

# HAVE YOUR SAY ABOUT A PLANNING APPLICATION BEFORE THE COUNCIL MAKES A DECISION

- **Write to the Head of Community Well-being and Development, Wrexham County Borough Council, Lambpit Street, Wrexham, LL11 1AR** Your views will be taken into account when the application is decided under delegated powers or when a report is prepared for the Planning Committee. Please quote the application number if you know it.
- **Approach your local Wrexham Councillor.** The Planning Department can provide you with their contact details.
- **Speak at the Planning Committee, subject to the points set out below.**

## WHAT ISSUES/CONCERNS CAN YOU RAISE?

- You must decide what to bring to the attention of the Council, but under Planning Law the Council's decision must accord with the Wrexham Development Plan unless other planning considerations are of sufficient weight to justify a decision that can be defended at appeal to the Welsh Assembly Government's Planning Inspectorate. The Council cannot refuse planning permission simply because people object, or approve it because many people are in support or no-one objects.
- **The issues you raise must involve planning matters such as:**
  - The planning policies and proposals in the Wrexham Development Plan ('UDP') (e.g. green barrier)
  - Government planning advice (e.g. Technical Advice Notes) and appeal decisions
  - Impact on the character and appearance of an area (e.g. siting, scale, massing, height and design)
  - Impact on residential amenity (e.g. hours of use, overlooking, overdominance, noise, traffic)
  - Impact on highway safety (e.g. poor visibility, pedestrian safety, parking)
- **Little or no weight can be given to non-planning matters or purely private interests such as:**
  - Structural stability, drainage, fire precautions, hygiene and internal space (these are, however, dealt with under other legislation such as the Building Regulations)
  - The personal characteristics of the applicant
  - Disputes over the ownership of the land affected
  - Private rights of way, private drains and other private easements and legal covenants
  - The effect of the proposal on property values
  - Competition between rival companies, shops, restaurants etc.

(Representations of a racist nature will not be considered and may be referred to the Commission for Racial Equality / Police for investigation).

## WHAT WILL HAPPEN WHEN YOU WRITE TO THE COUNCIL?

### Consideration by the Planning case-officer:

- Your letter will be acknowledged and passed to the Planning case-officer dealing with the application.
- The officer will visit the application site to assess the impact of the proposal on the area.
- The officer may negotiate amendments to the proposal. If these are significant in scale the Council will notify neighbours again and invite them to view the plans and make further representations. The original letter(s) will still be considered, but in the light of the amendments.
- The officer will prepare a report taking into account the views expressed by consultees (e.g. the Highway Authority) and comments made by the applicant and neighbours, and may consult senior planning officers. This report will usually be prepared 4 to 8 weeks from the date that the application was submitted to the Council and neighbours were first notified.

### Consideration by the Head of Community Well-being and Development:

- The Head of Community Well-being and Development and/or the Planning Control Manager, will consider the application and plans, any representations made and the officer's recommendation. A decision will be made where the officers have delegated powers or a report approved for consideration by the Planning Committee.

### Consideration by the Elected Councillors:

- If the application is referred to the Committee, an agenda will be prepared and publicised, and those who have asked to speak will be notified as described at the end of this note.
- The Committee will meet and discuss the application. A decision will normally be made on the night, but is occasionally deferred to a subsequent meeting or for a site inspection.

## The Council's Decision:

- The Council will issue a Decision Notice to the applicant (or his/her agent).
- The Council will notify neighbours who have written in. The press will normally report decisions on major proposals.
- Where the decision is to refuse permission, the applicant can, usually within 6 months, appeal to the Welsh Assembly Government whose Planning Inspectorate will review the case and can grant approval. Those people who wrote to the Council about the application will be notified of such an appeal.
- Where the application is approved, the Decision Notice will usually contain planning conditions requiring, for example, matching materials, landscaping, parking, specific hours of use of commercial premises.

## Your Rights if Planning Permission is Granted:

- Neighbours have no right of appeal against the grant of planning permission except, in exceptional cases, on legal grounds through the Courts and you would need to consult a solicitor on this matter.
- Planning Permission does not override any civil/property rights you may have over the land affected, but you would need to consult a solicitor on this matter.
- If the development affects or is near to a neighbour's house/premises, the developer may need to notify them of proposed works under the Party Wall Act. You would need to consult a solicitor on this matter, but the Council has an explanatory leaflet available on request and our Building Control officers can advise you.

## DO YOU WANT TO SPEAK TO THE PLANNING COMMITTEE?

1. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below.
2. You may only speak if the Planning Application **is on the Committee agenda**. Many applications are decided by the Chief Planning Officer under delegated powers, but your letter(s) will be taken into account however the decision is made. An Application is normally referred to Committee only when someone has written to the Chief Planning Officer during the 3-week publicity period with views contrary to the officers' recommendation. You may contact the Planning Department towards the end of this 3-week period to see if the application will go to the Committee.
3. Only **one spokesperson** can speak for or against an application. The Chair of the Committee may exercise discretion to allow a second speaker, but only in exceptional cases where a major application generates divergent views within one 'side' of the argument (e.g. a superstore application where one spokesperson represents residents and another local retailers, but both are opposed to the scheme).
4. You must notify the Planning Department of your request to speak by telephoning, faxing, writing to or e-mailing the Administration Manager **Miss Ann Jones (Tel. 01978 292016, Fax. 01978 292502, E-mail. [Planning\\_admin@wrexham.gov.uk](mailto:Planning_admin@wrexham.gov.uk))**. **You must do this as soon as possible, but by 4.30 p.m. on the Friday before the Committee at the latest.** Please leave a daytime telephone number.
5. If several people wish to speak, they must **get together to agree who the spokesperson will be and inform the Council**. It is a condition of this scheme that you permit the Council to give your contact details to others (of the same view) who request to speak, to help you nominate a spokesperson. Should this not lead to agreement, only the first person to notify the Council as described above will be allowed to speak.
6. **We will inform those who request to speak** when the application will be considered at a particular Committee meeting by telephoning or writing/e-mailing no sooner than 3 working days before the meeting. If you have not provided a telephone number, this may occur as late as the day of the meeting. You may inspect the reports on the Committee agenda 3 working days before the meeting.
7. You must **attend the Committee** meeting at the **Guildhall, Wrexham** and introduce yourself to the Committee Clerk between **6.00 and 6.15 p.m.** The meeting usually starts at 6.30 p.m. on Mondays on a 4-weekly cycle. The Guildhall is within walking distance of the bus station, the entrance is adjacent to the Library and parking is available on **Llwyn Isaf off Chester Road** (the junction opposite the entrance to Waterworld).
8. When invited by the Chair of the Committee, you may speak **once and for up to 3 minutes**. In preparing for this remember that you do not need to repeat all the points in any letter(s) sent in and consultation replies as these will already have been summarised in the Committee Report. You are advised to focus on the key points of concern to you.
9. Having spoken you must leave the matter to be debated by the Committee and must not join in the debate, but the Chair of the Committee may ask you question(s) to clarify any point(s).