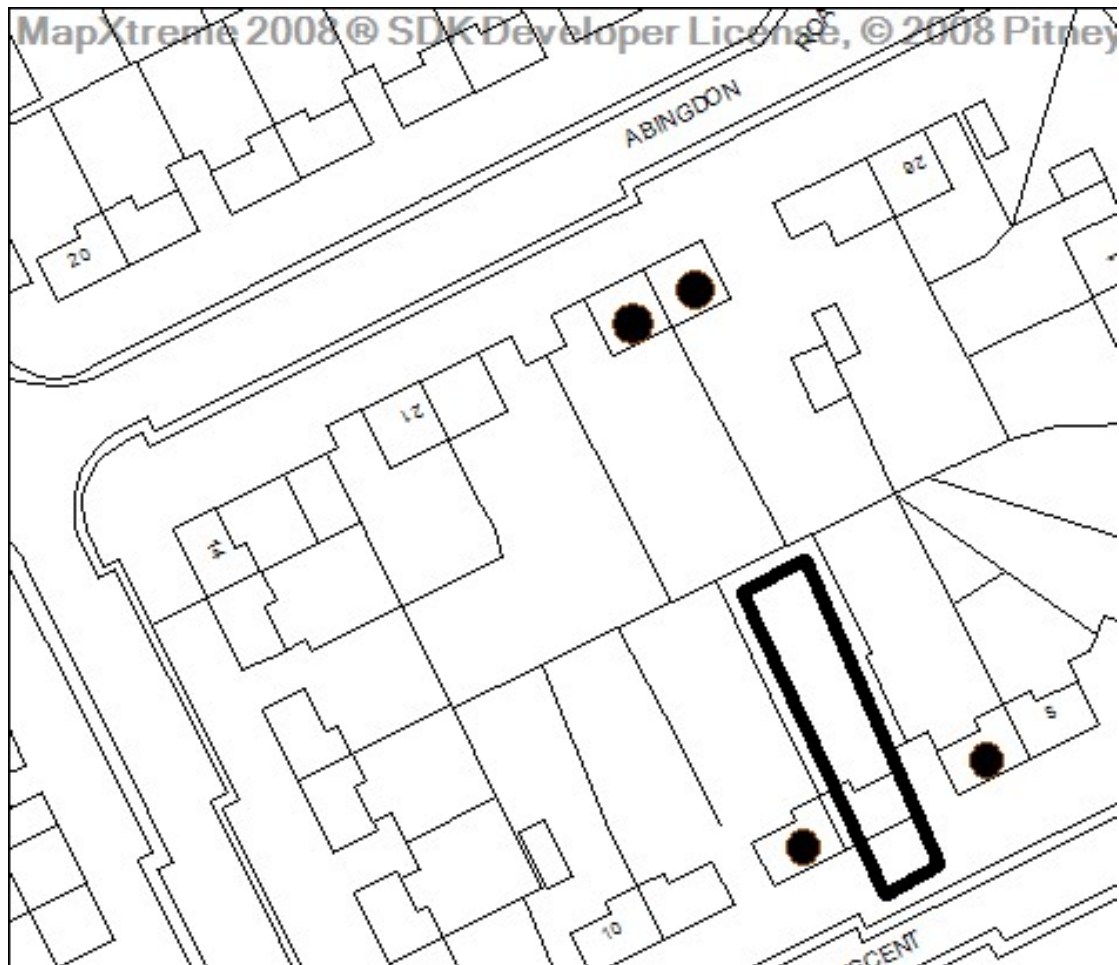
Please see Appendix A for full details of Wirral Council's Guidance for Publicity on Planning Applications

Neighbour Notifications

The Council will notify adjoining property owners and/or occupiers as soon as possible upon receipt of ALL valid planning applications.

Where the legislation stipulates Site Notice OR Neighbour Notification, the Council will normally only notify neighbours. This is considered a more effective way to consult residents who will be directly affected by the development. When only a Press Notice and Site Notice is required, the Council will normally still notify adjoining properties to ensure those directly affected are made aware of the proposed development.

Adjoining owners and/or occupiers are those whose properties have a common (shared) boundary with the application site. Properties separated by a road from the application site are not normally considered to be adjoining. However, at the discretion of the Case Officer, other properties **may** be notified if the proposed development may impact upon those properties (see plan below for example).



Neighbour notifications will be addressed to 'the owner/occupier.' The letter will give brief details of the proposal, details of where and when the application can be seen and the last date for comments (normally 21 days from the date of the letter).

Site Notices

At least one Site Notice will be displayed for applications where there is a clear statutory requirement to do so, and in some cases where there is adjoining land without any clear owner or address.

For clarity, Site Notices will be posted for applications for:

- Development which is accompanied by an Environmental Statement;
- Development which is a departure from the Development Plan;
- Development which affects a right of way;
- Development within a Conservation Area, which affects a Listed Building or is for Listed Building Consent;
- Applications for telecommunications masts.

Site Notices are printed by the Council and will be displayed by the case officer as soon as practical after receipt of a valid application. The Site Notice should be displayed for a period of 21 days. Once the Site Notice has been displayed the Council is considered to have satisfied its legislative requirements.

In the event that a Site Notice is removed or displaced, the case officer may decide to post a replacement but this will be considered on a case by case basis and will have regard to the length of time that has elapsed in terms of the consultation period.

All Site Notices will be posted as near as practical to the application site, all will be posted at points of public access (normally on lampposts).

Press Notices

Applications which require a press notice will be publicised in the local press.

For clarity, Press Notices will be published for applications for:

- Development which is accompanied by an Environmental Statement;

- Development which is a departure from the Development Plan;
- Development which affects a right of way;
- Major Development;
- Development within a Conservation Area, which affects a Listed Building or is for Listed Building Consent.

Developments likely to cause wider concern

In addition to the above, the Council will consider on a case-by-case basis the most appropriate method of giving additional publicity to significant major applications which are likely to create wider concern. This will normally be achieved by posting additional Site Notices but may also include additional individual neighbour notifications. This will be decided at the discretion of the Case Officer, when necessary in consultation with their Team Leader and/or the Development Management Manager.

Council's Website

In accordance with Paragraph 7 of Article 15 of the Town & Country Planning (Development Management Procedure) (England) Order 2015, all planning applications will be published on the Council's website as soon as possible following receipt of a valid application. This information shall include:

- the address or location of the proposed development;
- a description of the proposed development;
- the date by which any representations must be made;
- how representations can be made about the application.

Applications can be found using a number of different search criteria including, for example, application number, address, Ward, applicant's name, agent's name, or conservation area. The website can be viewed at <https://online.wirral.gov.uk/planning/index.html>

Councillor (Ward Member) Notification

All Ward Councillors will receive an e-mail alert when a valid application is received within their ward. The e-mail alert will provide brief details of the application including the application number, the description of the development, the location, the name of the applicant and/or agent and the date the application was registered.

Applications/Prior Approval Notifications for Telecommunication Masts

Given the sensitive nature of these proposals, the Council will normally send out Neighbour Notification letters to all properties **within a 75 metres radius** of the proposed mast site, in addition to a Site Notice.

Re-notifications on Amendments to Current Applications

The statutory requirements do not apply to publicity for amendments to a current application. However, the case officer will decide whether and how to re-notify. This will normally only occur if the amendments are significant alterations or increase the size of the proposal and would have a significantly different impact when compared to the original proposals. The Planning Practice Guidance states that *'in deciding what further steps may be required local planning authorities should consider whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended'*. Therefore, if the proposals remain substantially similar, or would have the effect of reducing the size and/or impact of the development, then re-notification would not normally occur.

Council Development and Development by the Crown

Development proposals by the Council or by a Government department on behalf of the Crown will receive the same publicity as development of the same type proposed by any other party.

Representations Received & Date of Decision

All representations on an application that have been received within the publicity period will be summarised within the case officers report on the application, provided they relate to the planning merits of that application.

The decision on an application cannot be issued until the last expiry date for responses to publicity. Once this date has passed, the Council can determine an application and as such, regard to the last date for comment (consultation end date) should always be had when considering making representations as those received outside of the publicity may be too late for consideration.

All decisions will normally be posted to the Council's website within 1 working day of the decision being made.

Preparation of Reports to Planning Committee prior to the Expiry of Publicity Period

Reports to Planning Committee are prepared 2-3 weeks prior to the Committee meeting. In these instances, additional representations received after the report has been written (but prior to the Committee meeting) will normally be reported on the Amendments List, which is compiled shortly before the meeting and presented to Members at the meeting. Representations which are received on the day of Committee may be reported verbally.

Consultation on Appeals Received

If an Appeal is lodged against the Council's decision to either refuse permission or to attach a condition to an approval that the applicant does not agree with, the Council will endeavour to notify the following of the Appeal:

- Those who were notified on the original application;
- Those who made representation on the original application;
- Ward Members;
- The Chair of the Planning Committee

Any representations on an Appeal should not be sent to the Council but directly to the Planning Inspectorate at Room 3N, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

For any further information please contact:

Development Management, Cheshire Lines Building, Canning Street, Wirral
CH41 1ND

e-mail: planningapplications@wirral.gov.uk

APPENDIX A

WIRRAL COUNCIL: PUBLICITY FOR PLANNING APPLICATIONS

Nature of Development	Publicity Required
Development where an application: <ul style="list-style-type: none">• is accompanied by an Environmental Statement• is a Departure from the Development Plan• affects a Public Right of Way	Press Notice in local newspaper; <u>&</u> Site Notice; <u>&</u> Neighbour Notification
Major Development	Press Notice in local newspaper; <u>&</u> Neighbour Notification
Minor & Other Development	Neighbour Notification
Development affecting the setting of a listed building	Press Notice in local newspaper; <u>&</u> Site Notice; <u>&</u> Neighbour Notification
Development affecting the character or appearance of a conservation area	Press Notice in local newspaper; <u>&</u> Site Notice; <u>&</u> Neighbour Notification
Applications for Listed Building Consent	Press Notice in local newspaper; <u>&</u> Site Notice; <u>&</u> Neighbour Notification
Telecommunications Applications (including applications for Prior Approval)	Site Notice; <u>&</u> Neighbour Notification (all within 100m radius)
Where there is no clear address/owner of a site adjoining the application site	Site Notice

Applications for Prior Approval as set out within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – other than prior approvals for telecommunications apparatus	As set out within the GDPO (unless
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APPENDIX B:

DEFINITIONS FOR THE PURPOSES OF THIS DOCUMENT

MAJOR DEVELOPMENT:

- 10 or more dwellings, or where the number of dwellings is not known/stated, the site area is 0.5 hectares or more
- the creation of 1,000 square metres or more floorspace, or the site exceeds 1 hectare
- mineral working or use of land for mineral working deposits
- all waste related developments (including waste treatment, storage or transfer as well as tipping)

MINOR DEVELOPMENT (including, but not limited to):

- less than 10 dwellings, or the site area for residential development is less than 0.5 hectares
- less than 1000 square metres, or the site is less than 1 hectare

OTHER DEVELOPMENT (including, but not limited to):

- Changes of use
- Householder development (development within the curtilage of a residential property)
- Advertisements
- Applications for a Lawful Development Certificate for an existing use or development (For the avoidance of doubt the Council does not publicise or consult upon applications for a Lawful Development Certificate for a proposed use or development)