

## **BARROWDEN PARISH COUNCIL**

### **PLANNING POLICY AS REVISED September 2020**

#### **Introduction**

Planning applications in the Parish of Barrowden are made to Rutland County Council (RCC) as the local planning authority. However, some applications – those involving applications in neighbouring Northamptonshire that are dealt with by East Northants District Council or Northants County Council (or their successor body).

Barrowden Parish Council is notified on all applications for outline or full planning permission, listed building consent and advertising consent within the parish. All applications can be viewed at <https://publicaccess.rutland.gov.uk/online-applications/> The Barrowden Parish Council may be consulted about applications in adjacent parishes.

The majority of planning decisions are made by Rutland County Council under 'delegated powers'. This means that decisions are made by the RCC professional planning officers. However, there are some applications, especially controversial ones, where the decision needs to be made by the RCC planning committee. The committee comprises elected County Councillors who may accept, modify or reject the recommendations made by the Planning Officer.

It is important to note that Barrowden Parish Council makes recommendations to the relevant planning officer only and does not determine any planning applications – the final decision to grant or refuse planning applications rests with the Local Planning Authority, usually RCC. This is the responsibility of the planning authority.

The Parish Council is also free to make representations on other planning issues where it is not formally consulted (e.g. enforcement action and certificates of lawfulness).

#### **Planning Applications**

Planning issues are normally discussed at Full Council meetings, usually held from 19:15 on the second Wednesday of each month in the Village Hall, Wakerley Road, Barrowden. Urgent items may also be discussed at specially convened meetings.

The planning issues to be discussed are listed on the agenda of both Full Council meetings and special Council Meetings which is published at least three working days before the meeting. Agendas are available on the parish council's notice boards and website <https://www.barrowdenpc.org.uk/>

Normally RCC will notify planning applications to residents who may be affected due to their proximity to the proposed development. Where Councillors believe it

is appropriate, further contact may be made by BPC with those residents whose property is significantly affected by the proposed development to ensure that they are aware of the application and are able to make comment to both the Parish Council and the County Council.

Barrowden Parish Councillors will disclose whether they have an interest or have been lobbied on any agenda item. Any member present with a prejudicial interest in a matter under discussion will temporarily withdraw from the meeting in accordance with the council's Code of Conduct.

All applications are considered on their individual merits, taking account of all relevant factors. These may include national Planning Policy Framework and Guidance, Rutland County Council Local Plan and Supplementary Planning documents and the Barrowden and Wakerley Neighbourhood Plan, as well as any representations received. Planning Aid has provided a summary of what are Material and Non-Material considerations when planning applications are being considered, see Appendix 1

Where the information presented is considered to be insufficient, further details will be sought from the planning authority. Apart from applications involving gypsies and travellers where special statutory considerations apply, the identity of the applicant is not a material planning consideration.

The Council will respond to other consultations on a case-by-case basis.

Having reviewed and discussed a specific application, comments received from members of the public and the relevant planning policies and guidance, BPC will make a recommendation to RCC planning department. The recommendation will be communicated to RCC in a letter from the Parish Council Clerk. The recommendation could be to support the application, not support it or support with modifications.

Any person may raise issues of possible concern that could require enforcement action by the planning authority or other statutory body, and the Clerk will report on any such matters notified by other parish councillors or directly by members of the public. This process is subject to the RCC Planning Enforcement Policy which can be found at <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/planning-enforcement/>.

## **Public Participation**

Members of the public, including applicants, supporters and objectors, are invited to attend Parish Council meetings. It is usually possible to address Councillors at the beginning of Parish Council meetings in accordance with the BPC Standing Orders.

## **Pre-Planning Applications**

The developer of a site within the village should provide information about the proposed development affecting the Parish area in writing prior to submitting in

order for residents to be informed and also to inform the developer of local views.

Even if the developer considers that information provided to the Parish Council is sensitive, this will not require the council to treat it as confidential. All information received by the Parish Council will be available to the public. Developers should not submit any information on a confidential basis. From the outset, the developer must identify information they want to be treated as confidential and explain the reasons in writing. If the developer has a legitimate expectation for confidentiality about the proposed development, the Parish Council will keep a written record of the confidential and non-confidential issues.

Communications (including informal and formal meetings) between the developer and the Parish Council (and staff) about a pre-planning application development will not bind the Parish Council to making a particular decision. Any views expressed are, at best, provisional because not all of the relevant information will be available to the Parish Council and formal consultations will not have taken place.

No informal meetings and telephone conversations between a developer and individual councillors should occur.

The meetings of the Parish Council and its committees are open to the public (Section 1(1) Public Bodies (Admission to Meetings) Act 1960) and developers may attend.

Developers are encouraged to speak at a Council meeting during the part of the meeting designated for public participation or have contacted the Clerk prior to the meeting for an agenda item to be added.

The minutes of Council, Committee and Sub-Committee meetings which record the decisions made at them are available

### **Site Visits**

Councillors are, as a group, familiar with most parts of the parish, and the nature of many planning applications means that formal site visits are usually not warranted. However, the Council may agree, in certain circumstances, to visit an application site. Parish councillors are unpaid volunteers with limited time and therefore there can be no guarantee that any particular site will be visited.

Arrangements for site visits will not normally be publicised or made known to applicants or their agents, except where permission is required to go on private land. Any persons attempting to make representations during such site visits will be advised to do so in writing or in person at the next Planning Committee meeting.

No decisions will be taken on site – all applications will be considered at a subsequent public meeting of the Council in the normal way.

## **Addressing the Rutland County Council Planning Committee**

Rutland County Council planning applications not decided under delegated powers are determined at public meetings of the Planning Committee, usually held in the Council Chamber in Oakham. Applications are generally heard at the Planning Committee for the following reasons: The planning officer's recommendation would be contrary to the written views of the Parish Council, residents or a statutory consultee; the proposal constitutes a departure from the adopted Development Plan or the application has been 'called in' by an elected County Councillor.

The Parish Council has the right to speak at RCC Planning Committee meetings, as indeed do applicants, supporters and objectors, but RCC must be notified of any intention to do this in accordance with its published procedure.

In order for a Barrowden Parish Councillor to speak on a planning application in an official capacity, the following guidance must be followed:

- • The Parish Council's position (e.g. a recommendation to approve, modify or refuse a planning application) must have been previously agreed by the Council. Comments must be clear and precise, and careful distinction needs to be made between those which represent material planning considerations and those which reflect a wider 'village opinion'.
- • The Council must have voted to send a delegate to address the County Council Planning Committee. Should no such vote be taken, any councillor still wishing to address the RCC Planning Committee must do so as a private individual and not as a representative of the Parish Council.
- • Where it is agreed to send a delegate, the Clerk will notify Rutland County Council in accordance with its published procedure.
- • The delegate must limit any comments made to the RCC Planning Committee meeting to those previously agreed by the Council.

The RCC Planning Committee will agree to recommend planning applications and applications for listed building consent applications are approved, or refused. The RCC planning committee may also suggest possible amendments or provide information that may be useful in the determination of the planning application.

## **Appeals**

In the event of an appeal, the Parish Council will normally reiterate its previous comments unless circumstances have changed since they were originally made in which case additional comments may be supplied to the Appeals Inspector.