

Publicity Details

All of the forms of publicity shall specify the following:

- The development being proposed
- The applicant's name and the application number
- The location and extent of the proposed development. Site notices and neighbour notification letters will include a site plan with the application boundary clearly identified
- Where the application can be viewed. This will normally be the relevant District Council Offices and the County Council Offices. For major developments, the application may be deposited in other public buildings [eg local libraries] if considered appropriate by the case officer
- Name and contact details of case officer
- The date by which representation shall be made. This shall be a minimum of 21 days from the date of publicity/ notification for all applications except those accompanied by an Environmental Statement, where a minimum of 28 days shall be given. Bank and Public Holidays are not counted in these notification periods
- Where representations shall be sent.

Significant Amendments to a Planning Application

Where, in the opinion of the case officer, significant amendments are to be made to a proposal during the course of its determination, further publicity/notification shall be undertaken and a minimum of 14 days shall be given.

Making a Representation

Representatives must be made either by letter or by e-mail to be valid. Verbal representations will not be considered or reported at Committee, other than those presented in person at Committee. When a valid representation is made, the following will apply:

- Each representation shall be acknowledged by letter within 5 days of receipt, and the representee shall be sent a leaflet advising of the right of individual objectors to speak at Committee.
- A decision notice on the planning application shall not be issued until the notified period for representations has expired.
- All representations relating to material planning considerations submitted by the deadline shall be taken into account in reaching a decision. Those not received by the deadline, but before consideration of the application by committee, shall be taken into account provided there is sufficient time remaining.
- Representations will not be kept confidential and the applicant and other interested persons may arrange with a case officer to see any letter of representation relating to a planning application.
- The representee has the right to withdraw or amend any of the views he or she has expressed but must do this in writing.
- Each representee shall be advised in writing of the decision on the application.
- A copy of the decision shall be made available for inspection on the Planning Register at the relevant District Council.



Publicising Planning Applications

This leaflet explains
why and how we
publicise development
proposals

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Publicity for Planning Applications

Purpose of Publicity

Planning applications are publicised to ensure that all those who may be affected by a development have the opportunity to make their views known and have them taken into account before a decision is made.

A Statutory Requirement

Cumbria County Council as a planning authority is statutorily required to publicise all the planning applications that it determines. The legislation does not precisely prescribe the publicity. The type of publicity will vary depending upon the nature and scale of the development proposed.

The County Council determines planning applications for minerals and waste management development and for development it will carry out itself [known as 'county council developments.' or Regulation 3 applications].

Procedures for Publicising Planning Applications

Planning applications shall be publicised as follows:

A site notice shall be displayed on or near the boundary of the land to which the application relates, where it can be read from publicly accessible land. More than one site notice shall be displayed if considered appropriate by the case officer; for example, for larger developments. Notices shall also be displayed on parish notice boards where applications are for underground mining development. The case officer may consider this form of publicity to be appropriate for other applications for large scale development and will liaise with the relevant parishes to arrange this as necessary.

Owners and occupiers of neighbouring properties that are likely to be significantly affected by the development shall be notified by letter. The letters will normally be hand delivered when the case officer visits the site to help ensure that all affected properties are identified. The extent of notification will be at the discretion of the case officer using the following criteria:

- Neighbours will normally be notified if their property adjoins, overlooks or is adjacent to the proposed development.
- Owners and occupiers further away from the proposal site will be notified if the case officer considers that they could be materially affected by some aspect of the proposals [eg noise, dusts, odour, traffic, visual intrusion].
- Owners and occupiers of adjacent undeveloped land or where there are no buildings on site will only be notified where they are known to the case officer or where they have requested to be notified.

The case officer shall place on the application file a record listing or showing on a plan the location of all the occupiers that have been notified of the proposed development and

where the site notice[s] were displayed and a copy of the letter and notices[s] and the date issued/displayed.

A newspaper notice shall be published in the local press **when:**

- The application is for a major development. This includes an application for the winning and working of minerals or the use of land for mineral working deposits; for the purpose of or change of use to treating, storing, processing or disposing of refuse or waste material, or for any development of buildings of 1,000 sq m of floor-space or more.
- The application is accompanied by an Environmental Statement.
- The proposal is a departure from the Development Plan.
- The proposal affects a Public Right of Way, requires Listed Building Consent or affects the character or appearance of a Conservation Area.

Other development that does not fall within these classes will not normally be advertised in the local press. These will be publicised by site notice and neighbour notification letters.

All publicity identified in above shall normally be carried out within 10 working days of the registration of a planning application.

Applications for the approval of details required by a condition on a planning permission will not be subject to the publicity requirements set out here but will be publicised as appropriate.