## WATLINGTON PARISH COUNCIL

## Public Guidance for Commenting on Planning Applications

**Purpose**

The purpose of this document is to provide guidance to the public on the role of Watlington Parish Council (WPC) in the planning process. It also gives guidance on what information can and cannot be taken into consideration by the Local Planning Authority when determining a planning application.

**Introduction**

* All planning applications for the building or extension of residential or commercial buildings, listed buildings, advertising or mobile masts and satellite dishes are submitted to South Oxfordshire District Council (SODC) as the Local Planning Authority (LPA).
* WPC is not a planning authority and has no powers to approve or reject planning applications.
* WPC, however, is a statutory consultee for applications made within the parish. This means that the LPA must notify WPC of any applications received by the LPA for land or properties within the parish of Watlington
* There is no statutory requirement for WPC to return comments on every application of which they are notified, however, it is the policy of WPC to do so.
* All notifications for WPC are received by the Clerk and tabled for discussion at the next scheduled WPC Planning Committee.

**WPC Planning Committee**

Each planning application is discussed at the committee meeting by the members prior to a vote being taken. The vote will determine whether the WPC Planning Committee will submit comments in favour or objection to the application. Once the vote has been completed, the members will agree the wording of the comments to be submitted.

Councillors must declare at the start of the meeting if they have any pecuniary interest in any item on the agenda. Where an interest exists, the relevant Councillors must sign the declaration of interest book and not vote in that particular application.

WPC must notify the LPA that they propose to make representations about an application within 21 days of the notification of the application or within 14 days in respect of any alteration to that application. Extensions can be sought by the Clerk in exceptional circumstances.

Site visits may be arranged in advance to assist WPC Planning Committee members in the discussion of the application. Site visits are strictly by appointment, confirmed in writing by the Clerk, with the applicant or representative and at least two committee members in attendance.

WPC Planning Committee agendas are published 3 working days prior to the meeting, in accordance with Standing Orders. Anyone may attend the committee meetings as an observer, but those wishing to speak on a planning application must notify the Clerk by midday the day before the meeting. If you are unable to give prior notice, please speak to the Chairman before the meeting so he can take an informed decision on whether to invite you to speak during the meeting

A time slot of 5 minutes will be allocated to any individual wishing to speak on a particular application. If more than one person wishes to speak on any one application the time slots may be combined at the discretion of the Chairman.

You may also submit your own comments to the LPA on any planning application via their [Planning Portal](http://www.southoxon.gov.uk/services-and-advice/planning-and-building/find-application) or by writing to the relevant Case Officer.

**LPA Planning Decision**

The LPA must take into account the representations of WPC Planning Committee. However that does not mean that the LPA will necessarily decide an application as the WPC have indicated they feel it should be decided. This is for several reasons:

* The LPA is only entitled to take into account planning matters.
* The LPA will receive advice from their professional officers on how the application should be dealt with which may differ from the views of WPC.
* The LPA must take into account the representations of others apart from WPC, especially the observations of the consultees, both the statutory consultees and other officers of the district and county council as well as neighbours of the developments, the applicant, etc.

The Case Officer’s report will be available on the relevant planning portal once a decision notice has been formally issued. The report will give details on how a particular decision has been arrived at.

**Material Planning Considerations**

Representations on a planning application can only be taken into account if they relate to material planning considerations. A list of material and non-material planning considerations is given in Appendix A.

**LPA Planning Committee**

It is SODC’s policy to refer to the SODC Planning Committee any application that the Case Officer recommends for approval, but that WPC, as a statutory consultee, has objected to.

The WPC Planning Committee may then delegate one or two members to speak on the council’s behalf at the SODC Planning Committee. It is important to note that it is not permissible for additional material, which has not been discussed at the WPC meetings, to be introduced by the delegated member(s). To do so is to add material not having passed the scrutiny of the WPC, and not part of the material which is the subject of the representation. If members wish a subject to be part of an objection, they should make this known at the time of the WPC meeting, not afterwards.

Representations can also be made by anyone that has commented through official channels to the LPA, at the LPA Planning Committee. In order to do so you must notify the LPA by midday the day before the committee. For further information about speaking at SODC’s Planning Committee please [click here](http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-committees/committee-faqs) or contact the Parish Office.

## Appendix A: Material Planning Considerations

When a decision is made on a planning application, only certain issues are taken into account; these are often referred to as ‘material planning considerations’. The list below is derived from the SODC advice on their website. It may have been superseded since this document was prepared and you are advised to check the download available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/find-application/planning-application-register>

**MATERIAL PLANNING CONSIDERATIONS:**

**Normally taken into account in the determination of applications**

(There may exist further material planning considerations not included here)

* The Statutory Development Plan which includes:
* Oxfordshire Structure Plan
* Waste & Minerals Local Plan
* South Oxfordshire Local Plan

Section 54a of the Town & Country Planning Act 1990 requires that applications or appeals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

* Planning/Development Briefs produced by South Oxfordshire District Council
* Government and Planning Inspectorate requirements - circulars, orders, statutory instruments, guidance and advice
* Previous Planning decisions (including existing uses)
* Amenity considerations
* Overlooking
* Over-development
* Character of area
* Effect on listed buildings and conservation areas
* Scale and bulk resulting in loss of light
* Trees
* Noise
* Smell
* Traffic generation, parking and safety
* Design
* Materials
* Crime and community safety
* Need (eg. Agricultural Workers Dwelling)

**NON-MATERIAL PLANNING CONSIDERATIONS**

**Not normally considered in the determination of applications**

(There exist further non-material planning considerations not included in this list)

* Loss of property value
* Land ownership and boundary disputes
* Competition
* takeaways
* name of business (eg.different supermarket chains)
* A loss of a private view
* Legal rights/consents deeds, covenants, private rights of way, licences (eg. entertainment)
* Internal layout
* Provision of services
* Matters controlled under other legislation

A more detailed list is available on the Planning Aid England website at <http://www.rtpi.org.uk/media/686895/Material-Planning-Considerations.pdf>

Planning Aid England provides free, confidential and independent planning advice.

Call: 0330 123 9244 or Email: advice@planningaid.rtpi.org.uk