



## **Wigan Council Procedure for Consideration of Planning Applications**

**July 2015**

### **1. How are planning applications publicised?**

The Council has adopted a Code of Practice on the publicity it gives to planning applications. This is available at [Publicity for Planning Applications](#).

This note covers planning applications, applications for listed building consent, and applications for advertisement consent. Procedures for dealing with Lawful Development Certificate and 'Prior Approval' applications will vary. Further details on these can be obtained by contacting [planningrepresentations@wigan.gov.uk](mailto:planningrepresentations@wigan.gov.uk)

### **2. Can I comment on a planning application?**

Whether or not you have been formally notified of a planning application, the Council welcomes any relevant comments you may wish to make. In order to ensure your comments are taken into consideration they should be received by the deadline date set out on the website, notification letter, or site/press notice, whichever is the latter.

Comments received after these dates may still be taken into consideration prior to a decision being taken on the application; however, this cannot be guaranteed.

A petition or bundle of standard letters will be regarded as one objection.

Comments should be made by e-mail to [planningrepresentations@wigan.gov.uk](mailto:planningrepresentations@wigan.gov.uk) or in writing to Places Directorate: Economy & Skills, PO Box 100, Wigan WN1 3DS.

If you decide to send comments, no acknowledgement will be sent and we are unable to enter into any correspondence.

### **3. What issues are relevant to the planning decision?**

These will vary with the nature of the proposal and the particulars of the site, but may include:

- The Council's development plan [policies and guidance](#), such as the [Wigan Local Plan Core Strategy](#).
- National planning policies and guidance, such as the [National Planning Policy Framework \(external link\)](#).
- Scale, design and appearance
- Overshadowing

- Overlooking and loss of privacy
- Highway and pedestrian safety
- Noise and disturbance
- Effects on trees and ecology
- Flood risk
- Conservation of buildings

#### **4. What issues are not relevant to the planning decision?**

Again these may vary, but include the following:

- Loss of value
- Private property rights, such as boundary or access disputes
- Covenants
- Loss of view
- Rights to light
- Possible future development
- Trade competition
- The applicant or objector's personal circumstances

#### **5. Who decides planning applications?**

The case officer will prepare a report and recommendation, which will consider your comments along with all other relevant planning policies and considerations.

Most applications are determined under delegated powers by experienced planning officers. In such cases two senior officers will assess and agree the case officer's recommendation.

A small number of applications are however determined by the Planning Committee which is made up of elected councillors and meets every 4 weeks.

Applications will be determined by Planning Committee in the following cases:

- Where in the opinion of the Assistant Director of Planning & Transport, the application raises issues of importance which it is considered should be determined by Planning Committee.
- A request has been received within 28 days of the publication of the weekly list from a member representing the relevant ward or a member of Planning Committee for the matter to be referred to Planning Committee.
- 10 or more non-standard letters have been received from separate third-party addresses which conflict with the officer's recommendation.

#### **6. What decision can be made?**

A planning application can be:

- Approved (normally subject to various conditions)

- Refused. In such case detailed reasons for the decision will be set out in the decision notice.

In addition the Planning Committee may either:

- Resolve to grant permission. For instance subject to completion of a legal agreement.
- Defer a decision, either for further information or to allow the Committee to visit the site.

## **7. What is the Planning Committee procedure?**

The Planning Committee meets every 4 weeks in the Council Chamber at the Town Hall, Library Street, Wigan, WN1 1YN. The meetings commence at 2pm. The council chamber is accessible to disabled people with level access off Hewlett Street and an induction loop is installed to help those people with hearing difficulties.

Any person who has submitted written comments on an application due to be considered by Planning Committee will be notified of the meeting 5 working days prior to the meeting and will be invited to attend. The agenda and officers' reports will be published on the [Planning Committee Meetings](#) page.

Copies of the written comments received can also be viewed on [Planning Application Enquiries](#).

## **8. Can I speak at the Planning Committee?**

One person will be allowed to speak against the application for up to 4 minutes and one person to speak in favour also for up to 4 minutes. Speakers will not be allowed to hand out any material to the Committee. Speakers will not be asked questions by Officers or the Committee members.

All speakers will be asked to provide their name and address, and anyone wishing to speak is asked to arrive at the meeting no later than 1.30pm to register their interest.

If there is more than one person wishing to speak, agreement will need to be reached beforehand to identify the person who will speak.

Since the period for speaking is limited you should prepare a clear and concise statement which sets out the main points you wish the Committee to consider.

Even if you do not wish to speak, you are advised to arrive at the Council Chamber at least 30 minutes prior to the start since large numbers of people can sometimes attend. You will be asked to provide your details to the Committee clerk at the desk, including whether you are attending as applicant, supporter or objector.

Please note that whilst applicants and members of the public can attend the meeting and watch proceedings, they cannot address the meeting other than as set out above. If a member of the public interrupts the proceedings or is otherwise disruptive, he or she will be asked by the Chairman to leave the room.

## **9. What is the order of business?**

The applications will normally be dealt with in numerical order as they appear on the agenda. Where the Committee has previously undertaken a site visit, those applications will be considered first.

- The Chairman will read out the application number, location, and development description.
- The Planning Officer will then introduce a visual presentation showing the application site and relevant plans.
- The Chairman will ask a representative of any objectors to present their statement explaining why they think the application should be refused.
- The Chairman will ask the applicant, their agent, or supporter to present a statement explaining why they think the application should be approved.
- The Planning Officer will then provide a detailed report on the application, including commenting on any factual points raised by the objector or applicant.
- The planning committee members will be given the opportunity to ask the Planning Officer any technical questions or seek points of clarity.
- The Chairman will then announce the opening of debate on the application by the Committee members.
- After the debate, the Chairman will take the vote on the application.
- The Chairman will provide an opportunity for people to leave the chamber once their application has been considered before moving on to the next item.

## **10. How will I find out about the decision?**

- By checking [Planning Application Enquiries](#) and entering the application number.
- By e-mailing or telephoning the case officer.
- By attending the Planning Committee meeting.

## **11. Does the applicant have a right of appeal?**

If permission is refused, or granted subject to conditions, the applicant may choose to appeal to the Planning Inspectorate. The Council will forward any comments received on the original application to the Planning Inspectorate and such persons will be informed of the appeal. Details of the [appeal process \(external link\)](#) can be viewed online.