

## **WBC guidance on extensions of time for determination of planning applications.**

Once an application has been submitted with the right level of information, it will be made valid and we will write to you to let you know when the decision should be made, which will reflect the timeframes identified in legislation.

Applicants and their agents are advised to check their applications before submission for consistency and to ensure that all the information that will be required to positively determine an application has been included. The Council's [Local Validation Checklist](#) identifies the documents that are needed with a submission but also, usefully, what should be included in terms of content (the Local Planning Authority can only consider the content in assessing the application and not at validation stage). If you need advice on the acceptability of an application before it is submitted, then please submit a [request for pre-application advice](#) (You will need to register and login to use this service). Significant changes to applications should not be negotiated through the planning process.

The law allows for applicants to agree to extend the time for determination beyond statutory timeframes, for both major development applications and other applications that would normally be determined within 8 weeks. This would need to be agreed in writing. An extension of time agreement is a mechanism by which an applicant can agree with the local planning authority an extended time period to determine a planning application (as well as some other similar application types), beyond the statutory time limit. This allows more time for the consideration of unforeseen issues raised during the application process.

### **Positive and Proactive approach to decision making**

The NPPF advises at para 38 that local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

In general, the Council will provide feedback in relation to an application and seek amendments if there is a solution that can be achieved within the statutory timeframes, and the amendments do not require re-notifying members of the public/ local residents. If potential amendments are significant enough to require re-notification of the public/ local residents on substantive issues, then a new application will usually be required. Only in exceptional circumstances will this be done as part of the same application and only when this can be completed (allowing for further assessment) within the statutory determination period. Amendments to the site area (identified on the red-line plan) will not normally be accepted.

Warrington Borough Council offers a pre-application service which applicants are encouraged to use. Applications that have been submitted in the absence of any pre-application discussions are likely to be refused without further negotiation where significant amendments are required to make the development acceptable.

Similarly, applications that are submitted (where pre-application advice has been sought/ provided) that do not follow/take on board the pre-application advice given are likely to be refused without further negotiation where significant amendments are required to make the development acceptable.

### When will an agreement to an extension of time be agreed/ sought from the applicant/ agent?

The agreement to an extension of time will always be at the discretion of the Local Planning Authority with all EoTs needing agreement to proceed from the Team Leader or Development Manager. The following are examples of when an extension of time might be sought/ agreed to;

- If an application needs to be reported to the Development Management Committee
- To allow completion of S106 agreements (any detailed negotiation should take place at pre app stage)
- At the discretion of the Team Leader/ Development Manager if an extension of time is required to seek amendments where there is a clear resolution to a scheme
- At the discretion of the Team Leader/ Development Manager if there are specific circumstances that require additional time to assess the application

The acceptance of any amendments to a planning application, which have not been requested by the case-officer, are at the discretion of the Local Planning Authority. If you submit unrequested additional plans or details, these will not necessarily be accepted for consideration for the reasons stated above, and you will be notified if this is the case within 10 working days of the submission along with the reasons why. Please note that an application may be determined in the intervening time.

No additional information will be accepted against any application in the absence of an Extension of Time agreement to allow its proper consideration. The timeframe for the EoT can be advised by the case-officer and will be based on a number of factors and will be a realistic determination date.

#### **Recording procedures for an extension of time**

WBC considers that exchange of emails between the applicant/ agent and the Development Manager (or nominated deputy) clearly setting out the new date agreed for determination is sufficient to confirm agreement to extension of time between the parties. Ideally the agreement to an extension of time should be received at least a week prior to the 8/13 week target date for decision and will always be electronically recorded in the Council's Planning Register.