

Draft Protocol for Consulting on Amended Plans

Local Planning Authorities (LPAs) are required to undertake a formal period of public notification prior to deciding a planning application. Article 15 of the Development Management Procedure Order (as amended) sets out the minimum statutory requirements for publicising applications for planning permission and affords LPAs discretion about how they inform communities and other interested parties about planning applications. LPAs may also set out more details on how they will consult the community on planning applications in their Statement of Community Involvement (SCI).

Depending on the type of planning application it must be publicised by either one, a combination, or all of the following;

- The erection of a site notice in at least one place on or near the land to which the application relates for not less than 21 days; or
- By serving a notice on any adjoining landowner or occupier.
- By publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.

The initial time period for making comments on a planning application will be set out in the publicity accompanying the planning application once registered. This will not be less than 21 days, or 14 days where a notice is published in a newspaper. LPAs may, at their discretion, take into account comments that are made after the closing date (but have no obligation to do so).

An application can be amended after it has been submitted either at the request of the LPA to overcome a possible objection of the scheme or at the request of the Applicant.

Paragraph 61 of the Government's National Planning Guidance document 'Making an application' states "*it is at the discretion of the Local Planning Authority whether to accept such changes, to determine if the changes need to be reconsulted upon, or if the proposed changes so significant as to materially alter the proposal such that a new application should be submitted*".

The Council reserves the right to undertake further publicity at any stage during a planning application, including receipt of amended details, in accordance with the following principles:

- Where the Council accepts an amendment to an application, neighbours, and third parties who were originally notified of the application will be formally re-notified where the planning officer considers that the amendments have a greater impact;
- In most instances where amended plans are submitted that reduce the quantum of development, lessen the impact on the amenities of the locality or relate to minor matters of detail the decision will be taken at the discretion of officers that no further publicity will be required;
- In all cases, amended details will be available to view on the online Council's planning application webpages. All comments received to a planning application will be considered in the assessment of the proposals.
- Each case is assessed on its own merits and in line with Government Guidance. Professional planning judgment will be exercised in all cases to assess whether changes to planning applications require further publicity.