



Cheshire
Wildlife Trust

How to engage with the planning system to protect nature

cheshirewildlifetrust.org.uk

An overview of the planning system

There are several levels of decision makers that all have different remits. These are:

- UK government
- Planning Inspectorate
- Local Planning Authority
- Town/Parish Council

Key

- Law and policy they influence
- Applications they decide on

So what do they do?

1

UK Government

- Develops planning legislation
- Develops national planning policy
- Decision maker for **Hybrid Bill Applications**

2

Planning Inspectorate

- Examines the Local Plan
- Decision maker for **National Significant Infrastructure Projects (NSIP) applications**
- Upholds/overturns Planning appeals

3

Local Planning Authority

- Develops Local Plan
- Develops Supplementary Planning Documents (SPDs)
- Decision maker for standard **Town and Country Planning Act (TCPA) planning applications**

4

Town/Parish Council

- Develops Neighbourhood Plan
- Consults on standard **Town and Country Planning Act (TCPA) planning applications**

An overview of the planning system

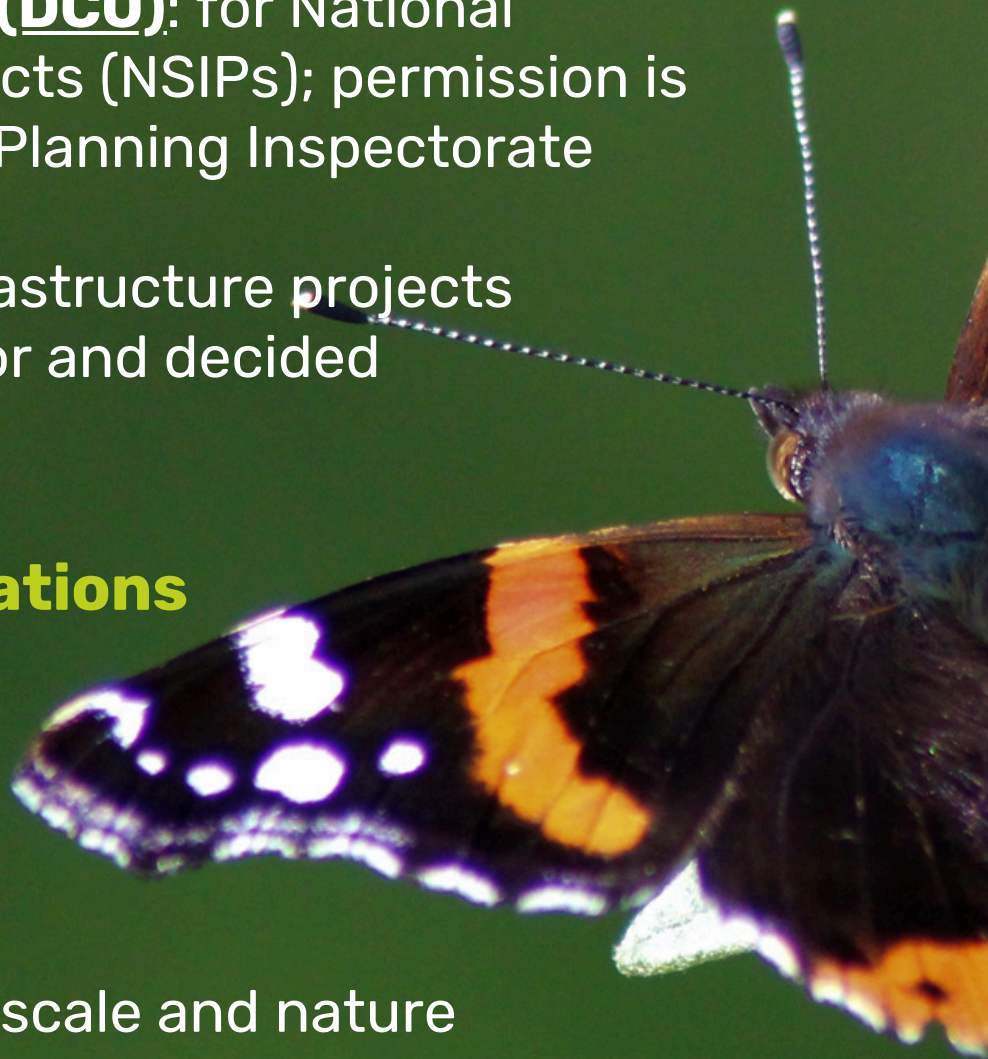
Glossary

Primary types of planning applications

- **Town and Country Planning Act (TCPA)** applications: for building and engineering works; permission is applied for and decided by the Local Planning Authority
- **Development Consent Order (DCO)**: for National Significant Infrastructure Projects (NSIPs); permission is applied for and decided by the Planning Inspectorate
- **Hybrid Bills**: for very large infrastructure projects (ex: HS2); permission applied for and decided by Parliament

Primary types of TCPA applications

- **Full**: All details including plans, drawings, required documents
- **Outline**: General plan of the development to determine the scale and nature
- **Reserved Matters**: Details following the outline application that include all plans
- **Discharge of conditions**: details on how the conditions for approval will be met



What is the process for planning applications?

Five stages

1

Application

Applicant submits application with all relevant and required documents

2

Consultation

The council puts the application on their website and notifies neighbours

3

Deliberation

The case officer gathers evidence and submits a recommendation to the planning committee

4

Decision

The committee decides whether to deny, approve with conditions, or approve the application

5

Appeal

If the application is denied, or approved with conditions, the application can appeal to the Secretary of State

How to respond to an application

What you can do

1

Gather evidence by looking at:

- Personal and public species records (and send to rECORD or GMLRC)
- Priority species and habitats, and relevant policy and legislation (see Protected Species and Habitat guide)
- Designated sites nearby, such as LWS/SBI, Nature Reserves, SSSI

2

Examine documents such as:

- Ecology reports (PEA, EIA, HRA, species surveys)
- BNG assessments and reports (BNG report, HMMP)
- Development plans (maps, drawing, landscaping proposals)

Glossary

Designated sites:

- LWS: Local Wildlife Site (formerly SBI)
- SBI: Site of Biological Interest (now LWS)
- SSSI: Site of Special Scientific Interest

Surveys & reports:

- PEA: Preliminary Ecological Assessment
- EIA: Ecological Impact Assessment
- HRA: Habitat Regulations Assessment
- BNG: Biodiversity Net Gain (see BNG guide)
- HMMP: Habitat Management and Monitoring Plan

How to respond to an application

3

Things to consider:

- Are wildlife features (hedgerows, ponds, mature trees) retained? If not, could they be?
- Are they planting native species?
- Are maps accurate and up to date?
- Has an application there been refused in the past?

4

Write up a comment

Make sure to:

- Include the case number
- Respond before the expiry date
- Stick to material considerations
- Include evidence
- Refer to legislation and policy
- Stay clear, concise, and courteous

Do not...

- Include information that is exaggerated, unsubstantiated or you're unsure of
- Give personal objections
- Be rude or verbally abusive
- Provide non-material considerations

5

Submit!

Email to the council planning email or online through the planning portal

Glossary

Material consideration - a matter that can be taken into account when deciding whether an application should be approved.

Material consideration example: drainage and flood risk, effect on trees and wildlife/nature conservation

Non-material consideration examples: The applicant's background, loss of views, construction noise or disturbance during development

What policies and laws exist?

Species



National

- Wildlife and Countryside Act 1981
- Natural Environment and Rural Communities Act (NERC) 2006 –UK BAP

International

- Convention on International Trade in Endangered Species 1973
- Bern Convention of the Conservation of European Wildlife and Natural Habitats 1979
- Bonn Convention on Migratory Species 1979

Habitats



National

- The Conservation of Habitats and Species Regulations 2010
- Wildlife and Countryside Act 1981
- Natural Environment and Rural Communities Act (NERC) 2006 –UK BAP

International

- Ramsar Convention on Wetlands 1971
- Bern Convention of the Conservation of European Wildlife and Natural Habitats 1979

What policies and laws exist?

Protected Sites



National

- Wildlife and Countryside Act 1981
- Sites of Special Scientific Interest (SSSI)

International

- Special Areas of Conservation (SAC)
- Special Protection Area (SPA)

Local planning authority

- Local Nature Reserves
- Local Wildlife Sites (LWS)

Planning Policy



National

- National Planning Policy Framework (NPPF)
- Town and Country Planning Act (1990)

Local planning authority

- Local Plan
- Supplemental documents relating to biodiversity or the environment

Parish

- Neighbourhood Plan

What areas do we cover?

Districts



Cheshire

- Cheshire East : 0300 123 5014 : planning@cheshireeast.gov.uk
- Cheshire West & Chester : 0300 123 7027 : planning@cheshirewestandchester.gov.uk
- Halton Borough : 0303 333 4300 : hdl@halton.gov.uk
- Warrington Borough : 01925 442819 : ldf@warrington.gov.uk

Greater Manchester

- Stockport : 0161 474 3050 : planning.dc@stockport.gov.uk
- Tameside : 0161 342 4460
- Trafford : 0161 912 3149 : development.management@trafford.gov.uk

Bolton, Bury, Manchester City, Oldham, Rochdale, Salford City and Wigan are covered by Lancashire Wildlife Trust

Merseyside

- Wirral : 0151 606 2000 : planningapplications@wirral.gov.uk

Knowsley, Liverpool City, St Helens, and Sefton are covered by Lancashire Wildlife Trust

Local Record Centres

- rECOrd (Cheshire): 01244 383749 info@record-lrc.co.uk
- GMLRC (Greater Manchester): 0161 342 3123 info@gmwildlife.org.uk

Keep us updated

Keep in touch



We hope this guide has helped you better understand the planning system, giving you the confidence to navigate it in the future.

Whether you're learning more about planning or challenging a proposal, we'd love to hear about your experience - keep us updated on your progress!

We understand that the process can be overwhelming, so if you need guidance, we may be able to offer advice. Feel free to reach out to us via email: planning@cheshirewt.org.uk

For more information on campaigns, visit our website:

<https://www.cheshirewildlifetrust.org.uk/take-action/campaign-for-nature>

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