

Whixall Parish Council

Planning Application Policy and Procedure

This policy was adopted by the council at the meeting held on Wednesday 8th January 2014.

Whixall Parish Council has adopted the following policy in order to ensure that there is a standard procedure for considering and commenting on all planning applications that are presented to them by Shropshire Council.

Introduction- The Planning process

Planning Policy is responsible for shaping development and sets out the plans and policies against which planning applications are determined. It is set out at both national and local levels.

National Level

- [National Planning Policy Framework \(NPPF\)](#) - published in March 2012, the NPPF replaced most of the previous national policy documents.

Local Level

At the local level, the [Local Development Framework \(LDF\)](#) is a collection of documents which set out development priorities within Shropshire. Two of the key documents which make up the Shropshire LDF are:

- The [Core Strategy 2006 - 2026](#)
- [Site Allocations and Management of Development DPD \(SAMDev\)](#)

Although there are a number of exceptions, anyone wishing to build must apply to Shropshire Council for planning permission.

When a local planning authority receives a planning application it is a legal requirement to publicise it. A notice that can be seen by passers-by must be posted at the site of the proposed development or occupiers and owners of adjoining properties notified.

For any applications for large developments there must also be a notice included in the local newspaper.

It is current practice that Shropshire Council will consult neighbours with a common boundary to the site, the Parish Council and other organisations such as local highways authority, drainage engineers, Natural England for wildlife issues or the Environment Agency.

Planning application policy and procedure, January 2014
Reviewed **February 2016**

Whixall Parish Council

Anyone can comment on a planning application within the timescale advertised. Usually a statutory consultee is given 21 days to comment from the date of notice.

Shropshire Council's policies

Site Allocations and Management of Development (SAMDev) is a plan that will allocate sites for various developments and sets out further detailed policies to guide future development.

The Core Strategy identifies the level of development expected to take place in Shropshire until 2026.

Place Plans identify the local priorities and infrastructure requirements for each of Shropshire's communities.

'Saved' Planning Policies are the policies contained in the Local Plans produced by the former County, District and Borough Councils.

Further details can be found at www.shropshire.gov.uk/environment-and-planning

Whixall's Community Led Parish Plan

A committee of Whixall residents sought the opinions of parishioners through a questionnaire and using the responses they produced a **Parish Plan** which states the following objectives in relation to planning and development in Whixall:

- To meet the housing aspirations of the Parish whilst retaining its rural identity
- To ensure that the infrastructure is able to support new developments
- To consult regarding the introduction of new planning regulations (SAMDev)

All of the information in the Parish Plan is fed into the Place Plan.

A copy of Whixall's Community Led Parish Plan can be found on the Parish Council website at www.2shrop.net/whixallparishcouncil

The Parish Council as a consultee

When reviewing a planning application due consideration will be given to the following points:

- Consistency with current development plan and saved policies
- Traffic and highway safety issues and access
- Scale of development
- Purpose of development
- Design, appearance, layout and material
- Overlooking, loss of privacy and loss of light
- Loss of important open space or physical features
- Noise, disturbance or smells

Planning application policy and procedure, January 2014
Reviewed **February 2016**

Whixall Parish Council

- Local knowledge of drainage or other possible problems with the surface
- Impact on surroundings
- Any other relevant issues

Issues that are not relevant include:

- Effect on the value of a property
- Loss of view over other people's land
- Possible future development not included in the application
- Private property rights such as boundary or access disputes
- Matters covered by other laws
- The morals or motives of the developer

Please refer to Shropshire Council web site for further details.

Whixall Parish Council's Policy

- The Parish Council will actively seek to preserve the rural character of Whixall.
- The Parish Council will represent the majority of local interest and comments will reflect local knowledge and interest in the local environment.
- The Parish Council will seek to ensure that any development, both new or for alterations to existing properties, will be in keeping with the surrounding area.
- The Parish Council will consider all planning applications based on their individual circumstances and merits. All responses to planning applications will be based on material planning reasons. Non- material considerations will not form any part of the response to Shropshire Council. Site visits will be undertaken as appropriate and taken into consideration when formulating the Parish Council's response.
- Any proposal for future development will be judged against relevant planning policies and, in particular, be related to creating a sustainable residential and agricultural environment.
- The Parish Council will support the installation of renewable energy sources and/or those which minimise carbon emissions or the use of fossil fuels, providing that such systems comply with the Planning Policy.
- The Parish Council will support appropriate development of affordable housing within the Parish.

Comment [f1]: "Will be in keeping with the " seems to say the same and not as wooly
Amended
Do we need the sympathetic bit?

Comment [f2]: we have already listed the relevant reasons

Comment [f3]: it is broader than just visual

Whixall Parish Council

- The Parish Council will respond to all planning applications within the time frame stipulated by Shropshire Council unless prior agreement has been given.

• In certain circumstances, when there is a situation of wider public concern, a Public Meeting will be called prior to any decision being taken by the Parish Council.

• Councillors are encouraged to study planning applications on the Shropshire Council's website: www.shropshirecouncil.gov.uk/environment-and-planning/publicaccess prior to discussing the application.

• Councillors are encouraged to keep up to date with Shropshire Council's Planning Guidance and Policies.

Whixall Parish Council's Planning Application Procedure

• Notification of a planning application will, in the first instance be sent to the Parish Clerk who will then alert all Parish Councillors via email; all councillors are encouraged to research each application prior to the meeting at which it will be viewed.

• On receiving an application the Councillors should identify the location of the application to confirm it is within the parish boundaries and also the date of the Parish Council meeting it is to be discussed so to ensure that any site visit is carried out in advance of the meeting.

• If a site visit is required a Councillor should notify the Parish Clerk so that arrangements can be made.

• The Parish Clerk will contact the applicant / agent to arrange the site visit. Where entry to the actual site is preferred the Parish Clerk will seek permission and formally write to the applicant enclosing a copy of the Parish Council Planning Application Policy and Procedures.

• It is advisable that a minimum of two Parish Councillors be in attendance at the site visit. (No Councillor should be in attendance if they have a direct interest or conflict with the application.) Please refer to Appendix 1 Code of Practice for Planning Application Site Visits for more details.

Comment [f4]: delete this in my view we cannot have a view unless it has been debated

Formatted: Not Highlight

Comment [f5]: I would leave this in

Comment [f6]: Do we need to capitalise councillors? If so we need consistency.

This is something you can decide as a council...

Comment [f7]: Do we want this in, I don't think we need two unless there are concerns as to safety. Who would the two be?

I think it is advised so that nobody can be accused of intimidation?

Whixall Parish Council

- After the site visit the Councillor should prepare a summary of the application in order to brief the Parish Council at the meeting when the application is discussed.
- At the meeting full discussion on the application will take place and an agreed decision will be made to support or not to support the application.
- Following that meeting the Parish Clerk will make the formal submission to Shropshire Council.

Comment [f8]: I thought we also had a third option to note the application? If so that needs inserting.

I have just asked a planning officer to confirm their intended use of the 'representation' option to make sure we are clear.

Attendance of the General Public at Parish Council Meetings.

Parish Council Meetings are open to the public. Members of the public are allowed to address the Council in accordance with agreed procedures during the Public Session time of the meeting. This is the only public participation time of the meeting and members of the public are not allowed to participate in the Parish Council's discussions about an application. If a member of the public is intending to make a public statement they are advised to let the Parish Clerk know. If a number of statements are to be made an agreed time limit per person may be enforced by the Chair. It is not permitted to take photographs or make recordings of proceedings.

Contacting Parish Councillors

Members of the public are entitled to contact any of their local Parish Councillors about a planning matter which concerns them.

Comment [f9]: As far as I am aware we don't designate areas
You are quite right!!

When contacting a Parish Councillor on a planning matter, members of the public should remember the following:

- Parish Councillors are advised by their Code of Conduct not to make up their mind about a planning matter until all the facts have been properly presented to them at the meeting.
- A Parish Councillor who becomes closely involved in a particular case may feel obliged to declare a personal and prejudicial interest in it and not take part in the decision-making process.
- A Parish Councillor is not obliged to report to the Parish Council anything said or written to him/her, although this is not normal practice.
- As with all representations, anything said to a Parish Councillor may be quoted to the Parish Council which, generally, conducts its business in the presence of the public and press.
- If a member of the public makes representations on a planning matter to a Parish

Councillor they should:

- ensure anything said is factually correct; and
- send a copy of any letter to the Parish Clerk to ensure it is officially received by the Parish

Planning application policy and procedure, January 2014

Reviewed **February 2016**

Whixall Parish Council

Council.

Appendix 1 Code of Practice for Planning Application Site Visits

Introduction

This Practice Note gives advice on the Parish Council's procedure for undertaking site visits prior to considering its response as consultee to Shropshire Council on planning applications

Purpose of Site Visits

The main purposes of a site visit are to enable Parish Councillors:

- To view a site and its surroundings to better appreciate facts that are important in the consideration of an application
- To assist in the appraisal of any constraints and opportunities afforded by the proposed development and its impact upon surrounding land
- To have a better understanding of any issues raised by interested parties

Site visits are not formally constituted meetings of the Parish Council. It is important, therefore, that no decisions are taken or seen to be taken on the application at the visit.

Procedure at Site Visit

Site visits should be conducted with an open common sense approach and without prejudice to the applicant. If the applicant / agent are present then Parish Councillors will politely advise them that they cannot discuss the application with them. All the facts of the application should be in the applicants prepared design statement, a copy of which is forwarded to the Parish Council along with other supporting documents and site plans by Shropshire Council. Any questions resulting from the site visit should be directed to the Parish Clerk who will contact Shropshire Council's Development Control.

Parish Councillors must not give the applicant their views concerning the application. Comments may be misconstrued and provide the applicant with reasons to believe Parish Councillors support the application when in reality they could be raising objections or vice versa. When conducting site visits Parish Councillors must have due regard to health and safety of themselves and others and follow any given safety instructions on site. Appropriate clothing and footwear should be worn.

Parish Councillors need to comply with the Code of Conduct during site visits.

The fact that a site visit had been held prior to the discussion of an application at a Parish Council Meeting will be recorded in the Meeting's Minutes.