

PLANNING, HOUSING & ECONOMY

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Cherwell

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Dear Clerk/Chairperson

Parish/Town Councils and the Planning Process

I refer to recent discussions with both parish/town councils and local district councillors with regard to clarifying methods of communication, in particular in relation to the determination of planning applications.

A number of issues have been raised; these include pre and post decision communication, guidance and additional training opportunities.

Pre Decision Communication

Cherwell deals with in excess of 2000 planning applications in each year; the majority of these applications are straight forward and require little or no explanation. On occasions there may be a need for further explanation or guidance. In this instance the application case officer or duty planning officer will be able to assist the parish/town councils, in most circumstances advice and guidance can be provided over the telephone.

Prior to the determination of the application we endeavour to ensure that the councils website is updated with all the latest information relating to the application, this includes any additional plans, consultation responses and comments from local residents interested parties. If an application is being considered by the planning committee the report is published online at www.cherwell.gov.uk 5 days before the meeting.

Post Decision Communication

Once the decision has been issued the officers/committee report along with a copy of the decision notice is made available online at www.cherwell.gov.uk. The way we write our reports has changed to make them easier to read and understand. The reports (committee and delegated) are now organised into 6 key sections, these are set out below.

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1. **Site description and proposal** – This section sets out the site and the key elements of the applicant's proposal.
2. **Application publicity** – Sets out how the application was advertised with a summary of comments. As all comments are available in full (online and in the file) it is not necessary to repeat every comment in full. This is in essence the neighbour notification .
3. **Consultations** - Sets out who was consulted on the application with a summary of the comments made. As all consultation responses are available in full (online and in the file) it is not necessary to repeat every comment in full. The comments of the Parish are summarised within this section.
4. **Planning Policy** – In this part of the report all key issues of planning policy are identified, this generally adheres to the national policy framework, National, regional and then district/local plan policies. Again a summary/acknowledgement of the policies applicable is all that is provided as all policy documents are available elsewhere.
5. **Appraisal** – This is the key part of the report and pulls together all the information gathered. The appraisal section starts by identifying all the key issues relating to the consideration of the planning application. The key issues may include, land use policy, design, highway impact, flooding, landscape impact, legal precedent and economic benefit. This list is not exclusive and will vary from application to application. Each of these issues is then considered and a conclusion for each area is reached, these need to be supported by national/regional/local planning policy. Once all these issues have been considered there is often one or two other points that although not material considerations that need to be addressed (loss of light, loss of view etc). At the end of the report the officers balance all the key issues to reach a recommendation.
6. **Recommendation** – The recommendation will generally be grant or refuse, if permission is granted this will usually be subject to conditions, these ensure the development is carried out correctly or allow for the submission of further details at the request of the local planning authority or statutory body (highway authority/environment agency etc). All conditions need to be appropriate to the proposal and backed by planning policy. In the case of a refusal the council needs to ensure reasons for refusal are supported by planning policy.

If a Parish council wishes to have further explanation following a review of the report and supporting documentation, then it would be appropriate for them to contact the case officer directly, either through a phone call, email or letter. The case officer will then be able to assist with further clarification or assistance. In the unlikely event that the Parish still has unanswered questions then they can contact me as Head of Development Control and Major Developments directly to discuss the application.

Guidance for Parish Councils when Commenting on Planning Applications

The councils planning guidance for parish councils was in the past contained within the parish handbook, this however is now largely out of date due to changes in procedures and legislation. We are currently reviewing its contents and hope to bring out a shorter more focused document that will be easy to use into the new municipal year 2010/11. Until then I have set out a few key thoughts for parishes when commenting on planning proposals.

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These are set out below:

All comments we receive about a planning application will be considered, but only **planning issues** can be taken into account. These include:

- loss of privacy/impact on residential amenity
- overshadowing/overbearing impact
- highway safety, traffic and parking issues
- noise
- visual amenity/street scene
- wildlife
- historic buildings and conservation
- flooding
- design, and materials
- appearance of the development
- capacity of infrastructure – schools/public transport etc

Issues which cannot be taken into account include:

- loss of view
- effect on property values
- private rights
- boundary disputes, and
- construction noise

Training Opportunities

Cherwell demonstrated its ongoing commitment to supporting parish/town councils In 2009/10 by rolling out a district wide training for all parishes and town councils. This was achieved by grouping parishes together and officers coming out to meet the parishes, this proved to be both well supported and well received.

In 2010/11 we will be running two training events. These will be held at Bodicote House as it will be more interactive, with members of the parish councils assessing planning applications then considering them as a planning committee. It is hoped that this will give parish councillors an insight into both the planning process and the role of the planning committee councillor. Hopefully it will be an enjoyable and good learning experience for all parties.

Consultation by Email

The council is committed to maximising access to information, as part of this programme we are rolling out an e-consultation project. This has been requested by a number of parish councils across the district. This will involve planning consultations being sent out by email, this has many advantages with regard speed and cost. It will also allow parish clerks to distribute information to all parish councillors. The emails will contain a link to the application on the Council's public access site; this will ensure mailboxes are not filled with large documents that some home computers cannot open. We are currently resolving one or two issues with regard to ensuring security for all users, before a trial will be undertaken with some of the parishes.

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I hope this letter has been useful and explained how parishes can continue to make a valuable contribution to the planning process. If you wish to discuss any of the areas covered please do not hesitate to contact me

Yours sincerely

Jameson Bridgwater
Head of Development Control & Major Developments