

Protect Congleton Civic Society Self-Help for Planning Applications

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1. Introduction

This document provides information that may be of use to those wishing to find out further information and/or comment on planning applications raised for Congleton and surrounding areas.

The material is not intended as a substitute for the information on the Cheshire East Council (CEC) website and the CEC guidelines and instructions for planning applications should be followed at all times.

The CEC planning guidelines can be found here [Cheshire East Planning](#).

The planning process is complicated and it is all too easy to misunderstand what is required. Consequently this information has been put together to highlight any pitfalls in the process.

If you use this document and find it helpful please let us know via the website Contact Us form. Also, if you spot any errors or have any information that is not in the material please let us know.

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Self-Help for Planning Applications

2. Overview of the Planning Process

A typical planning application proceeds as follow:

- The application and associated documentation is submitted by the applicant, checked by CEC and if all is OK the application is registered.
- Once registered the application will appear on the CEC website and will have some basic details, see Section 5 for an example. As well as the application details there will be a set of dates and ones to be aware of are the last date for submitting comments and the committee date (this is the date when the application will go before a planning board).
- Comments and objections to the application can now be made. The comments can either be in writing or email to the Case Officer shown in the application details or via the website by clicking the “comment on this application” link that will be available when the application is displayed.
- Comments on the application can continue to be made until the last date for submitting comments passes, and all documentation on the application can be viewed on the website.
- The application will now go forward to the appropriate planning committee which will meet on the date specified and this will be a public meeting. The meeting date can change without much notice so keep an eye on the website. The planning application will also be subject to a Town Council planning meeting, but these meetings do NOT decide on the application, the meetings will still Accept or Refuse applications but it is the CEC planning meeting where the final decision is made.

This is a simplified version of the process that many planning application follow, in the following sections there is further information that needs to be borne in mind.

3. Further Notes on the Planning Process

3.1. Delegated Authority

Although many applications go through the process outlined in Section 2, many small developments come under delegated authority. This will be highlighted under the Committee Date on the website. Delegated authority means that the application will be dealt with by the planning officer who is authorised to make a decision so the application will **NOT** be subject to a planning meeting.

There is a mechanism whereby an application with Delegated Authority can be “called in”. This means that a local councillor may request that it be brought to the planning committee for a decision. If you are concerned about a planning issue for an application you should approach your local Borough councillor to give your view, to ask advice and to ask for a contentious application to be called in.

3.2. Planning Committees

The Southern Planning Committee deals with planning decisions for the Congleton area and usually meets in Crewe. The Strategic Planning Committee considers matters which “have strategic implications by reason of their scale, nature or location”. It usually meets in Macclesfield. A Congleton planning application could be seen by either committee, but usually the Southern Planning Committee.

On rare occasions a Congleton planning application may be seen by the Northern Planning Committee, which usually meets in Macclesfield. This will usually be due to the volume of work for the committees.

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It is not clear from the application details which committee will decide on the application as only a date is provided. You will need to search the CEC website to find the appropriate meeting. An easy way of doing this is to check the CEC meeting calendar found here [Meeting Calendar](#). Find the date in the calendar and you will see what committee is meeting on that day along with the meeting start time.

You can click on the meeting in the calendar and you will be taken to the meeting details where you will be able to see the attendance list, which will also provide the meeting location. Around **ONE WEEK** prior to the meeting an agenda and report pack will be published. The report pack is produced by the planning officers and will consider all aspects and objections to the application and will make a recommendation of approve or refuse to the committee.

3.3. Site Visits

Officers from the council may well attend the site and/or surrounding area at any time so that they can, for example, take measurements of roads and access points. A fuller site visit may be arranged and it would be wise to discuss such a visit with a Councillor you contact. This would then include members of the planning committee who will make a decision on the planning application.

At such visits objectors may attend but they should **NOT** under any circumstances approach or speak to the visitors as this may compromise the position of one or more of the people visiting. Hence, for example, a Councillor who visits and is on the planning committee may then be unable to attend the planning meeting. If this is a Councillor who is sympathetic and is likely to refuse the application they will no longer have a vote at the meeting.

3.4. Representation at the Planning Meeting

If you wish to attend the decision meeting then you should phone/email the contact provided in the Attendance Document. This is usually Democratic Services on 01270 68466.

Congleton is represented on both the Southern and Strategic Committees (but not on the Northern Planning Committee). Councillor Andrew Thwaite sits on the Southern Planning Committee and Councillors David Brown and Peter Mason sit on the Strategic Planning Committee. You may ask one of your ward councillors to speak on your behalf at a meeting of these committees but bear in mind those members of the committee must be able to demonstrate fairness and impartiality. It is a good idea, therefore, to ask another ward councillor to represent your views.

3.5. Commenting on Planning Applications

Before making comments on a planning application it is advisable to read the CEC guidelines [guide to commenting on planning applications](#). Some things to note when commenting on an application:

- If you want to object to an application you must try to find proper grounds for objection and this is covered in the CEC guidelines. Making subjective comments on the application is likely to carry no influence on the application's decision. Neither is the number of objections it is only the different material objections that carry any influence.
- It is possible to comment online, by email or through the post as described in Section 2. Verbal representations will not be accepted. Letters and statements of support or objection will be posted on the Planning website and this is the place where the Committee members will read your comments.
- As part of the process, other councils may be asked to comment on an application. It is a good idea, therefore, to lobby the Town Council. If you live outside the town then you should lobby your Parish Council.

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- Other bodies may be asked by the planning officer to comment on an application. If you have concerns about flooding, for example, then it might be useful to ask to speak to somebody at the Environment Agency.
- It is possible to speak for or against a planning application at a planning meeting. This has to be arranged beforehand as covered in Section 3.4. **The allocation of time for this is very small, 3 minutes, and has to be shared by all objectors so it is a good idea to have a group representative carry out this job.**
- If a ward councillor is prepared to speak on your behalf, then he or she will be allocated 5 minutes, but, again, this must be shared. Objectors and applicants are not permitted to show new evidence but they can, during their 3 minutes, challenge other evidence put forward.
- Although the above is the norm, at a recent Strategic Planning Meeting it was observed that objections were presented by two individuals as well as a Councillor. The Councillor had their 5 minutes and the other objectors each had 3 minutes. There was a member of the action group against the planning application and someone representing the business community who spoke at the meeting. It is advisable to check with Democratic Services when arranging representation at the planning meeting.
- Because of the way in which the system works, the planning officer will have studied the evidence put by the applicant and will have “come to a view”. The committee must take this view into account, although they do not always act upon or accept the advice. The planning officer is allowed to demonstrate their view using slides or pictorial evidence. If you wish to know what the planning officer is going to say then read their report pack, see Section 3.2 for how to access the report pack.
- Planning applications should be decided within a set time frame. At the time of producing this document this is 13 weeks from the date of registration of the application. It is advisable to check with the applications case officer. If an application is not decided within this period the applicant can appeal to the Secretary of State on the grounds of “non-determination”. There is nothing that individuals can do to prevent this occurring. However, if you notice that a planning committee date is postponed and rescheduled outside of the 13-week window it may be worthwhile speaking to your Ward Councillors and/or case officer to understand why and understand the risk of the application being appealed by the applicant, e.g. it could be that further submissions by the applicant has required more evaluation and extended the decision making time frame.

4. Appendix 1 – Planning Contacts and Links

4.1. Congleton East Ward Councillors

Councillor David Brown	Member of Strategic Planning Committee
Councillor Peter Mason	Member of Strategic Planning Committee
Councillor Andrew Thwaite	Member of Southern Planning Committee

4.2. Congleton West Ward Councillors

[Councillor Gordon Baxendale](#) [Councillor Roland Domleo](#) [Councillor David Topping](#)

4.3. Cheshire East Council Website Links

[Cheshire East Planning](#)
[Meeting Calendar](#)
[Search for a Planning Application](#)

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5. Appendix 2 – Planning Application CEC Website Details

Copy of a CEC website screen for a typical planning application. The Application Details have been removed below so as not to display actual application details. These details will be completed for a registered application

Planning Application Details

[Return to planning search results](#)

Application Details

Reference Number

Type Of Application

Location

Proposal

Ward / Parish

Case Officer


Site Visit Complete /
Date Of Site Visit

Status

Decision / Date
Decision Made

Legal Agreement

Location



Important Dates

Date Registered	Committee Date
05-Nov-2012	19-Dec-2012
Last Date For Submitting Comments	Decision Target Date
13-Dec-2012	31-Dec-2012

Available Actions

- [Comment on this application](#)

Plans and Documents
Applicant Details
Consultees and Neighbours

Planning Documents

Search Results - 30 records found

Page 1 of 2 ⏪ ⏩ 1 2 ⏪ ⏩ 25 Records/Page

Application No.	Name	Type of document	Description	Document Date
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