



**Policy & Procedure Number: UPC/18**

**Effective date:** This revised document was approved at the FC meeting held on 8<sup>th</sup> April 2020, is effective immediately and supersedes all previous versions.

**URCHFONT PARISH COUNCIL PLANNING APPLICATION PROCESS**

**1. Purpose and scope**

- (a) The purpose of this document is to provide members of the Urchfont Parish Council (UPC) with guidance when dealing with local planning applications in order that each and every local planning application is dealt with in a fair, consistent, open and transparent way, without favour.
- (b) The role of the UPC in any planning application submitted to the Wiltshire Council (WC) is as a consultee in order to provide WC with UPC's views which will be based on a balanced view across the Urchfont Parish community. The UPC encourages all interested parties to participate in this process.

**2. Statutory Authorities / Governing Documents**

- (a) When considering planning applications the UPC will follow the guidance outlined within the following documents:
  - The National Planning Policy Framework (NPPF)
  - The Wiltshire Core Strategy (WCS)
  - The policies outlined in the 'Urchfont, Wedhampton & Lydeaway Neighbourhood Plan' (UWLNP) including its Appendices A & B.
  - Conservation Area Statements for Urchfont and Wedhampton.

**3. Local Considerations**

- (a) When considering planning applications UPC will have regards to the following criteria:
  - Comments received from the local community;
  - Visual impact upon the surrounding area;
  - Relationship to adjoining properties.

**4. Procedures**

**4.1 Lead Councillor (LC)**

- (a) A Lead Councillor (LC – see Appendix 1 for full role and responsibilities) is appointed by UPC to have particular responsibilities for managing all planning applications.

**4.2 External meetings with planning applicants**

- (a) UPC Councillors must report on any meeting about a proposed or current planning application held with a developer, planning applicant (or their agent), which is not part of a formal UPC planning

meeting. Such meetings must be documented in a written report made at the time or shortly after and this written report should include the time and date of the meeting, those present and a brief resume or bullet points of the details discussed. **(See Appendix 2)** This report should be sent to the Clerk to the Council for inclusion in the agenda of the next planning meeting under 'Matters for Report'. This applies to either a pre-planning application or mid-planning application meeting regardless of whether the application is on the next meeting agenda. There must be a minimum of two councillors at any pre/mid planning application meeting.

- (b) **Pre-Planning Application Meeting** – No councillors should embark upon a pre-planning application meeting with a developer, planning applicant (or their agent) without permission and empowerment from two out of three of either UPC Chair, Lead Councillor for Planning or the Clerk to the Council. All UPC councillors to be informed of such a pre-planning application meeting prior to it taking place. See 4.2a above for post meeting reporting requirements.
- (c) **Mid-Planning Application Meetings Following Site Meeting** – If a serious concern about an application is raised by a councillor at a site meeting, those present can empower two councillors to meet with the developer, planning applicant (or their agent) to inform them of such concerns. Without this empowerment councillors must not engage in discussion with the developer, planning applicant (or their agent) post site meeting. See 4.2a above for post meeting reporting requirements.

### **4.3 Pre-planning application presentations**

- (a) UPC welcomes the opportunity for residents, developers, or their agents to make presentations of their proposed planning applications to UPC, prior to applications being submitted to WC. Any such presentation will be subject to the following procedure:-
  - The presentation will form part of the 'public presentation' time at the PLANNING agenda item of a full UPC meeting, but the time allocation for such a presentation may be extended at the discretion of the Chair.
  - Any discussion about the proposed application will be limited to clarification of procedural matters. Nothing that a member of UPC says, including the contents of their questions will represent any form of commitment on the part of UPC.
  - Any response given by UPC where advice or guidance is sought should be restricted to that guidance contained within the UWLNP, which contains references to all appropriate statutory authority/governing documents.
  - Planning Applicants should note that any information gleaned from UPC at a pre-planning application presentation should be considered as being received without prejudice to any decision the Council may make as consultees on any subsequent formal planning application. Formal planning meetings will be subject of publicity and public consultation in accordance with this policy and procedure document. During such meetings other matters may subsequently come to light in relation to the application that may result in additional information/issues being raised that are pertinent to the determination of the application and UPC's final decision.

#### **4.4 Scheduling of Planning Meetings**

- (a) Once received from WC, planning applications will normally be considered at the next scheduled full UPC meeting and form part of that meeting under the heading 'Planning'. This will normally be scheduled at the start of the full meeting.
- (b) On receipt of a planning application from WC, UPC has 14 calendar days in which to respond. Where UPC is unable to respond within this time constraint, UPC may seek an extension to this response time period.
- (c) In view of the fairly short timescales within which UPC has to consider applications, Councillors are encouraged to look at applications as early as possible, and site meetings arranged promptly to enable WC Planning Officers and, as necessary, the Divisional Member, to be alerted to possible concerns.
- (d) On occasions when a planning application is considered:
  - 1. Controversial, or has;
  - 2. One or more new dwellings.
  - 3. Timescales imposed by WC Planning restrict the opportunity for UPC to consider an application at the next scheduled planning meeting.

The UPC Chair, Lead Councillor or Clerk to the Council may call a dedicated interim UPC planning meeting to allow more time for discussion with the planning applicant (or their agent) and public representation in favour or against the application. These meetings will follow the same guidelines as outlined in paragraph 4.6 post.

- (e) A site meeting will be held for each application, wherever possible, prior to the relevant Planning Meeting. However, at the discretion of the Chair or Lead of Planning, some Tree Applications may be considered without the need for a site visit.
- (f) A quorum of at least 5 full councillors who are able to vote must be present at a planning meeting in order that valid business can be transacted. Councillors need to declare to the Clerk to the Council any Conflict of Interest relating to any planning application as soon as possible so that the Clerk to the Council can confirm that UPC will have a quorum.

#### **4.5 Prior to the Applications being considered at Parish Council Meetings**

- (a) WC has a statutory duty to notify UPC of all planning applications submitted which fall within the Parish boundary.
- (b) WC sends, electronically a weekly list of all Urchfont Parish planning applications to, Clerk to the Council and each Councillor
- (c) The Clerk to the Council will place public notices relating to the UPC Planning Meetings on Parish notice boards. Notices will also be published on the Urchfont Parish Council and Community Websites.
- (d) Dates of full planning meetings must be publicly displayed at least 3 full working days (including Saturdays but not Bank Holidays) prior to the meeting.

- (e) The planning applicant will be notified of the time and date of the relevant UPC planning meeting with an explanation on how they can make representations regarding that planning application.
- (f) Any person who wishes to raise issues about an application will be notified via the meeting agenda of the date and timing of the relevant UPC planning meeting with an explanation on how they can make representations to WC and UPC regarding that planning application.
- (g) Site meetings will be arranged for UPC members, wherever possible, with the presence of planning applicant or their agent in order to see, first-hand the application site and its impact on the surrounding area. If the planning applicant cannot attend, they will be asked; either to have someone to attend on their behalf or to provide a written statement about the application. The Lead Councillor, or other councillor leading the site meeting will submit a written report to the Clerk to the Council following the site meeting. **(See Appendix 2)**

#### **4.6 Parish Council Meetings – Planning Applications**

- (a) Any letters of representation which have been posted on the WC website will be noted at the meeting and those sent to UPC by 5pm on the day of the planning meeting will be circulated to all councillors prior to the meeting, wherever possible and/or read out, either in full or a summary of the content (at the discretion of Lead of Planning/Chairman or Clerk) at the meeting.
- (b) Time will be allowed, approximately 3 minutes, for planning applicants and members of the public to make representation on a scheduled planning application. The Chair will suspend the formal proceedings of the meeting to accommodate ‘public participation’ time and will reinstate the formal proceedings once all the public participation time is over. The Chair may suspend, restrict or extend the public participation time as necessary, to ensure that the business of the meeting continues appropriately.
- (c) UPC will consider all information available on the applications and make a decision accordingly. This decision will be one of the following:
  - No Comment (not recommended as Wiltshire Council prefers that a view is expressed)
  - Support
  - Support subject to conditions
  - Object (for reasons set out)
  - No Objections

#### **4.7 Following UPC Planning Meeting**

- (a) The UPC decision will be sent to WC Planning Officer by completing the online Wiltshire observations document or by email.
- (b) On the rare occasion when UPC considers that the WC Planning Officer’s final decision on a local planning application may/will not be in the best interest of the community it may approach the Divisional Member to intervene in that decision process, a process known as ‘calling in’. The ultimate decision to ‘call in’ a planning application rests solely with the Divisional Member.

#### 4.8 Apparent non-compliance / breaches of Planning Regulations and approvals

- (a) UPC will discuss cases where a development appears not to be in accordance with approved plans, or may not have gained appropriate planning permission at all, and if it is agreed that this appears to be the case, then UPC will raise the issue with WC Enforcement Officers.
- (b) Perceived breaches identified by the public or Council Members must only be discussed and reported to WC by the whole Council, not by individual councillors.
- (c) Members of the public who perceive breaches should report their concerns direct to WC Enforcement Officer.
- (d) The Clerk to the Council may provide advice to members of the public on how they should report perceived planning issues, which do not fall within UPC responsibilities using appropriate WC forms.

#### 5. Definitions

- (a) **Divisional Member** – The duly elected Wiltshire Councillor for the ‘Urchfont and The Cannings’ area.
- (b) **‘Calling in’ process** – Where the Divisional Member considers that a planning application cannot be appropriately dealt with by the assigned WC Planning Officer under his/her delegated powers, the Divisional Member may ask for the application to be considered by the Area Planning Committee. The ‘calling in’ process has a time limitation placed upon it and can only be activated within 21 days of first registration of the application.

#### 6. Availability

This document will be published on the Urchfont Parish Council and Community Website ([www.urchfont-pc.gov.uk](http://www.urchfont-pc.gov.uk)) under Urchfont Parish Council>Policies and Procedures

#### 7. Review

This Planning Policies and Procedures document will be reviewed annually from the date of ratification or as deemed necessary.

## Roles and Responsibilities

### **Lead Councillor (LC):**

The LC will be a fully voting member of, and appointed by UPC and will undertake the following responsibilities:-

- (a) Provide support, guidance and advice to Urchfont Parish Council and the Clerk to the Council.
- (b) Liaise with WC Planning Office/Officer(s), as and when necessary.
- (c) Consult with the Highways Department at Wiltshire Council where an application could be used as a catalyst for improving car and/or pedestrian safety including road layout changes and new footpaths.
- (d) Ensure that UPC has all available information in relation to an application at its monthly meetings in order that the UPC can make an informed decision when considering that application.
- (e) Ensure UPC complies with statutory obligations in relation to applications as required.
- (f) Receipt of an electronic weekly list of all planning applications and decisions from the WC ensuring that these are posted on the Urchfont Parish Website.

### **Urchfont Parish Council - Clerk to the Council**

The Clerk to the Council is employed by UPC to assist the LC in administrating planning applications and will attend all UPC meetings where there is a planning element but will have no voting powers in relation to applications

The Clerk to the Council will be responsible for:-

### **Prior to UPC Planning Meeting**

- (a) Receipt of an electronic weekly list of all planning applications and decisions from WC ensuring that these are posted on the Urchfont Parish Website.
- (b) Draw up a draft planning agenda in consultation with the Lead Councillor
- (c) Ensure that a quorum of at least 5 full voting council members are able to attend the planning meeting in order that valid business may be transacted
- (d) Ensure that 'paper copies' of planning applications are available for perusal at or before UPC meetings if required.
- (e) Ensure that an agenda including all local planning applications are posted on Urchfont Parish Website and Public Notice Boards at least 3 full working days prior to the UPC meeting where those planning applications are to be considered.
- (f) Include in the Planning agenda an explanation on how the public can make representations to UPC regarding any planning application, including a reminder that letters of representation should be sent by the author direct to WC who are the approving authority.
- (g) Ensure that late letters of representation are brought to the attention of councillors at the UPC planning meeting
- (h) Arrange site meetings for UPC members with planning applicant or their agent.
- (i) As far as possible ensure UPC planning meetings on all planning applications are held within the strict consultation deadlines set by WC or seek an extension to that time limit where the next UPC meeting falls outside that time.
- (j) Arrange dedicated interim planning meetings as and when required.
- (k) Liaise with the assigned WC Planning Officer(s), as and when necessary.

### **At UPC Planning Meeting**

- (a) Alert UPC to any public letters of representation which have been posted on WC website and any written representation received by UPC from members of the public.
- (b) Ensure the UWLNP and the Conservation Area Statements are available for reference if required.
- (c) Ensure that 'paper copies' of planning applications and plans are available for perusal and reference by councillors or the public, if required.
- (d) Take minutes of the planning element of UPC meetings and produce those minutes in draft form for review by the Lead Councillor prior to publication as a true representation of the planning debate.

### **After UPC Planning Meeting**

- (a) Notify the assigned WC Planning Officer and WC Development Control Central, Economic Development and Planning of the UPC views on a particular planning application by completing the online WC observation document or by email within the consultation comment deadline.

### **Advice to the Public on perceived non-compliance with Planning Regulations / Approvals**

- (a) The Clerk to the Council may provide advice to members of the public on how they should report perceived planning issues which do not fall within UPC responsibilities using appropriate WC forms.

\*Urchfont Parish Council Site Meeting (Planning)/ \*Pre-Planning or \*Mid-Planning Application Meeting

(\*Delete as appropriate)

Time and Date of Meeting	
Meeting requested by	
Consent from	
Application No.	
Applicant (or their agent)	
Address / Location of (*proposed) site	
Councillors Present	
Details of other parties present	
Parties excluded and reason	
Details of documents inspected	
Listed/Conservation Area/AOMC/AONB /TPO	

Brief resume or bullet points of discussion (continue on reverse if needed):

Time finished	
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Signature of Lead Councillor at Site Meeting: