

## Guidance when considering planning applications

We have 21 days from when an application is sent to us by WDC to respond to them. They will occasionally extend this timescale by a couple of days however more than this isn't normally possible due to the timescales they have to meet.

All members of Planning and Highways committee are encouraged to review the documentation that is sent with the application and where possible to view the area surrounding the application site. Where it is felt that a site visit would be helpful this can be requested through the Assistant Clerk, details of the site visit policy is available through the office, there are restrictions on what is allowed.

If Councillors are contacted by members of the public regarding an application they should ask them to write to the Assistant Clerk with their comments for or against the application so that she can copy it to P&H members prior to their meeting.

If a member of the public attends the P&H meeting and wishes to speak for or against a planning application they will need to do this in the public session at the beginning of the meeting. They cannot speak during any other part of the meeting unless the Chair of the meeting decides to suspend standing orders so that they can clarify a point with them. Ideally a member of the public should register with the Parish Council office prior to the meeting, of their intention to speak at the P&H meeting.

Whilst it is important for Cllrs to come to a meeting informed they need to ensure they don't have a pre-determined view. The following valid reasons and those reasons that can't be used are taken from the WDC site.

### Valid reasons for when commenting on a planning application

Comments that are clear, concise and accurate stand more chance of being accepted than those that are not. When planning applications are considered, the following matters can all be relevant. These are sometimes referred to as 'material planning considerations':

- Central government policy and guidance – Acts, NPPF, Planning Policy Guidance etc.
- The Development Plan – and any review of the Development Plan which is underway. Neighbourhood Plans
- Adopted supplementary guidance – for example. village design statements, conservation area appraisals, car parking standards.
- Replies from statutory and non-statutory agencies (e.g. Environment Agency, Highways Authority, Local Lead Flood Authority).
- Representations from others –neighbours, amenity groups and other interested parties, so long as they relate to land use matters.
- Effects on an area – this includes the character of an area, availability of infrastructure, density, over-development, layout, position, design and external appearance of buildings and landscaping
- The need to safeguard valuable resources such as good farmland or mineral reserves.

- Highway safety issues – such as traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians and cyclists.
- Public services – such as drainage and water supply
- Public proposals for using the same land
- Effects on individual buildings – such as overlooking, loss of light, overshadowing, visual intrusion, noise, disturbance and smell.
- Effects on a specially designated area or building – such as AONB/NL, conservation areas, listed buildings, ancient monuments and areas of special scientific interest.
- Effects on existing tree cover and hedgerows.
- Nature conservation interests – such as protection of badgers, great crested newts etc.
- Public rights of way
- Flooding or pollution.
- Planning history of the site – including existing permissions and appeal decisions.
- A desire to retain or promote certain uses – such as playing fields, village shops and pubs.
- Need for the development
- Prevention of crime and disorder
- Presence of a hazardous substance directly associated with a development
- Human Rights Act
- Precedent – but only where it can be shown there would be a real danger that a proposal would inevitably lead to other inappropriate development (for example, isolated housing in the countryside)

#### Reasons that **can't** be used when commenting on planning applications

There are certain matters which do not amount to 'material planning considerations' under current legislation and guidance. These matters cannot be taken into account in considering a planning application and should not be included in objections as they weaken your case:

- The identity of the applicant or occupant
- Unfair competition
- Boundary disputes
- Breach of covenants and personal property rights, including rights of way
- Loss of a private view
- Devaluation of property
- Other financial matters
- Matters controlled by other legislation – such as internal space standards for dwellings or fire prevention
- Religious or moral issues – such as betting shops and amusement arcades
- The fact that the applicant does not own the land to which the application relates
- The fact that an objector is a tenant of land where the development is proposed

- The fact that the development has already been carried out and the applicant is seeking to regularise the situation. People can carry out development at their own risk before getting planning permission)
- The developer's motives, record or reputation

Please be aware that when recording the response to WDC Planning that everything being sent needs to be agreed by P&H members and it is better to do bullet points or precis the response in order that the person clerking the meeting is able to record the reasons. Members are encouraged to quote relevant national and/or local planning policies in support of any planning resolution taken by the committee, this is encouraged by WDC.

All applications should be treated in the same way wherever they are within our area.

Where we have major applications, if we can, we will look at the feasibility of holding an additional meeting

With regard to applications that are listed on a P&H agenda as 'no consultees but comments from personal knowledge are allowed' the only comments that need to be made is if P&H members have personal knowledge of the site that would assist WDC in their decision.