



Environmental Services Department

Development Control Charter

February 2003

Martin Kimber
Director of Environmental Services

Civic Buildings, New Market Street
Wigan WN1 1RP



Contents

Section	Page
1.0 The Purpose of the Charter	1
2.0 The Aims and Objectives of the Development Control Service	2
3.0 Pre-application Discussions: Asking for Information and Advice	4
4.0 Submitting a Planning Application	6
5.0 Notifying the Public	7
6.0 Consultations	9
7.0 Dealing with an Application	9
8.0 Decision Making	10
9.0 Development Control Committee	11
10.0 Notification of the Council's Decision	12
11.0 Planning Appeals	12
12.0 Monitoring of Development	13
13.0 Complaints about Unauthorised Development	13
14.0 Complaints	14
15.0 Performance	15
16.0 Targets Summary Sheets	16
APPENDIX	
Definition of Major Development	Inside back cover

1.0 The Purpose of the Charter

- 1.1 The Council considers it vital that the various customers of the development control service clearly understand what they can expect from it and has, therefore, prepared this Charter which sets out how the service will be delivered and defines the standards to be met. The Charter is applicable to all the customers of Development Control, including applicants, their agents, neighbours, statutory consultees, local residents, amenity societies and any individual with an interest in a general or specific planning matter. The Development Control section aims to treat all customers positively, courteously and fairly.
- 1.2 Development Control is a process which regulates the development and use of land and buildings. It involves principally the consideration of planning applications and any resultant appeals, but also the monitoring of development when it takes place, enforcement action where breaches of control have occurred and the provision of general advice and information about a wide range of planning matters including that relating to trees, conservation areas and listed buildings.
- 1.3 Planning is the positive means of enhancing and protecting our environment whilst at the same time allowing the development necessary for our economic and social well being to take place in an appropriate way. Development Control is part of a wider planning process which includes preparing and reviewing a Development Plan (the Unitary Development Plan, or UDP), setting out other policies and regenerating our towns and countryside. Most people become involved in Planning through the Development Control process, either as applicant for planning permission or as someone affected by a development that is proposed or has taken place.
- 1.4 The Council is obliged to determine a submitted application, and government guidance states that a presumption exists in favour of permission being granted (with the exception of applications in the Green Belt). The Council has to have regard to this, as well as national planning legislation/guidance and the policies contained in the Council's Unitary Development Plan (UDP) when determining planning applications.
- 1.5 In relation to individual planning applications, the Council aims to make the best decision on the proposal having regard to its impact on the environment and on the interests of the community as a whole. This decision will not necessarily be made quickly, although the Council will aim to deal with applications as speedily as possible bearing in mind the above matters and Government Targets.
- 1.6 In all cases where an application has been refused, or conditions imposed which the applicant does not consider acceptable, a right exists to appeal against the decision to the Office of the Deputy Prime Minister (ODPM). Legislation provides for this right of appeal to exist for the applicant only and it does not extend to local residents or other parties who may be aggrieved about the decision.
- 1.7 In view of the complex nature of some planning applications and enforcement matters there will be cases when the targets defined within the Charter cannot be achieved. Nevertheless, it is the Council's aim to strive to achieve these targets, although any major shortfall will be considered within regular reviews of the performance of the Development Control Section.

- 1.8 The Council's complaints procedure is mentioned within the Charter although any written comments about the development control process should be addressed to:

Martin Kimber
Director of Environmental Services
Wigan Council
Civic Buildings
New Market Street
Wigan
WN1 1RP

or e-mail at planning@wigan.gov.uk
(*providing your e-mail includes your name and postal address*)

or fax on 01942 404222

2.0 The Aims and Objectives of the Development Control Service

2.1 The Role of the Service

The Development Control Service is an essential and integral part of the development process. It provides the means to ensure that land identified in the Unitary Development Plan (UDP) for particular forms of development is carried out in a way which accords with the policies contained within the Plan, bringing maximum benefits to the community in accordance with the Department's mission statement.

2.2 Mission Statement

The Mission Statement of the Environmental Services Department is:

**‘ To contribute to
the quality of life of the Borough’s citizens
through the improvement and protection of the
physical environment and the enhancement of
the economic prospects of the Borough ’**

2.3 Development Control Service Vision

The Key Purpose and Objectives of the Development Control Service are as follows.

A. SERVICE VISION

To operate the service in such a way that it:

- a. encourages and facilitates beneficial development which accords with the Development Plan, local and national policy objectives and any other material Planning considerations;
- b. maximises the service contribution towards the Regeneration and transformation of the Borough in accordance with the Council's Political and Service Principles and its Policy Framework;
- c. secures improvements to the quality and benefits of proposed development in order to grant consent where possible;
- d. achieves significant, measurable and continuous improvement to national and local performance indicators.

B. SERVICE QUALITIES

In operating the Vision for the Development Control process the following qualities will be pursued and measured as indicated in the table below:

	Service Qualities	As Measured By
1.	Speedy Decision Making	Applications decided in 8 weeks and achievement of Actions in Improvement Plan
2.	Fairness and Impartiality and Transparency	Outcome of Complaints and Ombudsman cases User Satisfaction surveys
3.	Open access by all	User Satisfaction surveys and Achievement of Actions in Improvement Plan
4.	User Friendliness	Continued Applicant Satisfaction surveys
5.	Responsiveness and inclusivity	Neighbour and Consultee Satisfaction Surveys
6.	Political Sensitivity	Delegation rate, numbers of overturned recommendations, approval rate
7.	Public accountability and consistency with Town and Country Planning Act	Avoidance of Costs at Appeal and Legal Challenges to decision making process
8.	Consistent with Human Rights Act	Avoidance of Legal Challenges under the Act
9.	Consistency with Policy Framework and Development Plan Objectives	Approval rate Appeal success rate

	Service Qualities	As Measured By
10.	Local Agenda 21 Plan Sustainability	Local Agenda 21 Monitoring process
11.	Coordination with other Regulatory requirements	Achievement of Improvements in interdepartmental liaison and cross service information User Satisfaction Surveys
12.	Soundness of Legal Process and Defensibility to Challenge	Avoidance of Legal Challenges, Costs at Appeal and adverse Ombudsman findings
13.	Consistency with Planning Users Concordat	Adoption and Operation of the Concordat
14.	Appropriateness of Enforcement regarding policies, legislation and the Enforcement Concordat	Adoption and operation of the Concordat
15.	Consistency with Performance Indicator Targets	Monitoring against Performance Indicator Targets

C. SERVICE DELIVERY

The Development Control Service will be delivered in a manner which best meets the vision and quality requirements having regard to the maximisation of overall customer satisfaction and cost effectiveness to both the Council and to service users.

- 2.4 The Council has adopted the National Planning Users Concordat and hence will strive to ensure that it meets all its provisions. It will look to all other users of the service to also follow its provisions. Copies are available free of charge from the Planning and Regeneration Department.

3.0 Pre-application Discussions: Asking for Information and Advice

- 3.1 Discussions will be welcomed with the applicant or agent before an application is made. This will encourage quality applications and will also ensure that they can be dealt with as quickly and efficiently as possible. Officers will be available to provide general information and advice at the Environmental Services Department's enquiry counter at the address given above (paragraph 1.8) during the hours 09.00 - 16.45 Mondays to Fridays inclusive.
- 3.2 It will be helpful if you would make an appointment and provide an outline of your proposals prior to the meeting, in order to ensure that enquiries can be dealt with promptly and effectively.
- 3.3 The Environmental Services Department particularly encourages applicants and agents for major or complex developments to make an early approach during the formulation of their proposals. For the more involved types of enquiries the Planning Officer will arrange and coordinate meetings with appropriate officers to ensure that all necessary advice on related consents and procedures is available to enquirers as early as possible. For example, Engineering Services will be brought in to advise on highways and certain drainage matters, Environmental Health to assist with requirements concerning noise, pollution and contaminated land. Where possible, the

Planning Officer involved will become the application case officer in order to provide continuity of service and effective liaison with other disciplines throughout the application process. The Council will maintain confidentiality at this stage of the process.

- 3.4 If advice is sought by letter or e-mail a response will be made as quickly as possible and in any event within **10 working days**. On occasion, due to the complexity of the enquiry or consultation responses being awaited, a full reply within this period will not be possible. In this event an acknowledgement will be sent within **10 working days** and you will be updated with progress on the matter.
- 3.5 The Environmental Services Department has a telephone answer machine for calls made outside of normal office hours (tel: 01942 404301). If a message is left on the machine, your enquiry will be passed to a specific officer who will respond by telephone within **1 working day**.
- 3.6 The information given in response to pre-application enquiries be accurate and the advice given will be objective, but will be without prejudice to the formal consideration of an application. Information will be provided regarding relevant national and local planning policies and the status of those policies, previous relevant decisions and the Council's requirements in relation to such factors as car parking, design standards and highways requirements.
- 3.7 Providing sufficient information has been forthcoming, advice will be given where possible, about the anticipated outcome of an application, but again this will always be without prejudice to the formal consideration of an application.

Written Advice

- 3.8 Advice notes on how to make an application will accompany planning application forms for change of use, mining operations or waste disposal, building or engineering operations, renewal of a temporary permission and removal or variation of a condition. They will detail the appropriate procedures for submitting an application and refer to neighbour notification procedures. Advice notes detailing the appropriate procedures for submitting an application will also accompany the householder and advertisement consent application forms.
- 3.9 A schedule detailing the applicable planning fees as determined by Central Government will accompany all planning application forms.
- 3.10 Copies of the Council's planning policies and Supplementary Planning Guidance in respect of certain types of development are available free of charge. There are also general leaflets available on the development control system, information about Council procedures and Committee dates and leaflets/documents published by the Department for Transport, Local Government and the Regions (DTLR), the Royal Town Planning Institute (RTPI) and the Planning Inspectorate. The Department also publishes a free Planning Handbook and maintains a comprehensive Website at www.wigan.gov.uk.

- 3.11 Wherever possible advice will be given on the other approvals or consents which may be necessary or on the steps which may need to be taken. Detailed advice on Building Control and Highways and Traffic are available through the Departmental Enquiry Desk or via case officers.
- 3.12 Whilst the above common points apply to everyone, particular regard will be given to the need for flexibility and understanding when dealing with people or groups with special needs. The Council is committed to promoting equal opportunities for the community it serves and its Service Equality Policy seeks to ensure that no discrimination is permitted on the grounds of colour, race, nationality, ethnic origin, marital status, sex or disability. If you have difficulty in using English we will, if necessary, contact an Interpreting Service.
- 3.13 The Planning and Regeneration Department is located in a building which is fully accessible by all disabled persons and is equipped with facilities to help people whose hearing is impaired. Staff are trained to have awareness of the difficulties which disabilities can create.
- 3.14 The principal aims of all pre-application discussions are to foster a good relationship with customers, to ensure that applications are submitted in an appropriate form for early determination and to continue to concentrate resources on providing a high quality service for all potential users of the service.

4.0 Submitting a Planning Application

- 4.1 It is the applicant's responsibility to ensure that the application is submitted correctly with, for example, the correct application fee and sufficient details to enable its determination.

In addition, advice or help will always be available for completing the application form and providing private householders and other individuals with Ordnance Survey (OS) site plans. There will be a charge to cover the cost of providing OS plans which is based on a scale of fees levied by the Ordnance Survey and the Council's own administrative and photocopying charges. For advice on current charges please telephone the Environmental Services Department reception on 01942 404297.

- 4.2 Our Planning checklist will accompany the planning application forms and should be completed by the applicant in order to ensure that the correct documentation is enclosed.
- 4.3 Submitted drawings must be to an appropriate scale. Site location plans must identify all adjoining/adjacent properties/land, they must also include the street names and house numbers of all adjoining/adjacent properties. All submitted plans must also be individually referenced in order to allow them to be identified by their reference number in the decision notice.
- 4.4 Upon receipt of an application it will be checked, registered and its receipt acknowledged within **5 working days**. The acknowledgement letter will inform the applicant/agent of the:

- date of receipt of the application;
 - expiration of 8 weeks within which a decision may be expected;
 - right of appeal; and
 - name and direct dial telephone number of the planning officer dealing with the application
- 4.5 If an application has not been submitted for Building Regulation approval then a separate letter will be forwarded to the applicant/agent advising if building regulations approval is also required for the development.
- 4.6 If a submitted application is incomplete or invalid the applicant/agent will be notified by the relevant officer either in writing or by telephone within **3 working days** of receipt. A full explanation will be given as to what is needed in order to validate the application. A period of 28 days will be allowed for this, after which all the submitted documents will be returned.
- 4.7 Applicants may prefer to use their own professional adviser or agent, and in such cases correspondence, discussions and negotiations will always take place directly with the adviser or agent. Decision notices are supplied only to the agent.

5.0 Notifying the Public

- 5.1 The statutory register which lists all current planning applications and past decisions are indexed in numerical order and available for inspection during office opening hours. It will be helpful if you would arrange an appointment prior to visiting the office, in order to ensure that you can be dealt with promptly. You can do this by telephoning the Development Control Administrative Section on 01942 404258.
- 5.2 New applications received will be available for inspection within **2 working days** of those applications being determined as valid.
- 5.3 Copies of decisions made will be available for inspection at the Planning and Regeneration Department reception within **5 working days** of the decision being taken. It will also be possible to purchase decision notices from the Environmental Services Department. For advice on current charges please telephone the Development Control Administrative Section on 01942 404258.
- 5.4 The Council will compile a weekly list of all applications received, defined in numerical order and this will be available for inspection during office opening hours at the Environmental Services Department reception and the Borough's local libraries. This information is also published on the Department's Internet site at:

www.wigan.gov.uk

- 5.5 Copies of the submitted application forms and any supporting information will be supplied on receipt of a fee to cover the cost of photocopying. For advice on current charges please telephone the Development Control Administrative Section on 01942 404258.

It is not the Council's policy to supply copies of submitted plans. You are, therefore, advised to contact the plan drawer direct with this request.

- 5.6 The Council's adopted procedure on publicising planning and related applications is set out in the leaflet "Publicity For Planning Applications - Our Code Of Practice", which is available from the Environmental Services Department. The main principles are set out below.
- 5.7 The Council will normally notify in writing the occupants of premises adjoining and or adjacent to an application site, in accordance with the adopted notification procedure. Notification letters will always provide the following information:
- the site address;
 - the proposed development;
 - where and when the application may be viewed;
 - the rights of applicants and objectors to address the Development Control Committee;
 - the date by which written comments should be submitted (within 24 days from the date of the letter);
 - officer contact name and 'direct dial' telephone number; and
 - guidance on what matters are relevant to the planning decision and those issues which cannot normally be taken into account.
- 5.8 Where it is not apparent who are the occupants or owners of land adjoining an application site, the Council will erect a notice in at least one place on or near to the land to which the application relates, advertising the receipt of the application and advising where it may be viewed. A site notice will also be erected where the Council considers that the planning application may be of a wider concern to more than the immediate neighbours.
- 5.9 Applications for development in the Green Belt, Conservation Areas or relating to the alteration or setting of a listed building may also be advertised by means of a site notice. Site notices will always provide the following information:
- the site address;
 - the proposed development;
 - where and when the application may be viewed;
 - the rights of applicants and objectors to address the Development Control Committee; and
 - the date by which written comments should be submitted (within 21 days from the date of the posting of the notice on site).
- 5.10 Applications will be advertised by means of a local press notice in the case of development which:
- is accompanied by an Environmental Impact Assessment;
 - does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated;
 - would affect a public right of way;
 - are for major development (*for definition, please see Appendix*)

- 5.11 Press notices will always provide the following information:
- the site address;
 - the proposed development;
 - where and when the application may be viewed;
 - the date by which written comments should be submitted (within 14 days from the date of the notice).
- 5.12 The Director of Environmental Services will consider any written comments which are received by the Council within the specified period of time. Comments submitted by e-mail must include the writer's name and postal address otherwise they will be regarded as anonymous and will not be taken into consideration. If an application needs to be considered by the Development Control Committee, written comments will either be summarised in a report or copied and circulated to Council Members with the Committee papers.
- 5.13 In the case of a petition, the Council will correspond with either the petition organiser (named in the covering letter) or the first name and address listed in the petition.
- 5.14 If amendments are submitted adjacent land owners/occupiers may be notified again if the changes are important.

6.0 Consultations

- 6.1 Before determining planning applications, the Council will consult with the appropriate authority or agency specified in the Town and Country Planning (General Development Procedure) Order 1995 and any subsequent amendments. For example, the Council will consult with the Environment Agency where an application would involve development adjacent to a river.
- 6.2 In such cases relating to consultees outside the Council, appropriate details will be supplied sufficient for the proposal to be assessed and the consultee will be given a period of 21 days to respond in writing. The Council will give due consideration to all such consultations responses received.
- 6.3 The Director of Environmental Services will consider the consultation responses which are received by the Council within the specified period of time. If an application needs to be considered by the Development Control Committee, the response will either be summarised in a report or copied and circulated to Council Members with the Committee papers.
- 6.4 If amendments are submitted consultees may be notified again if the changes are important.

7.0 Dealing with an Application

- 7.1 The case officer dealing with the application will, where practicable, make an early visit to the site. Officers have the right to access and inspect the application premises

under the Town and Country Planning Act. If it is not possible for the Officer to readily access the site a suitable appointment will be made with the applicant.

- 7.2 The purpose of our Planning Checklist is to ensure the applications are complete when submitted. However, where, following a site visit, it is apparent that certain information is missing from an application, the applicant will be advised of this in writing and given 10 working days to submit the required details. If the information is not supplied within a reasonable period the applicant may be requested to withdraw the application, otherwise it may be refused. Applicants preparing applications requiring a Retail Impact Assessment should not submit applications until all the information is available otherwise the application is unlikely to be registered.
- 7.3 Where it is practicable and feasible to do so the Council will seek amendments to planning applications rather than refusing permission. A time limit will always be given within which amended details will require submission, normally being 14 days. If revised details are submitted, more time may be needed to consider the amendments and possibly carry out further consultations before a decision can be made.
- 7.4 Applicants will be informed on request about the progress of applications. If the application cannot be dealt with by the target date (within the 8 week statutory period), the reason will be explained to the applicant on request.

8.0 Decision Making

- 8.1 The final decision on the application will be made by either of the following:
- a) The Development Control Committee (made up of elected Councillors), or
 - b) Planning Officers (qualified professionals who advise the Development Control Committee and implement its planning policies).
- 8.2 Most planning applications will be determined by Planning Officers, under what are known as 'delegated arrangements'. These arrangements enable the Planning Officers to approve planning and related applications provided that:
- the proposals are in accordance with the Unitary Development Plan and Council Planning policies;
 - no more than four objections have been received;
 - important technical consultees do not object;
 - any proposals made by the Council itself are of a minor nature only and do not involve land or buildings managed by the Director of Environmental Services.

Special arrangements apply to telecommunications developments.

- 8.3 Officers do not have the authority to refuse applications except in the case of those for the display of advertisements.
- 8.4 A document explaining when applications will need to be considered by the Development Control Committee is available free of charge, upon request from the Environmental Services Department.

8.5 If the application needs to be considered by the Development Control Committee there will be an opportunity in accordance with the Committee's adopted procedure for the applicant or agent/supporter and a representative of any objectors to address the Committee prior to a decision being made.

9.0 Development Control Committee

9.1 For those applications considered by the Development Control Committee the applicant or agent, supporter/objector will be informed in writing of the date of the meeting at which the application will be considered. They will also receive a leaflet which explains the way in which the Development Control Committee operates and how they can participate in the proceedings.

9.2 If the Development Control Committee need to visit the application site, the applicant or agent and objectors/supporters will be informed in writing of the site visit arrangements. A site notice will also be displayed near to the site, approximately one week before the date of the site visit giving the appropriate details.

9.3 The purpose of the site visit is to assist Members in gaining a better understanding of the proposal, it is **not** an opportunity for Council Members to hear representations in respect of the application. However, applicants/agents/supporters/objectors may attend the site visit in order to observe or to point out features on and/or adjacent to the site in relation to the proposals.

9.4 Following the site visit, the application will be considered at the next available meeting of the Development Control Committee, frequently these will be shortly following the site inspection. Accordingly, applicants or agents, supporters/objectors will be advised in writing of the date of the Committee meeting. They will also be reminded of the way in which the Development Control Committee operates, since there will be a further opportunity for the applicant or agent/supporter and a representative of any objector to address the Committee (subject to the provisions outlined in the public speaking leaflet) prior to a decision being made.

9.5 All reports to Development Control Committee will be in full and in writing. Any relevant correspondence will be referred to or included with the agenda papers.

9.6 If applicants or objectors provide video evidence in support of their case, no soundtrack will be permitted during the committee meeting.

9.7 Where a decision is deferred, the application will normally be reconsidered at the next meeting of the Development Control Committee, usually 3 weeks later.

9.8 If, during the debate, the Chairman decides that Members should receive legal or other advice in private, the application will be considered further in the closed part of the meeting. The application will be brought back to the next appropriate meeting of the Committee for decision.

9.9 Where applications require referral to the Secretary of State this will be done within **5 working days** of consideration by the Committee.

- 9.10 The Council is striving to reduce decision making times such as to achieve the Government's target of determining **80%** of all planning applications within **8 weeks**.
- 9.11 The Council will strive to exceed the Government's target of **no less than 90%** of all applications being delegated to Council Officers for decision.

10.0 Notification of the Council's Decision

- 10.1 Once the decision has been made on an application the decision notice will be dispatched to the applicant or agent within **3 working days**. Any conditions attached to a permission or reasons for refusal will be set out clearly in the notice. Any additional information or advice will be set out in the notice or detailed in a covering letter or enclosures. Decision notices will make clear which Development Plan policies and proposals were taken into account in reaching the decision.
- 10.2 Where an application is refused, details of the applicant's rights of appeal will be forwarded with the decision. The applicant is, however, encouraged to discuss the refusal with the Council in order to establish whether a revised application would be likely to lead to a favourable decision.
- 10.3 Objectors and/or supporters will be notified of the decision in writing after the application has been determined. This will normally be forwarded within **10 working days** of the date of the decision.
- 10.4 Some decisions may not be made until the applicant and other relevant parties have entered into a planning agreement under Section 106 of the Town and Country Planning Act 1990. If one is required, applicants or agents will be informed at the earliest opportunity. Where possible, the potential terms of such an agreement will be discussed with the applicant prior to reporting them and the planning application to Committee.
- 10.5 In all cases decisions on planning applications will be based on the planning merits of the case and local and national guidance. Applications will only be refused where there are valid and sustainable planning grounds for refusal based on sound evidence.

11.0 Planning Appeals

- 11.1 Where appeals are lodged and these are to be dealt with by an informal hearing or local inquiry the Council will, where appropriate, and prior to the hearing date, discuss with the appellants any amendments which may lead to an acceptable proposal.
- 11.2 The Council will in all appeal cases request that they are dealt with under the written representation procedure, unless this is deemed to be contrary to the interests of the public or the Council.
- 11.3 Owners/occupiers of properties notified during the processing of a planning application will be informed in writing, within **5 working days** of receipt of an appeal. Any additional objectors/supporters (not formally notified in writing during the processing

of the planning application) will also be notified in writing, within 5 working days of receipt of an appeal. The notification letters will clarify the procedures and timescales for making representation to the Planning Inspectorate.

- 11.4 The Council will endeavour always to submit documents to the Planning Inspectorate, including appeal statements and other information, in accordance with statutory requirements.
- 11.5 The receipt of appeals and the eventual outcome, together with any costs awarded for or against the Council will be reported to the Development Control Committee.

12.0 Monitoring of Development

- 12.1 A pro-active planning decision monitoring system is being prepared for major and critical developments. This will ensure that these developments are carried out in accordance with the approved details/plans and that the conditions imposed are complied with. In addition, objectors to developments are provided with copies of decisions and conditions in order that they may advise the Council of any instances of alleged non compliance.

13.0 Complaints about Unauthorised Development

- 13.1 Written complaints about unauthorised development will be acknowledged in writing within **5 working days** of receipt. This correspondence will also confirm the name of the officer dealing with the complaint. The Council will not normally investigate anonymous complaints.
- 13.2 A visit to the site or premises to establish the facts will be made by the relevant officer within **10 working days** of the complaint being received.
- 13.3 During the course of investigations, complainants will be kept up-dated by telephone where it is expedient to do so and where the complainant agrees.
- 13.4 Given that enforcement investigations can often be lengthy and complex and since staff resources are limited, it will be necessary to give priority to those cases where in the opinion of the Council the greatest harm is being caused. Nevertheless, in all cases, complainants will be advised either by telephone or in writing of the Council's conclusions and any intended action. This will be carried out within **15 working days** of receiving the complaint.
- 13.5 If formal proceedings are to be taken, complainants will be advised of what formal action the Council proposes to take within **10 working days** of a decision being made on what action is to be taken.
- 13.6 The Department's Town Planning Enforcement Policy and Customer Charter for the Town Planning Enforcement Service documents provide further information in respect of enforcement matters, procedures and targets. Both documents are available free of charge, from the Environmental Services Department.

14.0 Complaints

- 14.1 All written complaints about the way in which Development Control matters have been handled will be dealt with fully and as quickly as possible. The Council has a Complaints and Comments Procedure which is explained in a leaflet obtainable from the Department or electronically on the web site at www.wigan.gov.uk. Follow the link to the Council's home page. In the first instance any complaints or comments you have about Planning matters should be made to the Environmental Services Department. This can be done in writing, by phone, by personal visit or by e-mail. Written comments about the Development Control process should be addressed to:

Martin Kimber
Director of Environmental Services
Wigan Council
Civic Buildings
New Market Street
Wigan
WN1 1RP

Or e-mail at planning@wigan.gov.uk
(*providing your e-mail includes the name and postal address of the writer*)
or fax on 01942 404222

Telephone comments about the Development Control process should be made to:

the Assistant Director	Telephone (01942) 404255, or
the Development Control Manager (West)	Telephone (01942) 404271
the Development Control Manager (East)	Telephone (01942) 404259

If you're not happy with the outcome, you can write to the Director of Environmental Services using the form on the leaflet referred to above which will also explain what to do if you remain dissatisfied. The Council aims to respond within **10 working days** of receiving the complaint. On occasions when this is not possible, due to the complexity and nature of the complaint, an acknowledgement will be sent within **10 working days** and you will subsequently be updated with progress on the matter.

- 14.2 If you remain dissatisfied about the way in which the Council has handled the matter, the procedures for making a complaint to the Commission for Local Administration (the Local Ombudsman) will be explained.

15.0 Performance

- 15.1 The Council will publish an annual review of its development control performance and the targets and actions given. If, as a result of a review, it is demonstrated that performance has fallen significantly below established service levels and the targets detailed in this Charter, an explanation will be given detailing the reasons for under-performance and measures needed in order to ensure that targets are met in the future.

- 15.2 Periodic reviews of customer satisfaction with the development control process will be carried out. This review will firstly, allow the Council to ascertain whether the quality of development achieved fulfils the expectations of the customer and, secondly, determine whether existing policies, practices or targets should be revised.

16.0 Targets Summary Sheet

(All targets commence from date of receipt unless otherwise stated)

Section	Procedure	Target
3.0	Pre-application discussions: Asking for Advice	
3.4	Response to letters	10 working days
3.5	Response to telephone answer machine enquiries	1 working day
4.0	Submitting a Planning Application	
4.5	Checking, registration and issue of receipt	5 working days
4.7	Invalid application letter to applicant or agent	3 working days
5.0	Notifying the Public	
5.2	Valid applications available for inspection	2 working days
5.3	Decision notices available for inspection	5 working days
9.0	Development Control Committee	
9.9	Applications referred to the Secretary of State	5 working days of decision by Development Control Committee
9.10	Determination of all planning applications	Staged improvements to 80% within 8 weeks
9.9	Determination of householder applications	In excess of 80% within 8 weeks
10.0	Notification of the Council's Decision	
10.1	Decision notices sent to the applicant or agent	3 working days of decision
10.3	Details of decision forwarded to objectors/supporters	10 working days of decision
11.0	Planning Appeals	
11.3	Owners/occupiers notified	5 working days of receipt of appeal
13.0	Enforcement Matters	
13.1	Acknowledgement of written complaints	5 working days of receiving complaint
13.2	Visit to the site which is subject of a complaint	10 working days of receiving complaint
13.4	Notification to complainant of Council's conclusions and any intended action	15 working days of receiving complaint
13.5	Notification to complainant	10 working days of a decision regarding formal enforcement action being made on what action is to be taken
14.0	Complaints	
14.1	Response to complaint	10 working days

APPENDIX

Definition of Major Development

'Major development' means development involving any one or more of the following -

- a) the winning and working of minerals or the use of land for mineral-working deposits;
- b) waste development;
- c) the provision of dwellinghouses where -
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);
- d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) development carried out on a site having an area of 1 hectare or more.

[Source: Article 8, paragraph (7) of the Town and Country Planning (General Development Procedure) Order 1995.]