

SOUTH KELSEY AND MOORTOWN PARISH COUNCIL

PLANNING MATTERS POLICY

Date policy approved and adopted: 4 December 2023

Date of review: 7 May 2024 (AMPC)

Date of next review: May 2025 (AMPC)

1) Introduction

The role of South Kelsey and Moortown Parish Council (PC) is to represent local views and should:

- a) Provide local knowledge.
 - b) Raise areas of concern.
 - c) Inform, debate, and add value to the process.
 - d) Contact and involve District Councillors if required.
- 2) Parish Councils (PC) are statutory consultees in the planning process and must be informed of all planning applications, and any amendments to those applications, within the parish.
 - 3) The PC can only comment on these planning applications in the same way as any other member of the public, however, any comments by the PC must be agreed during a properly called public council meeting.
 - 4) Members of the public attending the meeting can comment, speak in support of or object to any application during the 'Open Forum' segment of the meeting, but not during the council's deliberations later. However, they may be asked to provide clarity on details of the application during the PC's deliberations at the invitation of the person chairing the meeting. Comments agreed in the council meeting are submitted in writing by the Parish Clerk to the relevant planning authority.
 - 5) The Planning Authority for South Kelsey and Moortown Parish Council is West Lindsey District Council. Prior to the meeting members of the PC will study the plans, forms and details submitted with the application carefully and can request the views of the statutory bodies e.g., English Heritage, Environment Agency, Highway Authority, etc.
 - 6) The local planning authority will almost certainly be bound by the advice of such statutory bodies. Please remember that the PC is only a consultee and counts as one opinion. Without advice from residents of the Parish the members of the PC will give their own opinions.

- 7) The PC can and will seek the views of residents of the Parish, particularly in controversial cases, and will reflect such local feeling during the deliberation process. However, should there be widespread objection, or support, for a proposal the PC will always urge members of the public to send their own individually written letters or e-mails direct to the planning authority (in their own words rather than a circular type as these are more effective).
- 8) It must be understood that the PC's comments in response to a planning application can only be based on planning matters. Where possible the PC can quote policies in the Local Plan as these are the starting point for considering the merits of any application.
- 9) 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 PC this does not mean that an application will be decided in accordance with the views of the PC.
 - a) In reaching a decision, the local planning authority is required to weigh up all issues associated with an application and comments made by the PC may have insufficient weight to enable the application to be determined in line with the wishes of the Parish. Any comments or objections made must have a genuine material planning consideration (see overleaf) and matter of relevance to the development. Material Planning Considerations include: - Layout, density. Risk of flooding or pollution. Overlooking and loss of privacy. Overshadowing and loss light (daylight/sunlight). Access and traffic generation (highway safety). Local economy. Design, appearance, and materials. Appearance, effects on street, specially designated area or building (e.g. conservation areas, listed buildings, ancient monuments, etc.). Adequacy of parking. Noise and smell. Landscape, contamination, loss of trees, etc. Cumulative impact. Past planning history or appeal decisions of the site. Central government policy and guidance (National Planning Policy Framework, Planning Practice Guidance).
- 10) The following are NOT considered to be material considerations: - History of applicant. Loss of view. Commercial competition. Change from previous scheme. Impact on property value. Restrictive covenants. Ownership of land, right of access. Noise & disturbance from construction work. Land & boundary disputes. Land ownership. Damage to property. Private rights of way. Deeds & covenants. Private issues between neighbours. Lots of objectors.
- 11) When the PC 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 PC may make recommendations for planning conditions to be added to the application should the local authority grant approval.
- 12) 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. Around 95% of all decisions on planning applications are decided by the planning authority case officers without being reported to a Planning Committee.

- 13) Planning officers make a recommendation to the Principal Officer with delegated authority to make decisions. The case officer's recommendation may or may not be accepted and the decision is not made until the formal Notice of Decision is signed by the Principal Officer. Alternatively, any member of the Planning Committee may request an application is determined by the Planning Committee prior to the consultation expiry of the application for the following reasons.

The application is:

- a) a major development.
 - b) has an exceptional level of public interest.
 - c) likely to raise in debate on planning issues.
 - d) Where the applicant (or their spouse or partner) is an employee or a member of the Local Council.
 - e) Where the decision would be significantly contrary to policy in the Local Plan.
 - f) Where the Local Council is the applicant. Parish objections where the officers are recommending permission does not include:
 - domestic extensions;
 - lawful development certificates;
 - works to protected trees.
 - g) Based on the above the PC will, if required, request that an application be brought to committee anytime up to the point that the decision is agreed
- 14) The PC can decide its response to a planning application consultation in one of two ways:
- Consideration in public at a properly constituted meeting of the full Parish Council.
 - The PC has delegated authority to the Proper Officer (Clerk) to respond to non-contentious planning applications in consultation with the PC members. This does not require a public meeting. No agenda or minutes are necessary, but a report of decisions made will be presented to the next meetings of the PC.

This policy will be reviewed annually.

ADOPTED: 4 December 2023

DATE OF REVIEW: May 2025