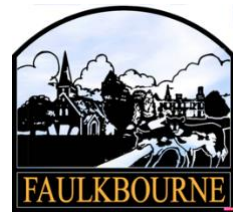


# WHITE NOTLEY & FAULKBOURNE PARISH COUNCIL



## Planning Policy



**The role of the Parish Council is to represent local views and should:**

- Provide local knowledge.
- Raise areas of concern.
- Inform, debate, and add value to the process.
- Contact and involve District Councillors if required.

Parish Councils are statutory consultees in the planning process and must be informed of all planning applications within the parish. Planning applications are submitted to Braintree District Council (the local Planning Authority), they are published on the District Councils website with all the relevant documents and significant dates. The Parish Clerk is notified of all planning applications with a deadline by which the Parish Councils comments must be received.

All planning applications are added to the monthly meeting agenda and circulated to Parish Councillors for them to look at prior to the meeting. At the meeting any member of the public can speak in support or against the application during the Public Forum but not during the Councils deliberations later. Parish Councillors will then discuss the application under the relevant agenda item. If there are opposing views the Council will vote and must accept the majority view. The Clerk will then submit the Councils comments to the District Council with the reasons they support/object to the application using material planning considerations and/or local/national planning policies (see below for more information).

If a planning application falls outside of the schedule of meetings the Clerk will ask the District Council for an extension of the date so that it can be added to the next meeting agenda. If this is not possible then the Clerk will submit comments to the District Council under delegated authority (in consultation with Councillors). If Councillors have opposing views on the application then an extra-ordinary meeting will be held to discuss and vote on the application. The Parish Councils decision counts as one opinion, members of the public are encouraged to submit their own comments to the District Council (using your own words rather than a circular type as these are more effective).

Objections should be clear, concise, relevant, and accurate to stand a chance of being accepted. Whilst the local planning authority must consider the representations of the Parish Council this does not mean that an application will be decided in accordance with the views of the Parish Council. Any comments or objections made must have a genuine material planning consideration (see below) and matter of relevance to the development.

**It is important to note that the decision to approve or refuse an application is the decision of Braintree District Council as the Local Planning Authority, it is not the Parish Councils decision.**

### **Material Planning Considerations include:**

- Central Government Policy (National Planning Policy Framework (NPPF)).
- Local Authority plans and policies (Local Plan, Minerals and Waste Plans, Neighbourhood Plans).
- Layout, density.
- Risk of flooding or pollution.
- Effects on buildings and amenity - overlooking and loss of privacy, overshadowing and loss of light (daylight/sunlight), noise and smell
- Access and traffic generation (highway safety).
- Local economy.
- Design, appearance and materials.
- Appearance, effects on street, specially designated area or building (conservation areas, listed buildings, ancient monuments etc).
- Adequacy of parking.

### **Other Material Considerations include:**

- Planning history of the site.
- Relevant precedent.
- Landscape, contamination, loss of trees etc.
- Access for people with disabilities.
- Archaeology, sustainability, energy conservation, nature conservation, health.

### **What are NOT material considerations 1:**

- Loss of view.
- Identity of the applicant.
- Unfair competition.
- Breach of covenants and property rights/boundary disputes.
- Devaluation of property.
- The number of objectors.
- Private rights of way, light or other easements.
- Damage to property.
- Animosity between neighbours.
- The applicants conduct, private matters or how a business is run.

### **What are NOT material considerations 2:**

- Age, health, status or background of an objector.
- What the applicant may want to do with the building in the future.
- How long the applicant has lived in the village.
- Moral issues.
- Complaints about procedures in dealing with planning applications.
- Matters controlled under separate legislation: control of rodents, encroachment of foundations/gutters, structural stability, safety of construction materials.

When the Parish Councils response is 'No Objection' it is satisfied that all the above have been considered carefully and applied to the application under consideration so has no area for objection. However, the Parish Council may make recommendations for planning conditions to be added to the application should the Local Authority grant approval.

**Planning conditions will only be imposed by the Local Authority where they are:**

- Necessary.
- Relevant to planning and to the development to be permitted.
- Enforceable.
- Precise.
- Reasonable in all other respects.

**Planning Decisions**

The majority of all decisions on planning applications are decided by the Planning Authority case officers without being taken to a Planning Committee. The officers make a recommendation to the Principal Officer with delegated authority to make decisions.

Alternatively, any member of the Planning Committee may request an application is determined by the Planning Committee ('called-in') prior to the consultation expiry of the application for the following reasons:

The application is:

- a major development.
- has an exceptional level of public interest.
- likely to raise in debate on planning issues.
- Where the decision would be significantly contrary to policy in the Local Plan.
- Where the Local Council is the applicant.

**Adopted: September 2023**

**Review Date: September 2027 or sooner if there are any significant changes.**