

Froxfield and Privett Parish Council

Planning Working Group

Parish Council Planning Policy

Approved 9th March 2017

Forward

Froxfield and Privett Parish Council have a right to be consulted on all planning applications within the parish, South Downs National Park and EHDC Planning Officers have a duty to keep The Parish Council informed of planning applications usually by way of generic weekly lists and or email exchanges concerning specific matters or applications.

The Parish Council is committed to ensure that the parish has a voice in planning matters and the local planning authority, East Hampshire District Council (working as agents on behalf of The South Downs National Park) has a duty to consider the views of the Parish Council when making it's decisions regarding planning applications.

Objectives

The Parish Council:

- Will strive to obtain the maximum positive influence with planning bodies over the longer term.
- Accepts the inevitability of modest appropriate and proportionate development in the parish.
- Will, within the constraints of planning policy, specifically oppose development that does not reflect and preserve the character of the area.
- Be forward thinking and proactive in its approach to planning development both within the parish and in adjoining parishes.
- Ensure that where, in the view of the Parish Council, there is an honest and genuine belief that a development poses a fundamental concern in terms of this policy or would set an unacceptable precedent, that an objection will be lodged and robustly defended.

Procedure

In consideration of all planning matters the Parish Council has adopted a policy to ensure they have a consistent approach of reviewing planning applications and determine a response to such applications against applicable policy. Decisions on whether to object or not object will be based on MATERIAL PLANNING considerations only.

The following material considerations are relevant in most planning applications.

- National Planning policy and advice.
- Local planning policies.
- Draft planning policy.
- The environmental, social and economic impacts of the proposal.
- Access and provision of infrastructure for the site.
- The design of the proposal.
- The planning history of the site.
- The views of organizations and individuals in relation to relevant planning matters.
- Impact on the character, use and enjoyment of the area.

The following issues are NOT material considerations for planning decisions and will not form part of consultee submissions made to the local authority.

- Loss of views (unless a view is identified and protected in a development plan document)
- Competition between businesses.
- Moral considerations.
- Political or ideological opinions.
- The cost of the development.
- Whether the applicant owns the site.
- Issues covered by other legislation.

Planning applications will be discussed during monthly Parish Council meetings and will be listed on the agenda. If necessary an extraordinary meeting will be convened to ensure a deadline stipulated by the local authority is met.

An application not listed on the agenda cannot be discussed in detail or voted upon at a Parish Council meeting.

Members of the public can speak regarding specific planning matters at the commencement of the meeting. If a group of parishioners attends regarding an application they will be encouraged to elect a speaker as time does not allow any more than three speakers concerning any one application, it should be borne in mind that as well as speaking in objection others may wish to speak in support.

Each application will be judged on it's own merits and councilors will abide by the Parish Council's code of conduct and Standing Orders and must declare any prejudicial interest that may preclude participation in discussion or voting.

The Parish Council will actively encourage those seeking approval to engage at an early stage with the parish and district councils ideally prior to submission of an application in order to ensure that the proposals are likely to be reviewed favorably. This may precede or be based upon pre-application meetings or advice given at EHDC level.

In reality, this means that applicants should be encouraged to attend Parish Council meetings to present their applications and give members a chance to comment or ask for further information.

The Parish Council MAY, as required, arrange to undertake site visits to applications sites in order to gain a better understanding of the application and the impact it may have on the immediate environment.

The Parish Council cannot give consent for development and it can only offer an opinion as to whether to OBJECT or NOT OBJECT. The parish clerk will submit the opinion to EHDC where it will be recorded as a CONSULTEE comment. EHDC working, as agents on behalf of The South Downs National Park will consider these comments as well as others they receive before determining the application.

The National Planning Policy Framework

Planning applications will be reviewed against a number of policies; the NPPF is one of those.

The NPPF was produced by Government to outline the general approach to planning in the UK. In particular it encourages a presumption in favour of sustainable development.

The extracts from the NPPF below outline the general approach that should be adopted by all parties involved with the planning process.

At parish and district council level it encourages all parties to engage in dialogue from an early stage in the process to ensure that applications can be dealt with as expediently as possible.

Pre-application engagement and front loading

Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they do offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications.

The more issues that can be resolved at pre-application stage, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, proactive approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.

The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.

Types of application

In general planning applications within the parish tend to be fairly *low key*, being extensions or replacement or new ancillary buildings in non-sensitive areas. On occasions however *high profile* applications come before the council and these may generate specific public interest. These may include change of use applications or be for more substantial development in sensitive areas.

All applications must be carefully considered and assessed against the NPPF, the EHDC Local Plan, The Joint Core Strategy, the emerging SDNP Local Plan and our own Local Landscape Character Assessment 2011.

It should be recognised that in some cases proposed development maybe undertaken under Permitted Development Rights. This means that works can be undertaken without obtaining planning permission. The rules concerning PD Rights are complicated and applicants should therefore be encouraged to check with EHDC officers or alternatively submit an application for a Certificate of Lawfulness. Such an application will be considered by planning officers to ensure that the proposed development complies and, if so, a certificate will be issued

High Profile applications

Such applications have to be treated very carefully as they are likely to generate significant public interest and may potentially have a significant effect on the surroundings. They should of course be reviewed and ultimately determined based on the given policies above.

In accordance with the NPPF unless applications fall into certain categories or are classed as major development they will be determined by Officers Delegated Powers this means that the assigned planning officer will consider each application against policy, consultee and public comment and make a decision.

Some find this to be wrong in that a single individual is potentially charged with making a decision that could have a significant affect on the parish. With the foregoing in mind, members should actively encourage residents to voice their own opinions whether it is in support or to object. Representation should be in the form of written statements to be submitted to the planning officer. Written representations should sight planning policy only as non-material planning matters will not be given any "weight" in the consideration process.

In accordance with EHDC's Constitution if an application attracts at least five letters of objection it is usually then called in to be determined by Planning Committee.

Bearing in mind the parish is relatively small, some residents may be reluctant to be seen to be writing in support or to object for fear of upsetting friendship groups and alike. All members must try to encourage residents not to let such matters stand in their way as if they feel strongly about an application they should submit such representation.

The other option that is available is to ask the district councilor to see whether they are willing to submit a request to the Head of Planning at EHDC to **call** in an application to be determined by committee, irrespective of the number of letters of support or objection.

In all cases the PC will submit a Consultee comment to OBJECT or NOT OBJECT and will include any relevant observations.

If the Parish Council is to OBJECT it must be on the basis of policy. A decision NOT to OBJECT does not need to be supported with comment unless members require officers to consider including additional information or conditions for inclusion in the DECISION NOTICE.

In some cases SDNP Officers may also choose to call in an application although this would only be for those that would be deemed to have a significant effect on the objectives of the National Park

Low Key Applications

Such applications are usually easier to determine, as it may well be the case that the planned development is not particularly significant.

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Planning Enforcement

The Parish Council will report ALL matters of unauthorized development in the parish that are brought to it's attention and will actively assist EHDC Compliance Officers in dealing with breaches of planning control however it should be appreciated that the response will always be proportionate. This is not to condone development being undertaken without the correct permissions but allows the local authority to use their planning enforcement powers proportionately.

By being open proactive and inclusive the parish council hopes to promote fairness and stop unauthorized development, thus giving parishioners confidence in the system.