



# Executive Committee

All Wards

7th October 2009

## CHANGING THE WAY PLANNING APPLICATIONS ARE ADVERTISED

(Report of the Head of Planning & Building Control)

### 1. Summary of Proposals

To endorse the suggested Council response to the CLG consultation 'Publicity for Planning Applications' as compiled by Officers.

In general the proposals are welcomed as making planning information more accessible to the public at a lower cost to the Council. The proposals relate to the length of time for which site notices are displayed and the proposed move away from newspaper advertisements to Council website advertisements.

### 2. Recommendations

**The Committee is asked to RESOLVE that**

**the response at Appendix 2 to Communities and Local Government regarding the consultation document 'Publicity for Planning Applications' be endorsed and submitted.**

### 3. Financial, Legal, Policy, Risk and Sustainability Implications

#### Financial

- 3.1 There is no cost associated with submitting the consultation response. There may be financial benefits following amended legislation, if it reduces the need for costly advertising in local newspapers. There is the potential for some initial set up and ongoing maintenance costs in relation to revising the website, but these are likely to be minor and therefore covered from existing budgets.

#### Legal

- 3.2 If the changes proposed by the consultation go ahead, they will result in amendments to the following piece of legislation:

The Town and Country Planning (General Development Procedure) Order 1995 (as amended).

### Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

- 3.3 As yet, no draft legislation has been published, so it is not possible to anticipate what it would be titled, when it might come into force or the detail it might contain.

#### Policy

- 3.4 There are no identified policy implications for the Council as a result of the consultation response. The principles of the legislation and the procedural arrangements for its implementation would remain unchanged, and thus only the detail would alter. The changes, when published, may result in a need for minor changes to the SCI (Statement of Community Involvement), but these will be dealt with as appropriate. Current guidance from the Government Office is that revising the SCI is not a high priority.

#### Risk

- 3.5 All consultation responses to Communities and Local Government must be submitted within the designated time period (responses must be returned by 23 October 2009). Communities and Local Government will not have knowledge of the views of Redditch Borough Council when reviewing legislation if a response is not made.

#### Sustainability / Environmental

- 3.6 It could be argued that electronic consultation in preference to newspaper publicity is more sustainable as it uses fewer raw materials and thus leaves less opportunity for waste, although it is suggested that this would be an insignificant impact, especially in the short term.

#### Report

### **4. Background**

- 4.1 The current regulations require that planning applications of specified types must be publicised by the Local Planning Authority in prescribed ways, depending on the type of application. Applications usually require at least one of a variety of methods of publicity. These are:

#### a) Writing to adjoining owners/occupiers

- b) Display of a site notice on or near the land to which the application relates (for various specified periods of time)
  - c) Local advertisement in a newspaper circulating in the appropriate area
- 4.2 Many Local Planning Authorities, including Redditch, also provide information relating to planning applications on their websites. This allows members of the public, who have been made aware of an application by one of the aforementioned methods, to review the details and gain advice on whether and how to comment on the application. However, this often requires prior knowledge of an application, and is generally within a planning area of the website, as it is on our Council website.
- 4.3 The use of newspapers to advertise planning applications is being reviewed by central government on the basis of effectiveness and cost. It is difficult to measure how many people make comments on an application because they became aware of it through a newspaper advert (the official list of applications, not an article on a particular proposal) however many planning officers across the country have advised that in their experience it is a very small proportion of the representations that they receive. This Council spends approximately £5500 on statutory advertising of planning applications each year. There is, therefore, a combination of factors, including those cited above, as well as the recent Killian-Pretty review of the planning system, which have highlighted the need to reconsider the approach Councils take to advertising planning applications. The Government acknowledges that it is important to consult and have an open and democratic planning process, however it is keen to do so in an appropriate and efficient way and thus is keen to encourage Local Planning Authorities to move towards electronic service delivery.
- 4.4 Members are reminded that every Local Planning Authority is also required to set out in the Statement of Community Involvement (SCI)(within the Local Development Framework) how they intend to consult with the public on planning applications. The changes proposed here would result in a need for updating of the SCI, and this will be dealt with by officers separately when needed.

## 5. **Key Issues**

### Neighbour notification

- 5.1 The Government does not propose any changes to the requirements for notifying adjoining owners/occupiers by letter.

### Site notice display

- 5.2 The Government proposes minor changes to the requirements for the display of site notices, in that all site notices will be required to be displayed for 21 days, whereas currently different types of application require different display times for the notices. This simplifies the process, however in an attempt to give as much opportunity for engagement as possible, Redditch Borough Council has been displaying all site notices for 21 days for some time now, and so no change will need to be made in this respect. (Other time limits for display are currently less than 21 days).

### Newspaper advertisements

- 5.3 The main changes proposed are about when newspaper advertisements would be required, and in the instances in which they would no longer be required, what alternative publicity should occur. (For the summary table of proposed changes, see Appendix 1.) In general, the proposed changes are that rather than a newspaper advert, an advert on the Council website should be made instead. Members should be aware that the Government document suggests that the online advert is not the same as simply having information on current planning applications available on the website as Redditch does currently. Therefore, some changes would need to be made to the website and to internal procedures to set up and run a new advert system. The consultation document suggests that similar information will be required to be included in the advert as is detailed in the information on the planning application, only in a different location on the website. The online adverts should be clearly differentiated from online planning information.
- 5.4 The proposals remove the need for any newspaper advertisements at all, however Councils would still be able to make such advertisements should they wish to do so. However, in deciding to take such action, regard would need to be had to implications such as cost, and any necessary amendments to the adopted Statement of Community Involvement.
- 5.5 Concern has been raised in some quarters of the implications of the Government proposals on local newspapers, their income and future viability. Whilst it is not the case that they survive on statutory Council advertisements alone, it is noted that in the financial year 2008-2009 RBC spent almost £5500 on statutory advertisements in the local press.

## **6. Other Implications**

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Asset Management	-	Changes to the website would be required
Community Safety	-	None known.
Human Resources	-	None known.
Social Exclusion	-	It is possible that people without access to a computer would, in the future, not be able to view advertisements for planning applications.

### 7. **Lessons Learnt**

This is a change to a current procedure, which is anecdotally considered to be outdated, but which is very difficult to measure in order to provide certainties. At this stage, it is difficult to draw any conclusions from the proposed changes.

### 8. **Background Papers**

CLG consultation document 'Publicity for Planning Applications'

<http://www.communities.gov.uk/publications/planningandbuilding/consultationpublicity>

### 9. **Consultation**

There has been no consultation other than with relevant Borough Council Officers.

### 10. **Author of Report**

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### 11. **Appendices**

Appendix 1 – Summary of proposed changes

Appendix 2 - Proposed response to CLG consultation