Broughton Parish Council
Planning Procedure (Procedure 8)

Introduction[1]

The role of the Parish Council (PC) 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 (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. The PC can only comment on these planning applications in the same way as any other member of the public.

The local planning authority has a limited consultation period, typically 3 weeks, within which it is required to consider recommendations and comments. Consultation responses received after this period may be considered, but the local planning authority is not obliged to do so. The PC's response, therefore, must always be submitted within the allowed consultation period.

The procedure for the PC is quite straightforward. The main source of complexity in this procedure is the need to ensure that responses are submitted to the local planning authority on-time, while giving members of the public the opportunity to give their views.

Planning matters will normally be discussed in a public meeting of the PC. Members of the public attending the meeting can comment, speak in support of or object to any application during the 'Public Comment' 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.

For minor matters, if the local planning authority consultation window does not allow the PC to deal with the application in an Ordinary meeting, then the PC may solicit public opinion, but not schedule a meeting. Members of the public will always be given the opportunity to give their opinions and an Extraordinary meeting will be held if any member of the public asks for one.

In addition to planning applications within the Parish, the PC may also consider, and make representation on, other planning matters which affect the Parish, for example nearby building developments, changes to infrastructure, or air-traffic routing.

1. [1] This introduction is based on a document prepared by Long Whatton and Diseworth Parish Council

Comments and recommendations from the PC are submitted in writing by the Parish Clerk to the relevant planning authority. The Planning Authority for Broughton is Huntingdonshire District Council (HDC).

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. 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. 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).

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 polices in the Local Plan, as these are the starting point for considering the merits of any application.

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. 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 the appendix listing material and non-material considerations at the end of this document)
- relevance to the development.

<u>Scope</u>

This document considers the actions to be taken by the Parish clerk and by councillors. The document considers all types of planning application including: Listed Building Consent, Full Application, Householder Application, Outline Application, Reserved Matters Application, Class Q (Permitted Development) etc.

This document replaces Procedure 8 (Review Process for Amended Plans) and Procedure 10 (Review of Plans for Minor Works). It supplements procedure 9 (Clerk's Procedures) which describes the actions required by the clerk in dealing with planning matters.

Procedure

Notification

The Parish clerk is notified of most applications for development within the Parish by HDC. HDC do not provide notifications for development outside the Parish, or for some types of application, for example Condition Requests, which may include material issues affecting the Parish.

- HDC notifies the clerk of planning applications by email
- Councillors should check the HDC planning portal at least weekly for any relevant applications, changes to ongoing applications or local planning matters, and notify the clerk by email as soon as possible
- Councillors should also check the local press periodically for any planning matters likely to impact Broughton and notify the clerk by email as soon as possible
- Members of the public may also notify the clerk of any planning matters by email.

For notifications received from HDC, the clerk should:

- Forward the notification to all councillors as soon as possible, and no later than 1 week after receipt
- Post details of the application on the village notice board and Parish Council website using the relevant pro-forma (1 or 2) at the end of this document as soon as possible.

For notifications received from councillors or the public, the clerk should confirm the relevance of the matter with the Chairman before notifying councillors and the public as described above.

Scheduling the Review – Ordinary Meeting

If notification of a planning matter is received more than 3 clear days before the next Ordinary Council meeting, and the HDC consultation period for the application expires after the date of the Ordinary meeting, then the matter should be added to the Planning section of the agenda for the meeting.

Scheduling the Review – Notification Received Close to an Ordinary Meeting

If notification of a planning matter is received less than 3 clear days before a scheduled Ordinary Meeting, then:

- The matter should be noted as having been received, under Any Other Business, during the Ordinary Meeting, but no discussion, review or motion regarding the matter can be considered in the meeting
- The Chairman should consider the level of public interest in the matter and recommend whether an Extraordinary meeting is to be scheduled or if the matter could be dealt with without a meeting
- If the Chairman recommends that an Extraordinary meeting not be held, then he/she should describe the consultation process to be followed (see Review Without Meeting below). Councillors, and any members of the public present, should then be asked whether they object and, if any member of the public, or any 2 councillors, request it then an Extraordinary meeting should be scheduled.

Scheduling the Review – Requesting an Extension

If the HDC consultation period for the application expires before, or on, the date of the next Ordinary meeting then the clerk should request an extension from HDC.

Scheduling the Review – HDC Grant a Request for an Extension

If the request for an extension is accepted, then the matter should be added to the Planning section of the agenda for the next Ordinary meeting, as described above.

Scheduling the Review – HDC Refuse a Request for an Extension

If the request for an extension is rejected by HDC, or no response to the request is received by 1 week before the end of the consultation period, then:

- The Chairman should consider the level of public interest in the matter, and propose whether an Extraordinary Meeting is required or if the matter could be dealt with without a meeting
- The Chairman's proposal should be sent to all councillors by email
- If the Chairman, or any 2 councillors, consider that an Extraordinary meeting is appropriate, then an Extraordinary meeting should be scheduled to consider the planning matter
- If the Chairman proposes that no meeting is required, and 2 councillors do not request a meeting, then the public should be notified using pro-forma (2)
- If no member of the public then requests an Extraordinary meeting, the exceptional Review Without Meeting process below should be followed; otherwise, an Extraordinary meeting should be scheduled as soon as possible (subject to the requirements for 3 clear days' notification).

Actions Prior to Review

Before a planning application or other planning matter is reviewed, councillors should:

- Inspect the documents associated with the matter (generally available from the HDC planning portal)
- Where possible, view the site of the proposed development
- Consider BPC Biodiversity Policy in relation to the planning application
- Depending on the scale and nature of the matter, the Chairman or clerk may consult with other interested parties e.g., Council or District Councillors, HDC's planning officer or clerks from neighbouring, affected Parishes.

Review in Meeting (Ordinary or Extraordinary)

- Members of the public / interested parties should be invited to present their views in accordance with the Standing Orders
- The councillors should debate the issue and propose a motion for comments and a recommendation for approval or refusal to be submitted to HDC, based on material planning considerations. Further guidance on material / non-material considerations can be found on HDC's planning portal, and a list of considerations is included in the Appendix at the end of this document.

Review Without Meeting (Exceptional)

All email exchanges regarding an application should be copied to all councillors and to the clerk.

- All public comments received by the clerk by the cut-off date should be circulated to councillors by email
- All councillors should consider their proposed response to HDC, based on material planning considerations, and send their proposed response and supporting reasoning by email to all councillors and the clerk
- The Chairman should, after any email clarifications, propose an email motion setting out the response to be submitted to HDC
- All councillors should submit by email their acceptance, or rejection, of the proposed motion for a response. The motion is then agreed, or rejected, according to the voting rules set out in the Standing Orders
- The clerk should then submit the response as set out below
- The response should be formally ratified and minuted at the next Ordinary meeting of the Parish Council.

Respond

- The clerk should submit the agreed response to HDC, using the form provided by HDC planning, citing the agreed material planning considerations and recommendation. Where necessary, the form should reference an attached letter, to allow the reasoning to be clearly stated
- The clerk should check, one week after the response has been submitted, that it has been posted to the HDC planning portal. If the response has not been posted, the clerk should then email HDC planning to confirm receipt.

Development Management Committee (DMC)

If an application is contested, it may be considered at a meeting of HDC's Development Management Committee. These meetings have a strictly enforced 3-minute limit on the duration of presentations, and thorough preparation is essential.

If the Parish Council is able to present at a DMC meeting, it is recommended that:

- The council nominate a presenter (normally the Chairman)
- The presenter prepare a script for the meeting, setting out key points as raised in the submitted response to the application and circulate to councillors for comment:
    - If our District councillor has also been invited to present, then the Chairman should consult with them to co-ordinate the points to be presented
    - The script should be checked and edited to ensure that it can be presented within the allowed time limit
    - Any supporting materials (e.g., pictures) should be submitted to HDC well in advance
- Attendance at the DMC, and the outcome arising, should be noted in the minutes of the Parish Council following the DMC meeting.

References

1. Advice Note 5: Commenting on Planning Applications, Huntingdonshire District Council, August 2009
2. Advice Note 7: Other Planning Controls, Huntingdonshire District Council, August 2009
3. Huntingdonshire's Local Plan to 2036 (adopted May 2019), Huntingdonshire District Council
4. National Planning Policy Framework, Department for Communities and Local Government, March 2012
5. Huntingdonshire Design Guide Supplementary Planning Document (SPD)
6. Broughton Conservation Area Character Assessment
7. Huntingdonshire District Council Planning Guide (https://planningguide.online/huntingdonshire/)

Procedure adopted at meeting:	Minute Ref:	Review Frequency:
9/01/2023	2023/01/09 (Item 9)	3 yrs
Review		
11/05/2026	2026/27-20	3 yrs

Proforma (1) for Public Notifications

Broughton Parish Council

We have been advised that application reference <ref> is being considered by Huntingdonshire District Council (HDC). The Parish Council will submit comments to HDC on the application during the consultation period, which expires on <date>.

We recommend that interested parties submit comments to both HDC's planning department during the notification period, and to the Parish Council. The Parish Council will consider all comments received in determining our response to HDC.

Comments to the Parish Council should be addressed to the Parish Clerk by email to: clerk@broughtoncambspc.org.uk

The application will be discussed at a meeting of the Parish Council to be held on <date>. Interested parties will be given the opportunity to briefly present their views at the meeting.

Comments may be submitted to HDC online by following the Planning link from https://www.huntingdonshire.gov.uk/, in writing or by email.

Please make sure you:

- quote the planning application reference number
- include your name, address and contact number
- make it clear whether you are supporting or opposing the application.

Written comments should be sent to:
Planning Services
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
Cambs
PE29 3TN

Email comments should be sent to **developmentcontrol@huntingdonshire.gov.uk**

Proforma (2) for Public Notification that a matter is not to be considered at a public meeting

We have been advised that application reference <ref> is being considered by Huntingdonshire District Council (HDC). The Parish Council will submit comments to HDC on the application during the consultation period, which expires on <date>.

We recommend that interested parties submit comments to both HDC's planning department during the notification period, and to the Parish Council. The Parish Council will consider all comments received in determining our response to HDC.

HDC's public consultation period expires before the next scheduled Ordinary meeting of the Parish Council and we are not currently proposing to hold an Extraordinary meeting to review this matter.

Please contact the Parish Clerk by email by <date> at: clerk@broughtoncambspc.org.uk with comments to be considered by the Parish Council, or if you wish to request that an Extraordinary meeting of the Parish Council be held.

Comments may be submitted to HDC online by following the Planning link from https://www.huntingdonshire.gov.uk/, in writing or by email.

Please make sure you:

- quote the planning application reference number
- include your name, address and contact number
- make it clear whether you are supporting or opposing the application.

Written comments should be sent to:
Planning Services
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
Cambs
PE29 3TN

Email comments should be sent to **developmentcontrol@huntingdonshire.gov.uk**

Appendix: Material and Non-Material Considerations

From: Advice Note 5: Commenting on Planning Applications, Huntingdonshire District Council, August 2009

Material Considerations
Central government policy & guidance
The Development Plan
Replies from statutory & non-statutory agencies
Relevant representations from interested parties
Effects on an area
Highway safety
Effects on individual buildings e.g., loss of light, noise etc
Effects on a designated area e.g., a conservation area
Effects on tree cover & hedgerows
Nature conservation
Public rights of way
Flooding or pollution
Planning history of the site (past decisions)
Benefits of the development
Prevention of crime & disorder
Precedent may be relevant

Non-Material Considerations
The applicant
Unfair competition between businesses
Boundary disputes
Breach of covenants and personal property rights
Loss of a private view
Impacts on property values (although the causes may be relevant)
Matters controlled by other legislation
Religious or moral issues
Whether the development has already taken place