

ADVICE FOR PARISH/TOWN COUNCILS COMMENTING ON PLANNING APPLICATIONS

The Local Planning Authority is under a statutory duty to determine planning applications within a statutory period of 8 weeks for minor applications and 13 weeks for major applications. It is therefore essential that the Parish Council ensure that comments on applications are made within the consultation period outlined in the covering letter. With the opportunity for electronic consultation, extra time cannot be given for matters beyond our control, e.g. a postal strike.

Planning applications **must** be determined having regard to material planning considerations, these can include:

- The development plan (SKDC Local Plan and County Structure Plan) is the starting point for all decisions
- In general terms, it is worth bearing in mind that the planning system operates to ensure the "control of land use in the public interest." Whilst matters of broader public interest will often coincide with the interests of individuals, businesses or groups of householders, there are also occasions that they will be in direct conflict. The significance of this in the day-to-day determination of applications is that the issues of most importance to individuals, especially householders, are often very much private in nature and have a minor, if any, role to play in a planning decision.
- A material planning consideration "Must fairly and reasonably relate to the application concerned". Examples include:

The number, size, layout, siting, design, external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure. Living conditions for neighbouring residents.

Non - material considerations **can not be taken into account** by the District Council, these include:

- Devaluation of property.
- Personal opinion regarding the applicant.
- Commercial harm to other businesses from competition.
- That a lot of people have objected.
- The work was commenced without planning permission.
- Land ownership, Boundary disputes or matters referring to legal covenants.
- Loss of private view.
- Matters covered by other legislation (e.g. Alcohol Licences or Building Regulations).
- Objections based on moral, racial or religious opinion.
- Personal circumstances (except very rarely).
- How the District Council should consider the application.