

PUBLIC QUESTION NO. 1

Richard Bennett to ask the Chair of the Planning Applications Committee:

Policy of Posting of Yellow Site notices for Planning Applications

What is the policy on posting yellow site notices to advise interested passers-by, and the local community, that a planning application for a property is being considered?

Whilst yellow site notices are posted in many instances we have observed that they are not posted in all instances and that consistency and clarity of approach is required to improve the transparency of the planning process and community involvement.

RBC 'Statement of Community Involvement' para 7.7 says "Consultation on planning applications will be carried out in line with the relevant statutory requirements, taking account of resource availability."

We are seeking a clear statement of RBC policy in relation to site notices.

Additional information:

Background

When planning applications are validated the details are posted on the RBC planning website. The most immediate residents are also advised by the planning department by letter.

Summary details of planning applications for works to listed buildings or to buildings in conservation areas (CA) are then included in a RBC public notice in the rear pages of the Reading Chronicle.

We believe that by undertaking the above that the Council is following the legal minimum requirements.

The CAAC and Reading Civic Society are also separately advised, by exception, of validated applications which the case officer thinks we may be interested in. Both organisations also receive from the RBC planning technical support the weekly decisions and valid applications lists.

We are very appreciative of the above information.

However there appears to be an inconsistent approach as to the placing of yellow site notices which advise passers-by, and the wider community, of a planning application including: the application number, summary details and the deadline for comments to be made.

- We are aware that in some instances case officers place them, by visiting the site they see the subject building in context.
- We understand in some instances they are sent to the applicant to display them, which sometimes they do and sometimes they do not.

We are certainly aware of instances where the yellow site notices have not been displayed despite our concerns being raised. The result is a lack of community knowledge about a site, and applications going through to approval on which the community may have issues they wish to be addressed.

Why are site notices important?

The placing of yellow site notices is an effective way for local residents who have not been notified directly to be aware of what is planned. It also informs passers-by and encourages wider community participation in the planning process as a supporter or as an objector.

Summary

We believe that there is an inconsistent approach to the placing of Yellow Site Notices and that this is inappropriate. Thus we seek clarification of the council's policy which will be adopted in all cases.

REPLY by the Chair of the Planning Applications Committee (Councillor Maskell):

A Local Planning Authority is required by law to publicise all planning applications, as set out in the General Development Procedure Order 2015. This includes advertisements in a local newspaper, site notices, neighbour notifications and on a website if the Council has one.

The GDPO requires the formal consultation period to be 21 days.

For the majority of planning applications the application must be notified:

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; *or*
- (b) by serving the notice on any *adjoining* owner or occupier.

Notices of Major applications, those proposing a departure from the policies in the local plan, applications with an Environmental Impact Statement or applications for Listed Buildings or in Conservation areas are also required to be published in the local paper.

This question relates to the first form of notification referred to - the site notice.

For most applications an LPA can choose whether to use a site notice or to write to adjoining neighbours. In Reading's case the established procedure is to do both, unlike many other authorities who solely rely on the site notices.

The site notice is sent to the agent (or applicant if no agent used) for them to display for 21 days on or near the site. We ask the agent/applicant to return a site notice confirmation slip to confirm when the notice has been displayed. The majority of application sites will have a site notice displayed. However, officers do not insist on the site notice being displayed as by writing to the neighbours the statutory requirements have been met.

For Major applications, applications that are a departure from the policies of the local plan, applications with Environmental Impact Statements and those applications for listed building changes or that affect a listed building or that would affect the character or appearance of a conservation area it is a legal requirement for a site notice to be displayed. It is Reading's practice to produce a laminated site notices (normally yellow) which are put up by an officer with the 21 days consultation period shown. Some sites require several notices if there are more than one public frontage to the site. A photograph is taken to record that the notice has been displayed.

Sometimes these site notices can get dislodged or are removed by unhelpful people but the regulations say "Where the notice is, without any fault or intention of the local planning authority, removed, obscured or defaced before the period of 21 days has elapsed, the authority is to be treated as having complied with the requirements of the relevant paragraph if they have taken reasonable steps for protection of the notice and, if need be, its replacement".

When officers spot when carrying out the site visit, or are notified by others, that there is no notice displayed officers will ask the applicant or agent to display it.

A replacement notice can be produced for display on site if an applicant or agent claims that they have not received the notice or officers are notified that one of these notices is no longer on display. This will depend on where the application is in terms of the determination period and whether it is possible to allow a further 21 days for comments.