

**Decision Maker:** DEVELOPMENT CONTROL COMMITTEE

**Date:** Thursday 28 January 2021

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** CONSULTATION ON PLANNING APPLICATIONS

**Contact Officer:** Tim Horsman, Assistant Director (Planning)  
Tel: 020 8313 4956 E-mail: Tim.Horsman@bromley.gov.uk

**Chief Officer:** Assistant Director (Planning)

**Ward:** (All Wards);

---

1. Reason for report

Members have requested an information report setting out the Council's current approach to consultation on planning applications.

---

2. **RECOMMENDATION(S)**

The committee note the Council's adopted consultation approach.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
- 

### Corporate Policy

1. Policy Status: Existing Policy: Statement of Community Involvement
  2. BBB Priority: Not Applicable
- 

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £
  5. Source of funding: N/A
- 

### Personnel

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Not Applicable
- 

### Procurement

1. Summary of Procurement Implications: N/A
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 The Local Planning Authority is required to consult the public on planning applications it receives prior to making a decision, and to take any representations received into account in the determination of the application. This requirement is set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) (referred to as DMPO 2015) <https://www.legislation.gov.uk/ukxi/2015/595/contents/made>. Additionally the Planning (Listed Buildings and Conservation Areas) Act 1990 (<https://www.legislation.gov.uk/ukpga/1990/9/contents>) sets out publicity requirements for Conservation Area and Listed Building applications.
- 3.2 The DMPO 2015 covers numerous aspects of the planning application procedure but with regard to normal full planning applications, the normal requirement to consult is via letter to adjoining owner/occupiers **or** via site notice. For some applications such as major applications and those in Conservation Areas, site notices are a requirement.
- 3.3 The Council's approach to publicity for planning applications is set out in the adopted and published Statement of Community Involvement (SCI) ([https://www.bromley.gov.uk/info/1004/planning\\_policy/154/statement\\_of\\_community\\_involvement](https://www.bromley.gov.uk/info/1004/planning_policy/154/statement_of_community_involvement)). The approach is built on the statutory requirements but also sets out that for some 'significant' applications, the approach to publicity will be wider than the minimum requirement.
- 3.4 Below is an extract from section 4.4 of the adopted Statement of Community Involvement:

#### ***"4.4 What we do when a planning application is received***

*The Council has a range of methods to ensure that submitted applications are brought to the attention of its residents, statutory consultees and other stakeholders. The details of each application, after validation, are published on Planning Public Access on the Council's website ([www.bromley.gov.uk/planningaccess](http://www.bromley.gov.uk/planningaccess)). The application form, location plan and full plans are available to view on Planning Public Access and each application is updated with the decision notice.*

**4.4.1.** *The website also provides the opportunity (and primary way) for anyone to comment on a submitted application.*

**4.4.2.** *A weekly list of all valid planning applications received is circulated to councillors and published on the Council's website via Planning Public Access. The website provides the opportunity to search for an application via the planning application number (supplied in all correspondence) or via the property address. Where possible, further publicity will be added via "My Bromley" accounts*

**4.4.3.** *Advertisements - legislation requires statutory publicity for different types of applications.*

**4.4.4.** *The Council produces at least one site notice and an advertisement in a local newspaper for the following types of application for development:*

- subject to an Environmental Assessment*
- development affecting a public right of way*
- affecting a statutorily listed building or conservation area*
- a departure from the Development Plan*
- discretionary advertisements*

- development by adjoining planning authorities

**4.4.5. Site Notice:** site notices are only used in the case of significant applications to provide information for people in the vicinity of a site. It includes information on:

- the nature of the application,
- how to contact the Council,
- how to view plans, and
- the deadline for making comments (usually 21 days from the date of the notice).

**4.4.6. Neighbour notification:** the occupiers of properties immediately adjoining an application site are notified individually by letter that an application has been received. In some cases, letters are sent on a discretionary basis to other nearby properties which may be affected. They are invited to inspect the application and make any written observation. If the occupier is disabled or elderly and unable to get to the Civic Centre, copies of the plans can be provided free of charge if they have no reasonable access to the Council’s website.

**4.4.7. Legislation does not specify which properties are to be notified and consequently the Council operates a flexible system of consultations, but it is based on a number of important principles:**

- significant applications which have a wide public interest will have a wide area of notification;
- all owners or occupiers of properties immediately abutting the site (disregarding any roads) are notified of applications;
- a minimum of 21 days is given for comment.”

3.5 It is possible to use site notices instead of sending letters for publicity for the majority of non-major applications, however the Council has chosen to send letters.

3.6 The Statement of Community Involvement is due to be reviewed this year.

#### 4. FINANCIAL IMPLICATIONS

The options available to the Council for publicity for planning applications can vary in cost, however this report is not proposing any changes to the existing arrangements.

<b>Non-Applicable Sections:</b>	<b>IMPACT ON VULNERABLE ADULTS AND CHILDREN POLICY IMPLICATIONS</b> <b>PERSONNEL IMPLICATIONS</b> <b>LEGAL IMPLICATIONS</b> <b>PROCUREMENT IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	The Town and Country Planning (Development Management Procedure) (England) Order 2015 <a href="https://www.legislation.gov.uk/uksi/2015/595/contents/made">https://www.legislation.gov.uk/uksi/2015/595/contents/made</a> Bromley Statement of Community Involvement (SCI) <a href="https://www.bromley.gov.uk/info/1004/planning_policy/154/statement_of_community_involvement">https://www.bromley.gov.uk/info/1004/planning_policy/154/statement_of_community_involvement</a> Planning (Listed Buildings and Conservation Areas) Act 1990 ( <a href="https://www.legislation.gov.uk/ukpga/1990/9/contents">https://www.legislation.gov.uk/ukpga/1990/9/contents</a> )