



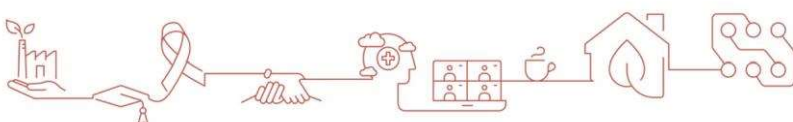
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**ST HELENS**  
BOROUGH COUNCIL

# **STATEMENT OF COMMUNITY INVOLVEMENT**

**APRIL 2025**

**ST HELENS BOROUGH COUNCIL**  
**STATEMENT OF COMMUNITY INVOLVEMENT (2025)**



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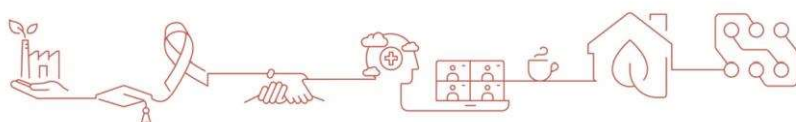
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# 1. Introduction

## What is the Statement of Community Involvement?

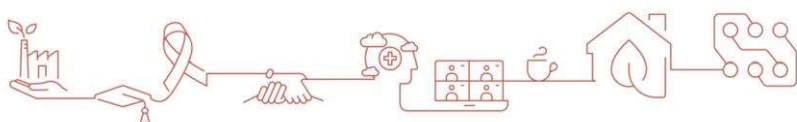
- 1.1 The Statement of Community Involvement (SCI) sets out how St Helens Borough Council ('the Council') intends to achieve community involvement in its planning activities, both through the preparation of planning policy documents (including the Local Plan, Supplementary Planning Documents and Neighbourhood Plans, amongst others), as well as making decisions on planning applications for development in the Borough.
- 1.2 The National Planning Policy Framework (December 2024) (NPPF) states that "*Plans should: be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees*" (paragraph 16c).
- 1.3 Community involvement is a key element in plan making and decision taking, and by involving the local community, businesses, residents, landowners, statutory agencies and interest groups at the early stages, this ensures that all views are considered.
- 1.4 The Council recognises the benefits of effective community involvement, as both challenges and opportunities can be identified. This SCI will set the standard for future consultations and will explain how the Council will involve the community in plan making and decision taking processes.
- 1.5 Section 18(1) of the Planning and Compulsory Purchase Act 2004 (as amended) requires every Local Planning Authority to prepare a SCI setting out how the Council will consult with the community as part of planning processes undertaken.
- 1.6 In order to fulfil the legislative requirement, this SCI sets out the Council's policy for the involvement of the local community in the:
  - preparation of planning policy documents (including the Local Plan, Supplementary Planning Documents and Neighbourhood Plans); and
  - the determination of planning applications.
- 1.7 It is also worth noting that community groups and individuals can receive free advice in relation to planning matters from Locality<sup>1</sup>, Planning Aid<sup>2</sup>, and the National Association of Local Councils in partnership with the Campaign to Protect Rural England<sup>3</sup>, supporting their involvement in planning processes.

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<sup>1</sup> [Homepage - Locality](#)

<sup>2</sup> [RTPI | Planning Advice](#)

<sup>3</sup> [NALC to develop new planning guides](#)



## **Need for Review**

- 1.8 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires Local Planning Authorities (LPA) to review their SCI every 5 years from their adoption date.
- 1.9 The previous SCI was adopted in November 2013 and subsequently the Local Plan was submitted for Examination in October 2020. Due to the emergence of the Covid-19 pandemic in 2020, the Council produced an addendum to the SCI in May 2021 to reflect the changed circumstances it brought about in terms of social restrictions. This was actioned to ensure that the final stages of Local Plan preparation could be undertaken in accordance with the SCI (including addendum), as well as Government restrictions on face-to-face interactions, etc.

## **St Helens Context**

### **Planning Policy Documents**

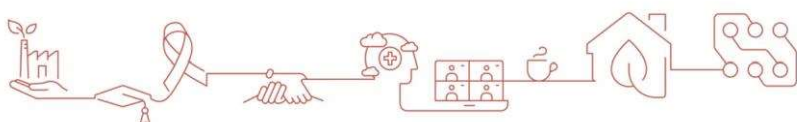
- 1.10 Local planning policy prepared by the Council as Local Planning Authority consists of several documents, which consist of:
- i. Development Plan documents – containing planning policies, site allocations and other designations, which are subject to independent examination and have development plan status, such as Local Plans and Area Action Plans; and
  - ii. Supplementary Planning Documents – providing more detailed guidance on how policies should be used. These do not have Development Plan status but can help shape and guide development.
- 1.11 Neighbourhood Plans are a further type of document that, once ‘made’”, become part of the Development Plan for the area of the borough for which they have been prepared. These are plans prepared by the local communities in the borough, with the support of the Council as Local Planning Authority; however, the decision to prepare a Neighbourhood Plan is entirely optional on the part of the local community.
- 1.12 Within this context, there are a number of other documents in addition to this SCI that support the Local Plan. These include:

### **Authority Monitoring Report (AMR)**

- 1.13 The requirement to produce an Authority Monitoring Report (AMR) is contained in Section 35 of the Planning and Compulsory Purchase Act 2004 (as amended). The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) outline what should be included within an AMR.

### **Local Development Scheme (LDS)**

- 1.14 Under the provisions of the Planning and Compulsory Purchase Act (2004) (as amended), Section 15(1), the council is required to prepare and maintain a timetable for the production of the Development Plan documents to be prepared, including the Local Plan. This is known as the Local Development Scheme (LDS). Section 15(8) of the Act states that Local Planning Authorities



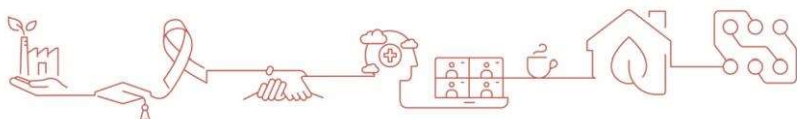
must revise their LDS at such times as considered appropriate or when directed to do so by the Secretary of State. Therefore, the LDS will be kept under review and updated as and when considered appropriate, in accordance with the prevailing legislation.

### **Sustainability Appraisal/Strategic Environmental Assessment / Habitat Regulations Assessment**

- 1.15 All Development Plan documents are subject to Sustainability Appraisal (SA). The role of a SA is to promote sustainable development by assessing the extent to which an emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic, and social objectives.
- 1.16 Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) are also required in accordance with the relevant legislation to assess the effects of certain plans and programmes on the environment and protected sites respectively. Plans and programmes with the potential to have significant environmental effects (positive or negative) are required to undergo SEA. In accordance with the legislation, this is applicable to DPDs, SPDs and Neighbourhood Plans that have the potential for significant environmental effects following a screening assessment.
- 1.17 The HRA screening process will consider if there are potential impacts arising from a plan that are likely to have a significant effect on any sites designated for their nature conservation importance, either alone or in combination with other plans and projects. If potential impacts are identified, this will trigger the need for a more detailed Appropriate Assessment.
- 1.18 Legislation sets out the need for statutory consultation on such documents with specific organisations, although these documents are published alongside emerging DPDs for comments at the appropriate stages.

### **Development Control/Management Documents**

- 1.19 The Local Planning Authority benefits from powers to require that planning applications are accompanied by such information as it considers necessary to enable the Local Planning Authority to fully assess the material planning considerations of the application. Such information must be set out in an adopted Local Validation List.
- 1.20 Section 62(3) of The Town and Country Planning Act 1990 makes provision for Local Planning Authorities to require that an application for planning permission includes particulars, information, and evidence as they consider necessary. Article 11(3) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires that such information requirements must be set out in a list published by the Authority and that such a list must be reviewed and republished every 2 years.
- 1.21 A draft Local Validation Checklist will be produced for public consultation for a period of six weeks to allow for stakeholders and members of the public to comment and provide input before it is finalised for approval. In addition, a

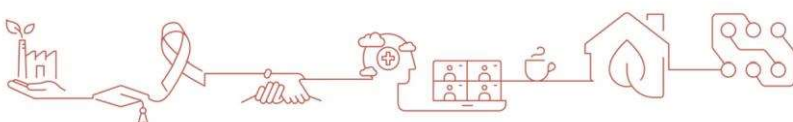


new Public Consultation Guidance Note is being prepared and will be adopted in 2025.

### Summary of the LPA's role

What we do	Explanation
Prepare planning policy documents	These documents include the Local Plan and Supplementary Planning Documents. Officers use these documents to determine planning applications and advise applicants with pre-application advice.
Planning pre-application advice	We provide advice to potential applicants on development proposals to ensure they are well designed and comply with planning policies. We also provide advice on what information needs to be submitted with a planning application.
Processing and deciding planning applications	Most development requires planning permission. Planning applications are assessed against national and local planning policies and are either granted or refused based on compliance.
Planning Enforcement	Where development does not have planning permission, we can decide to take action.
Working with other planning authorities	Managing cross boundary issues for both the assessment of planning applications and planning policy development. This includes working with our neighbouring authorities and the Liverpool City Region Combined Authority, and parishes or forums that wish to progress a Neighbourhood Plan.

Table 1.1 above, summarises our role as the Local Planning Authority.



## 2. Duty to Cooperate & Statutory Consultees

### Duty to Cooperate

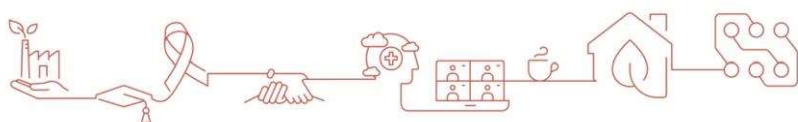
- 2.1 The requirement for local authorities to work with neighbouring authorities and statutory bodies is termed 'Duty to Cooperate'. This ensures that strategic priorities across local boundaries are addressed and considered in local plans. The relevant planning legislation (the Town and Country Planning (Local Planning) (England) Regulations 2012, (Part 2)) sets out the Duty to Cooperate bodies. A statement that will set out how we have complied with this requirement will be produced when we review/update the Local Plan.
- 2.2 Nevertheless, it should be noted that within the Levelling Up and Regeneration Bill, the Government proposes to abolish local authorities Duty to Cooperate with prescribed bodies with regard to plan-making, which would be replaced by a requirement to 'assist' with certain plan-making matters. Future updates to this SCI may reflect any changes made by the Government.

Duty to Cooperate Bodies:
The Environment Agency
Historic England
Natural England
Civil Aviation Authority
Homes England
Cheshire & Merseyside Integrated Care Board
Office of Rail Regulation
National Highways
St Helens Borough Council as the Local Highway Authority
Marine Management Organisation
Merseytravel
The Liverpool City Region Combined Authority

### Statements of Common Ground

- 2.3 The NPPF (2024) requires strategic policy-making authorities to prepare and maintain, and update one or more Statement(s) of Common Ground, which is a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It documents where effective co-operation is, and is not, happening throughout the plan-making process and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries.
- 2.4 In the case of Local Planning Authorities, it also forms part of the evidence required to demonstrate that they have complied with the duty to cooperate. More information on what should be included in a Statement of Common Ground can be found in Planning Practice Guidance: Plan-making<sup>4</sup>.

<sup>4</sup> [Plan-making - GOV.UK](https://www.gov.uk/guidance/plan-making)



## Statutory Consultees<sup>5</sup>

- 2.5 In addition to Duty to Cooperate organisations, legislation (the Town and Country Planning (Local Planning) (England) Regulations 2012, (Part 1)) requires the Council to consult with 'specific' and 'general' consultation bodies and other consultees during planning policy consultations.

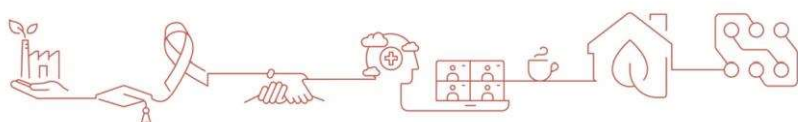
Specific Consultation Bodies:	General Consultation Bodies:
<ul style="list-style-type: none"> <li>• Adjoining Local Authorities</li> <li>• All parish councils within and adjoining the boundary of St Helens</li> <li>• Merseyside Constabulary</li> <li>• The Coal Authority</li> <li>• The Environment Agency</li> <li>• Historic England</li> <li>• Natural England</li> <li>• The Secretary of State for Transport</li> <li>• Electronic Communications Operators</li> <li>• Telephone Operators</li> <li>• Electricity Operators</li> <li>• Gas Undertakers</li> <li>• Sewage Undertakers</li> <li>• Water Undertakers</li> <li>• Homes England</li> <li>• Marine Management Organisation</li> <li>• Network Rail</li> <li>• National Highways</li> <li>• Public Health England</li> <li>• Electricity and Gas Companies</li> <li>• Peel Ports Group (Statutory Harbour Authority)</li> </ul>	<ul style="list-style-type: none"> <li>• Voluntary Bodies</li> <li>• Ethnic/Racial/National Groups</li> <li>• Religious Groups and Churches</li> <li>• Disabled Groups</li> <li>• Local Businesses</li> <li>• Business Support Agencies</li> </ul>
	Other Consultees:
	<ul style="list-style-type: none"> <li>• Health Agencies</li> <li>• Learning Agencies</li> <li>• Schools</li> <li>• Transport Bodies and Groups</li> <li>• Sports Clubs/Bodies</li> <li>• Recreation Bodies</li> <li>• Infrastructure and Service Providers</li> <li>• Nature Conservation/Countryside Bodies</li> <li>• Environmental Groups</li> <li>• Planning Consultants and Agents</li> <li>• The Development Industry</li> <li>• The Canal &amp; River Trust</li> <li>• Other miscellaneous bodies</li> </ul>

- 2.6 Who needs to be consulted, and at which stages, is prescribed in the legislation. The above list of organisations will be informed, as appropriate, of any consultation being undertaken.

## Local Plan Consultation Database

- 2.7 The Local Plan database is made up of Duty to Cooperate consultees, specific and general consultation bodies, as well as members of the public and local groups/organisations who request to join the database or have previously made representations on Development Plan documents.
- 2.8 Any interested individual or group is welcome to add their contact details, or the contact details of their agent or other representative, to this database.

<sup>5</sup> Please note that, as legislation and regulations are frequently updated, the lists of consultees may change over time and must be checked against the requirements set out in new regulations.

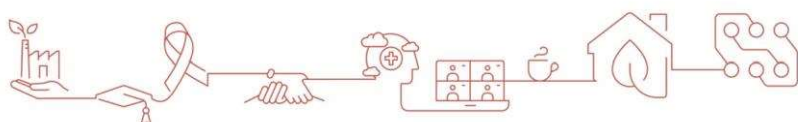


Contact should be made with the Planning Policy Team via email to [planningpolicy@sthelens.gov.uk](mailto:planningpolicy@sthelens.gov.uk) or by telephoning 01744 676190.

- 2.9 Once on the database, the Council as Local Planning Authority strongly encourage individuals and organisations to inform the Planning Policy Team if their contact details have changed or they no longer want to be on the database so that the database can be updated. All personal information held on the Local Plan database will be securely stored and only used for the purposes of preparing planning policy documents.

### **Data Protection – How will we protect your information?**

- 2.10 The Council will comply with the UK General Data Protection Regulation (UK GDPR) which came into effect on 01 January 2021 and sets out the key principles, rights, and obligations for most processing of personal data in the UK, except for law enforcement and intelligence agencies. It is based on the EU GDPR (General Data Protection Regulation (EU) 2016/679) that applied in the UK before that date, with some changes to make it work more effectively in a UK context. The DPA 2018 sets out the framework for data protection law in the UK. It was amended on 01 January 2021 by regulations under the European Union (Withdrawal) Act 2018, to reflect the UK's status outside the EU. It sits alongside and supplements the UK GDPR - for example by providing exemptions. It also sets out separate data protection rules for law enforcement authorities, extends data protection to some other areas such as national security and defence, and sets out the Information Commissioner's functions and powers.
- 2.11 Responses to public consultation may be summarised and may be made publicly available to view on the Council's website. The Local Planning Authority redacts comments from individual members of the public to remove personal data in respect of email addresses, telephone numbers and signatures unless they are required to be provided as part of a statutory process, such as a public inquiry, hearing, or examination.
- 2.12 For more information, on how we process your responses please visit <https://www.sthelens.gov.uk/article/4243/Development-plans-privacy-notice>



### 3. Consultation on Development Plan Documents

- 3.1 This section of the SCI explains which planning policy documents the Council as Local Planning Authority will produce that are subject to the provisions set out in this SCI.

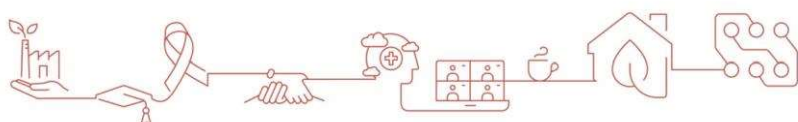
#### Existing Development Plan

- 3.2 The Development Plan for St Helens Borough currently comprises more than one document, and these collectively set out the policies and proposals for new development across the Borough. The Development Plan currently comprises of:

- **St Helens Borough Local Plan up to 2037 (July 2022)** - St Helens Borough Council must have a Local Plan to set out the vision for future development in the Borough. It provides residents some certainty about how growth and development will be delivered and the future use of land in the Borough. It shows where development is planned and, therefore, where resources and necessary additional infrastructure such as roads, or new social infrastructure (e.g., schools and healthcare facilities) are needed to support it. The Local Plan helps prevent decisions being made on developments that may not be in the best interests of our local community, but most importantly, it sets out our ambitions to create jobs, build homes, shape infrastructure investments, create and protect our open green spaces and develop and regenerate our town centres and wider district centres.
- **Bold Forest Park Area Action Plan (July 2017)** - The Bold Forest Park Area Action Plan (AAP) was adopted in July 2017. It is a statutory document that sets out the detailed policies and actions needed to develop and sustain the Bold Forest Park. The Local Plan aligns with the aspirations of the Bold Forest Park Area Action Plan, particularly with respect to the allocated development sites facilitating improvements to Bold Forest Park as part of their delivery.
- **Merseyside and Halton Joint Waste Local Plan (2013)** - Local authorities are strongly encouraged to work jointly in preparing Waste Local Plans given the strategic nature and scale of waste management. The preparation of a Waste Local Plan (Waste LP) is the responsibility of all Districts / Boroughs and forms an important part of their statutory Development Plans. The Joint Merseyside and Halton Waste Local Plan (formerly Waste DPD) is the result of successful collaborative working between Halton, Knowsley, Liverpool, St Helens, Sefton, and Wirral Councils.

#### St Helens Borough Local Plan

- 3.3 A Local Plan is the main planning policy document prepared by a Local Planning Authority. Future development within St Helens will be guided by the policies within the St Helens Borough Local Plan up to 2037, which was adopted in July 2022. It forms part of the Development Plan for the Borough.



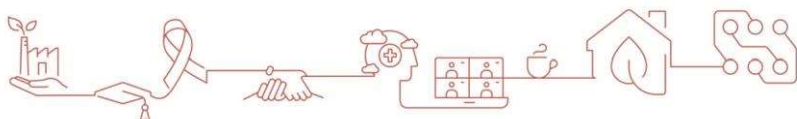
Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

**When will it next be reviewed?**

- 3.4 It is currently a legislative requirement to review a Local Plan once every five years to ensure it is up to date and reflects the changing needs of the area. The Council will review the St Helens Borough Local Plan in accordance with the requirements of the prevailing legislation, or sooner if circumstances necessitate it. Should a review indicate the need to update the Local Plan either partially or in full, the Council will consider the need for action in this respect.

**Local Plan Production Stages**

- 3.5 The key, statutory consultation stages for any Local Plan update (whether partial or full) as set out in the relevant legislation in place at the time of preparing this SCI are:
- Local Plan scoping consultation (Regulation 18); and
  - Local Plan publication version consultation (Regulation 19).
- 3.6 The Council will prepare a Local Plan as per the legislative requirements in place at the time of preparation, as a minimum (including those above as long as they remain enshrined in legislation). If considered appropriate, the Council may choose to include additional stages of consultation and will consult appropriately at any such stages.
- 3.7 Consultation time periods will fulfil the requirements set out in legislation as a minimum. Should the Council consider it appropriate to extend such time periods, where this is possible within the provisions of the legislation, this will be made clear through the publication of the relevant consultation periods.
- 3.8 As well as fulfilling the consultation requirements set out in the extant relevant planning legislation (which currently includes notifying the specific and general consultees and making the relevant documents available), the Council will consider utilising the following further approaches to consultation at appropriate stages:
- Sending consultation notifications beyond only those specified in the legislation at various stages of Local Plan preparation, including those who have expressed a wish to be consulted and are on the Council's Local Plan contact database;
  - Presentations to and discussion of the document with elected Members at various stages, where deemed appropriate and beneficial;
  - Utilising press notices, press releases, and the Council's website to advertise consultation stages, and direct interested persons to the relevant information;
  - Using the Council's social media platforms to provide information on the Local Plan during consultation periods and other high-profile stages of Local Plan preparation;



- Creation and maintenance of dedicated webpages on the Council's website with the necessary information, where and when appropriate;
- Speaking (either by phone or face to face) with any individual who cannot read, or who has communication difficulties if they feel that their concerns cannot adequately be conveyed in writing, or has questions to ask about the plan;
- Meetings with various organisations to discuss the content of an emerging Local Plan, as appropriate; and
- Public exhibitions / road show events to explain the content of an emerging Local Plan, and answer questions.

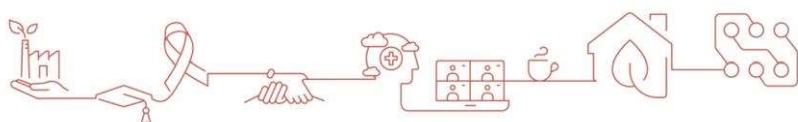
3.9 Additional approaches to consultation over and above the legislative requirements (including those above) may be employed by the Council where they are considered appropriate and beneficial to the overall preparation of the Local Plan. The decision on which methods to use for Local Plan consultation will depend on the resources available, and the anticipated effectiveness of the different methods. The Council may also use approaches not listed above should new ideas and opportunities be available and be appropriate in the context of the specific consultations proposed to be undertaken.

3.10 Following the consultation stages above, all representations received will be considered. Where legislation requires the Council to summarise and respond to comments made on the Local Plan, stating how they have been considered in the preparation of the Local Plan, the Council will do so.

3.11 Comments will be published in accordance with the General Data Protection Regulations. To accord with the legislation, responses received in response to the Regulation 19 consultation stage will be submitted to the Secretary of State together with the Local Plan and other submission documents. The submission documents, and the representations received will be considered at an independent examination. The Council will notify those organisations and individuals required to be notified as per the relevant legislation. The Council's procedure in these respects will always adhere to the latest legislative requirements.

3.12 In addition to the above, the Council will provide details of the progress of the Local Plan on its website

<https://www.sthelens.gov.uk/article/3773/Consultations-and-latest-news>



## 4. Consultation on Supplementary Planning Documents

### What are Supplementary Planning Documents?

- 4.1 Supplementary Planning Documents (SPDs) expand upon the level of detail provided in the Local Plan and provide more detailed guidance on certain issues. SPDs are defined by the NPPF (2024) as: *“Documents which add further detail to the policies in the Development Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design...”*

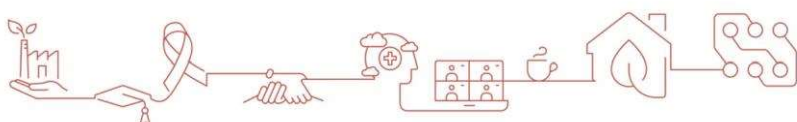
### Supplementary Planning Document Stages

- 4.2 SPDs do not form part of the Development Plan but are capable of being a material consideration in planning decisions. The key stages in the production of an SPD are listed below:



- 4.3 The Council will undertake consultation as part of the preparation of SPDs in accordance with the legislative requirements as a minimum, including the stages set out within legislation and the need to make certain documents available. If considered appropriate and beneficial to the production of the SPDs, the Council may choose to consult more times than required by the legislation and utilise additional consultation methods including (but not limited to) those provided below:

- Sending consultation notifications beyond only those specified in the legislation, including those who have expressed a wish to be;
- Presentations to and discussion of the document(s) with elected Members at various stages, where deemed appropriate and beneficial;



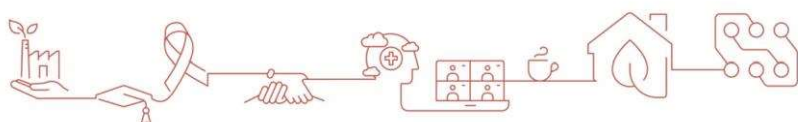
- Utilising press notices, press releases, and the Council's website to advertise consultation stages, and direct interested persons to the relevant information;
- Using the Council's social media platforms to provide information on the SPDs during consultation periods and other high-profile stages of their preparation;
- Creation and maintenance of dedicated webpages on the Council's website with the necessary information, where and when appropriate;
- Speaking (either by phone or face to face) with any individual who cannot read, or who has communication difficulties if they feel that their concerns cannot adequately be conveyed in writing, or has questions to ask about the SPDs; and
- Meetings with various organisations to discuss the content of an emerging SPD as appropriate.

4.4 Not all consultation methods will likely be appropriate to the preparation of all SPDs; it is dependent on the document being produced and what is deemed to be most effective in view of the proposed content of the SPDs. The Council will consider the benefits of all consultation methods prior to the consultation period, balanced with the available resource to undertake the consultation, and determine the most appropriate approach. All representations received will be considered. The comments will be published in accordance with General Data Protection Regulations.

4.5 Consultation time periods will fulfil the requirements set out in legislation as a minimum. Should the Council consider it appropriate to extend such time periods, where this is possible within the provisions of the legislation, this will be made clear through the publication of the relevant consultation periods.

4.6 In addition to the above, parts of an SPD may be updated without consultation, this will be in the instances relating to Indexed linked financial requirements, for example the cost of open space typologies, or the cost of education for primary and secondary education, which can change on a yearly basis.

4.7 Information on SPDs can be found on the Council's website  
<https://www.sthelens.gov.uk/article/3775/Adopted-plans-and-policies>



## 5. Consultation on Planning Applications - Development Management

### What is Development Management?

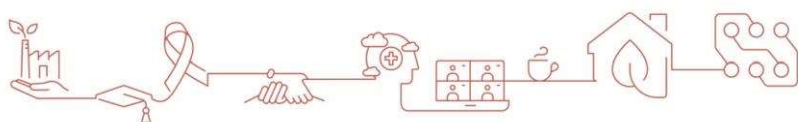
- 5.1 Development Management (also referred to as Development Control) is the process by which the Local Planning Authority shapes, considers, determines, and delivers proposals to facilitate the right development in the right locations.
- 5.2 This is largely undertaken by the determination of planning applications and other related applications. In doing this, the Council will work pro-actively with applicants and other stakeholders to facilitate high quality sustainable development.

### Pre-Application Stage

- 5.3 The Local Planning Authority offers applicants a pre-application advice service. The advantage of this service is to highlight potential issues and resolve problems before an application is submitted, resulting in a more efficient use of resources, and faster decision-making. Pre-application submissions and our response to them will not be available publicly as they can be commercially sensitive. Please visit <https://www.sthelens.gov.uk/article/3481/Your-guide-to-planning-building-Control> to view the pre-application advice form and the latest schedule of charges.
- 5.4 Pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application process and improve the quality of planning application submissions and the quality of the final development. A tool which can be used in this process is putting in place a Planning Performance Agreement (PPA). This can help with managing the process and agreeing any dedicated resources for progressing the application. A PPA can be a useful tool to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

### Recommended Pre-Application Consultations

- 5.5 Pre-application engagement is a collaborative process between a prospective applicant and other parties that may include:
- The Local Planning Authority
  - Statutory and non-statutory consultees
  - Elected members
  - Local people
- 5.6 It is suggested that applicants consult with the local community prior to submitting an application in a proportionate manner and using effective community engagement tools to inform and shape their subsequent planning applications. Table 5.1 sets out the type of consultation a developer /



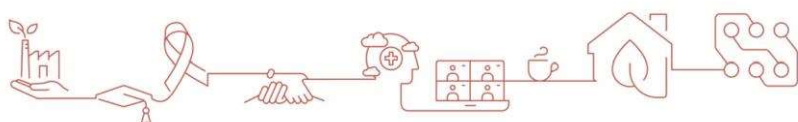
applicant should undertake. A Pre-application Engagement Guidance document is currently being prepared and will be available to view on the Council's website at <https://www.sthelens.gov.uk/article/3481/Your-guide-to-planning-building-Control>

Application Type	Pre-Application Consultations by Developer
Major Developments comprising of proposals for dwellings involving 10 units or more, or on a site 0.5 hectares or larger.	<ul style="list-style-type: none"> <li>• Letter to surrounding properties</li> <li>• Consult Parish Council</li> <li>• Consult Ward Councillors</li> <li>• Site Notice</li> <li>• Exhibition</li> </ul>
Proposals for development involving 1000sq.m. or more or a site large than 1 hectare for: <ul style="list-style-type: none"> <li>• Offices/Research &amp; Development/ Light Industry</li> <li>• Heavy Industry/Storage/Warehousing</li> <li>• Retail, Distribution and Servicing</li> </ul>	
All other Major Development	
Hazardous Substance Consent	<ul style="list-style-type: none"> <li>• Site Notice</li> <li>• Letter to all properties within 50m of the site</li> <li>• Public Notice</li> </ul>
All other development that may result in significant impact on neighbouring properties (check with LPA)	<ul style="list-style-type: none"> <li>• Letter to surrounding properties</li> </ul>
Where applications, which do not fall within a Major Category, may have implications beyond the boundary of the site, developers may also wish to notify local Ward Councillors.	

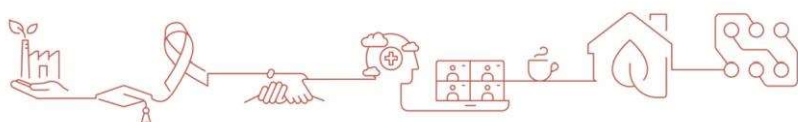
Table 5.1: Pre-Application Consultations by Developer

## Planning Applications

- 5.7 When the Local Planning Authority receive a valid planning application, it has a duty to consider and determine it, regardless of whether it accords with the Council's planning policy or not. The Local Planning Authority are committed to consulting with those that are considered likely to be most affected by the proposal, and take their views into account, before reaching a decision on the application. However, it needs to be understood that planning decisions must be made in accordance with the statutory Development Plan, unless material considerations indicate otherwise.
- 5.8 Consultation will be undertaken in accordance with the statutory requirements of the relevant legislation, specifically the Town and Country Planning (Development Management (Procedure) (England) Order 2015 as amended. The Local Planning Authority will always:
- Consult with the Parish or Town Council, in relevant parts of the Borough;
  - Notify immediately adjoining neighbours; and
  - Consult with statutory bodies as appropriate



- 5.9 For some applications, the Local Planning Authority will also advertise by site notice and notice in a local newspaper or on social media. Planning applications that would be a “departure” from the Development Plan (in other words, do not appear to comply with policies in the Plan) will always be advertised in a local newspaper and with a site notice. All new planning applications are advertised in a Weekly List placed on the Council’s website. This can be found here <https://publicaccess.sthelens.gov.uk/online-applications/search.do?action=simple&searchType=Application>
- 5.10 Following an initial site visit, it may be determined that wider neighbour notification is appropriate, given the nature of the site and/or the proposed development. Neighbours and Parish/Town Councils are given 21 days to respond if they wish to comment on a planning application. This may be shorter on subsequent notifications of amended plans. Consultation on amended or additional plans and documents are material changes to the development originally consulted on, this will be based on the planning judgement of the Local Planning Authority. Comments on a planning application may be made by anyone, regardless of whether they have been notified or live locally. Comments can be a neutral representation, in support of, or an objection to a proposal but must address material planning considerations if the Council is to take them into account in making its decision. A postal address will also be required in order for a comment on a planning application to be registered, so the Local Planning Authority can understand the relationship of the writer to the scheme. Individual objections will be based on whether they are received from separate addresses.
- 5.11 Comments on planning applications should be submitted to the Local Planning Authority as soon as possible, although it will consider any representations received up to the point of the decision being made. All those making comments on planning applications should be aware that they will be made available for public inspection on our website, and comments cannot be treated as confidential. It should be noted that officers will not respond to representations received as part of a planning application individually, or commit to arranging meetings with residents who submit objections, even if a meeting is requested. This is due to the number of applications that officers are responsible for and the volume of representations received.
- 5.12 Occasionally, it may be necessary to prepare and publish reports on planning applications for the Planning Committee before the notification period has expired. In these circumstances, comments received post-publication will be reported verbally to Committee (and referred to in an Addendum note to the Committee report) and be considered in the decision-making process.
- 5.13 The Local Planning Authority will also consult with relevant non-statutory bodies and organisations, such as local business and amenity groups. In addition, where a major application has likely implications for a strategic service provider, such as Health Service providers, it will consult these at an early stage.
- 5.14 Some types of development have permission granted automatically under national legislation and therefore do not require a planning application to be



submitted. These can include certain types of household extensions, some changes of use of land or buildings and minor operations. These are generally referred to as “permitted development”, and further information can be found at: <https://www.planningportal.co.uk/>

- 5.15 Applicants can submit applications for a Lawful Development Certificate in such instances for confirmation from the Local Planning Authority that their development does not require planning permission. As these applications are simply a determination against relevant legislation and caselaw, they do not require public consultation.
- 5.16 Other types of development may only require planning approval of the Local Planning Authority as detailed by the Town and Country Planning (General Permitted Development) (England) Order 2015. For these prior approval applications, the level of consultation and the matters the Local Planning Authority can consider are set by the relevant class of the General Permitted Development Order. Further information can be found at: <https://www.planningportal.co.uk/>

### **Determining Planning Applications**

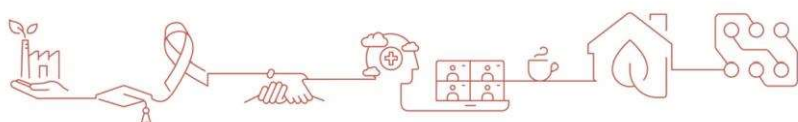
- 5.17 Like other Local Planning Authorities, most planning applications in St Helens are determined by the Head of Planning Services under powers delegated by the Council, following full consideration of all the planning issues and comments received through the consultation process.
- 5.18 Decisions on the more complex and controversial planning applications will be determined in accordance with the prevailing scheme of delegation by the planning committee<sup>6</sup>. Public speaking will be permitted at Planning Committee for those who wish to speak in support of, or in objection to, a planning application.
- 5.19 There is also the opportunity for Parish or Town Councils to speak at the Committee on planning applications within their respective boundaries. In the event that a planning application is to be determined by the Planning Committee, all those who have made representations on the application should monitor the Council’s website for updates.

### **Planning Decision Time Limit**

- 5.20 The statutory time limits to determine planning applications are usually 13 weeks for applications for major development (unless an application is subject to an Environmental Impact Assessment in which case a 16-week limit applies, or it is a public service infrastructure development in which case a 10-week limit applies) and 8 weeks for all other types of development. Applications for prior approval decisions can also have shorter time limits as set out by the relevant part of the Town and Country Planning General Permitted Development Order 2015 (as amended).

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<sup>6</sup> [Committee details - Planning Committee St Helens Borough Council](#)



- 5.21 Should the legislation be updated in the future to change the above statutory time limits, the Local Planning Authority will work to those new timescales.

### **Notification of Decision**

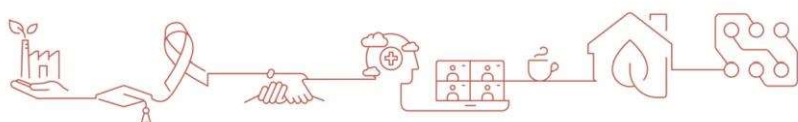
- 5.22 The Decision Notice on a planning application will be emailed to applicants (or their agent if one is employed) or posted if no electronic form of communication is provided, immediately after the decision has been made. This sets out the decision with planning conditions if it is approved, or the reasons for a refusal. The Council's website has a service that allows the details of planning applications to be viewed, including planning decisions.

### **Planning Appeals**

- 5.23 Applicants have the right to appeal to the Secretary of State against several planning decisions made by the Council, including:
- Refusal of planning permission;
  - Imposition of condition(s);
  - Failure to determine an application within the time allowed;
  - The serving of an enforcement notice; and
  - Refusal to permit removal or works affecting trees covered by Tree Preservation Orders.
- 5.24 There are strict time limits to appeal, and it is critical that these are complied with. An appeal against a refused householder or minor commercial application must be made within 12 weeks of the Council's decision. Advertisement appeals must be made within eight weeks and all other appeals within six months. These are the timescales prescribed in the legislation at the time of preparing this SCI. Should there be any changes to the legislation in the future, the Council will work to updated timescales.
- 5.25 The government has produced a detailed guide on the appeal process which is available to download here:  
<https://www.gov.uk/government/publications/planning-appeals-procedural-guide> . Objectors to applications do not have the right of appeal against decisions to grant planning permission.

### **Notification of Appeal**

- 5.26 If an appeal is submitted, the Council as Local Planning Authority will notify any interested parties of the appeal, including those who made representations before the application was determined. These representations will be sent to the Planning Inspectorate and appellant and will be considered by the Inspector when determining the appeal.
- 5.27 Interested parties will also be informed that any further written representations should be sent to the Planning Inspectorate within five weeks of the start date of the appeal. It should be noted that interested persons will not have the opportunity to make representations on a householder or advertisement consent appeal due to the 'fast track' appeal process. In this instance, representations received during the planning application consultation process only will be considered by the Inspector.



5.28 Planning Appeals are determined by one of three methods:

- Written Representations - these are determined by an exchange of written statements and where necessary, a site visit by an Inspector from the Planning Inspectorate;
- Hearing – these are less formal than an inquiry, centred around a discussion between the appellant and the Council about the merits of the case and are chaired by an appointed Inspector from the Planning Inspectorate; and
- Inquiry – these are more formal in their set up. The appointed Inspector from the Planning Inspectorate will chair the inquiry, hearing evidence from various experts relating to the case, which could last several days/weeks. These are often used for more major cases.

5.29 The Inspector will decide whether to dismiss or allow the appeal or send a report to the Secretary of State. A copy of the decision notice will be sent to the appellant, the Council and any interested person who has requested a copy. It will also be available to view on the Planning Inspectorate's website at <https://acp.planninginspectorate.gov.uk/>

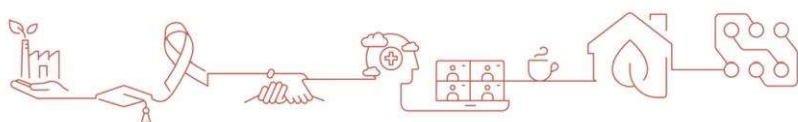
### **Call-ins**

5.30 There are some situations where planning applications are called-in by Secretary of State for determination. This means that the Council is no longer the decision-making body for that particular application.

5.31 The Council will usually continue to be responsible for undertaking consultation on these applications and providing the responses to those taking the decisions. Once an application is called in by the Secretary of State, a 'representation hearing' is held and the final decision will be published on the government's website.

### **Nationally Significant Infrastructure Project**

5.32 Proposals for Nationally Significant Infrastructure Projects (NSIPs) will not be determined by the Council but fall under the management of the Planning Inspectorate. The developer or promotor of such development will prepare a Statement of Community Consultation and consult with the Council on this which is expected to meet the requirements set out in this SCI. The Planning Inspectorate will consider the application and make a recommendation to the Secretary of State who will ultimately determine the application.



## 6. Consultation on Neighbourhood Planning

### What is Neighbourhood Planning?

- 6.1 Neighbourhood planning<sup>7</sup> gives local communities the power to shape the development and growth of their local area. There are various neighbourhood planning tools which communities can use for this purpose, including the preparation of:
- Neighbourhood Development Plans;
  - Neighbourhood Development Orders; and
  - Community Right to Build Orders

### What is a Neighbourhood Development Plan?

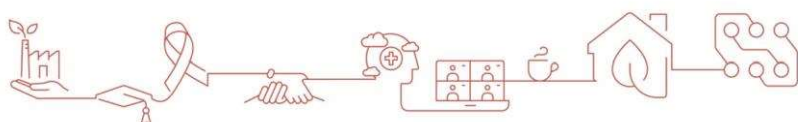
- 6.2 A Neighbourhood Development Plan is a planning policy document produced at the neighbourhood level i.e. prepared by local communities for local communities. A Neighbourhood Development Plan sets out policies for the designated Neighbourhood Area and can be used to influence the shape and form of development that will take place there.
- 6.3 A Neighbourhood Development Plan is defined by the NPPF as: “A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area” (Annex 2). A Neighbourhood Development Plan establishes general planning policies for the development and use of land in a neighbourhood area. It can be detailed or general, with a narrow scope or a wider scope, depending on what the local community want, and their reasons for pursuing a Neighbourhood Plan in the first place.

### Neighbourhood Development Plan Stages

- 6.4 The responsibility for producing a Neighbourhood Development Plan rests with the ‘qualifying body’ (parish/town council or designated neighbourhood forum). However, there are certain requirements which a Local Planning Authority must undertake under The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendum) Regulations 2012.
- 6.5 The Council as Local Planning Authority has a duty to support the neighbourhood planning process, which can take a variety of forms and will depend on the nature of the support needed by any particular group, along with the scale of available resource within the Council. More detail on neighbourhood planning is provided on the Council website<sup>8</sup>
- 6.6 The first stage in the preparation of a Neighbourhood Development Plan involves the designation of a **Neighbourhood Area**. An application must be made by a Parish/Town Council, or in a non-parished area a Neighbourhood Forum, to the Council for a Neighbourhood Area to be designated. The Council as Local Planning Authority will consult on the designation of

<sup>7</sup> For more information please visit the Government website at <https://www.gov.uk/government/publications/neighbourhood-planning>

<sup>8</sup> <https://www.sthelens.gov.uk/neighbourhoodplanning>



Neighbourhood Areas in accordance with legislative requirements, in terms of consultation timescales and activities.

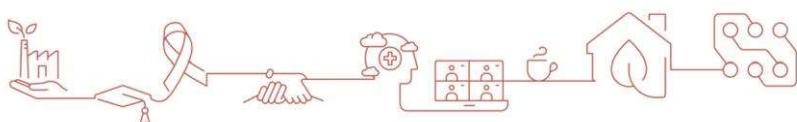
- 6.7 Once a draft Neighbourhood Development Plan has been produced, then the Council must publicise the plan and notify all of those whom the qualifying body has consulted<sup>9</sup>, and allow for comments to be submitted under the legislative timescales.
- 6.8 The Council as Local Planning Authority will then arrange for an **independent examination** of the Neighbourhood Development Plan; the Independent Examiner can recommend the plan to progress to **Referendum Stage** in which the community in the area vote on whether to accept the Neighbourhood Development Plan. The Council as Local Planning Authority will organise the referendum, so that the community can have the final say on whether the plan comes into force. If more than 50% of people vote to support the plan in the referendum, then the Council must bring it into force and the Neighbourhood Development Plan is ‘**made**’ i.e., it is adopted.
- 6.9 All of the above will be published on the Council’s website and in such other manner as it considers likely to bring it to the attention of those who live and work or carry-on business in the area once a decision has been made in accordance with the legislation.
- 6.10 The NPPF states that planning applications should be determined “*in accordance with the development plan unless material considerations indicate otherwise.*”(paragraph 2).

### What is a Neighbourhood Development Order?

- 6.11 A Neighbourhood Development Order is defined in the NPPF as:  
“*An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which parish councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.*”
- 6.12 A Neighbourhood Development Order (NDO) can grant planning permission for specific types of developments in a specific neighbourhood area. A Neighbourhood Development Order can therefore:
- Apply to a specific site, sites, or wider geographical area;
  - Grant planning permission for a certain type or types of development;
  - Grant planning permission outright or subject to conditions.
- 6.13 Once established, there would be no need for anyone to apply to the Council as Local Planning Authority for planning permission if it is for the type of development covered by the order. Neighbourhood Development Orders can, therefore, speed up the process of development in certain areas; however, a Neighbourhood Development Order must meet any legislative requirements and be in general conformity with national and local planning policy.

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<sup>9</sup> It should be noted that in accordance with the legislation, some consultation in the neighbourhood planning process will be carried out by the parish/town council or neighbourhood forum.

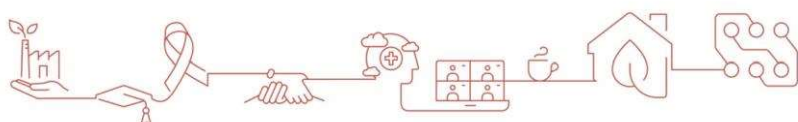


### What is a Community Right to Build Order?

- 6.14 A Community Right to Build Order is defined in the NPPF (2024) as:  
*“An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.”*
- 6.15 A Community Right to Build Order is a type of Neighbourhood Development Order, with the slight difference that any community organisation made up of individuals who live or work in the area for which the organisation is established, (not just a parish/town council or neighbourhood forum) can produce the Order.
- 6.16 To be eligible to produce a Community Right to Build Order, the community organisation has to meet minimum conditions, meaning the community organisation must be a corporate body and meet minimum membership requirements as set out in the relevant legislation.
- 6.17 A Community Right to Build Order can grant planning permission for small-scale, community-led developments for community benefit on a specific site or sites in a Neighbourhood. They can be used, for example, to approve the building of homes, community facilities, playgrounds shops or business.
- 6.18 Community Right to Build Orders, in a similar manner to Neighbourhood Plans and Neighbourhood Development Orders, must be subject to an independent examination, and then be approved by the community in a referendum before they can come into force.

### Neighbourhood Development Order/Community Right to Build Order Stages

- 6.19 The Council as Local Planning Authority will consult on the preparation of Neighbourhood Development Orders and Community Right to Build Orders in accordance with legislative requirements, in terms of consultation timescales and activities. It should be noted that the consultation required at certain stages in the preparation of such Orders is to be carried out by the Neighbourhood Forum/Parish Council/Community Group. At such times, the Council is not responsible for the consultation activities undertaken, but may advise the relevant groups in terms of consultation.
- 6.20 In addition, the Council as Local Planning Authority will publish any decisions / examiners reports on its website and in such other manner as it considers likely to bring to the attention of those who live and work or carry-on business in the area once a decision has been made, as well as providing details of the progress of each Neighbourhood Development Order / Community Right to Build Order (including details of examination or referendum arrangements) on its website.



# GLOSSARY

This glossary has been provided to help explain the technical terms used (along with their associated acronyms, as appropriate).

NAME	DESCRIPTION
<b>AREA ACTION PLANS (AAP)</b>	Area Action Plans have a geographic or spatial dimension and focus upon implementation. They provide an important mechanism for ensuring development of an appropriate scale, mix and quality for key areas of opportunity, change or conservation. Such plans could be relevant to a wide range of circumstances and benefit from having development plan status.
<b>AUTHORITY MONITORING REPORT (AMR)</b>	An annual report that sets out the progress in terms of producing Local Development Documents against the timetable set out in the LDS, and the progress in implementing policies.
<b>DEVELOPMENT PLAN DOCUMENT (DPD)</b>	A type of local development document that has been subject to an independent examination conducted by the Planning Inspectorate. Once adopted, these documents have statutory status as defined by Section 38(6) of the Planning and Compulsory Purchase Act 2004. DPDs form part of the statutory development plan.
<b>LOCAL DEVELOPMENT SCHEME (LDS)</b>	A project plan which sets out the timetable for the production of new or revised development plan documents which will form the Council's Local Development Plan. This LDS sets out a work programme for the Council's Local Plan Review.
<b>NATIONAL PLANNING POLICY FRAMEWORK (NPPF)</b>	It provides planning policy at the national scale, with a focus on economic, social, and environmental matters. Local Plans must be consistent with national policy, i.e. the NPPF, as this is a test of soundness, and the NPPF is a material planning consideration when making decisions on planning applications.
<b>PLANNING INSPECTORATE (PINS)</b>	It is an executive agency, and its Planning Inspectors (and supporting staff) deal with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England.