



# **Salesbury Parish Council's Good Practice Guidance for Parish Councillors when Considering and Commenting on Planning Applications**

## **Introduction**

This guide sets out the role of Salesbury Parish Council and its Councillors in the planning process. For definitive and detailed guidance, reference must be made to Ribble Valley Borough Council (RVBC) who are the responsible planning authority.

## **Background**

Salesbury Parish Council is consulted by RVBC on planning applications within the area. The Council is invited to submit comments in support of or against the application in the same way that other neighbours are. Any submission is usually published by RVBC.

Salesbury Parish Council must strive to ensure their submissions are transparent and inspire confidence.

This good practice guidance provides a brief guide on planning, the role of the Parish Council and related procedures, including ways in which the community can make its voice heard. Some procedures are good practice and not defined by law. This note provides further transparency around existing procedures so that everyone has a shared understanding of them.

## **Development Control / Development Management**

Ribble Valley Borough Council (RVBC) is the responsible planning authority and controls development by responding to applications for permission to carry out new building, extensions, alterations or changes of use.

Some proposals (like certain small extensions) are known as "permitted development", which means that they can be built without further planning permission being required. However, in certain cases, permitted development rights may have been withdrawn by RVBC and specific permission is required for any alterations to the property. In addition, other properties such as listed buildings or buildings in non-residential use – may have extra protection under other legislation or will automatically need to be made the subject of a planning application.

Some areas are protected by special status, including for example Conservation Areas and Sites of Special Scientific Interest. Here special attention will be paid to development to ensure it does not harm the character, appearance or ecological value of that area.

Most planning applications are dealt with by RVBCs planning officers, but approval of major applications (e.g. housing estates or supermarkets), is dealt with by RVBC's Planning Committee or even central government. Decisions about planning applications will be guided by RVBC's policies for development. Relevant local policies are put together to provide a 'Local Development Framework' (LDF).

RVBC publish specific guidance for people wishing to extend a residential property to ensure that extensions do not harm the appearance of the area, the neighbours enjoyment of their own property or other features of importance.

In some cases, even where an objection is raised, RVBC may decide that other planning related considerations outweigh local concerns and permission will be granted. In other cases, permission may be refused. When applications are refused, the applicant may choose to exercise their right of appeal to the Secretary of State via the Planning Inspectorate, to have the refusal reconsidered and possibly overturned.

### **Planning and Salesbury Parish Council**

Salesbury Parish Council is consulted by RVBC on planning applications within the Parish and any applications that border it. Whilst the Parish Council does not make planning decisions (i.e. it does not grant or refuse permission) it does submit observations to the authority, which RVBC may consider when making a final decision.

### **Salesbury Parish Council - Consideration of Planning Applications by Councillors**

When the Parish Council receives a planning application it will be discussed, wherever possible, at the next full Parish Council meeting. There is a scheme of delegation to enable applications to be responded to should the deadline for submissions to RVBC be earlier than the next scheduled meeting (see Standing Orders) In either case, the Clerk will send details of the application to all Councillors with a deadline for response.

Salesbury Parish Council will submit a 'For' or 'Against' response to RVBC that is held by the majority of Councillors. The response may also contain comments and observations in favour of or against the proposal. Such comments need not be held by the majority but reflect all views.

It is recommended that Councillors:

- Read the planning application carefully
- visit the site to build up a picture of the development and its likely effects. Remember that you could be trespassing if you go on the site without permission. Stick to public rights-of-way or obtain permission from the landowner before visiting.
- If possible, engage with local residents to seek their views.

As a Councillor you should consider:

- whether the application is accurate
- whether local features like rights-of-way, trees, hedges and boundary fences are shown
- whether maps used or drawings are up to date
- whether all properties and/or structures are marked
- whether the application correctly describe how the site has been used in the past
- how well the proposed development would fit into its surroundings
- whether the proposed development would blend in, dominate or provide a welcome contrast to the surroundings
- whether the proposed development is a sympathetic design?
- that details as simple as the alignment of a roofline, its design and pitch or the materials used can affect a development's impact on its surroundings.
- whether larger developments would have any impact on the local area, particularly the road and drainage network
- whether the proposed development would lead to further development and whether this would be beneficial or damaging
- whether there is a need in our area for the particular type of development?

### **What options are open to residents of the Parish**

Residents can let the Parish Council know their views verbally or in writing and/or, if appropriate, attend our meetings. The Parish Council will consider, but not be bound by, comments and representations made to them in arriving at its decision.

### **Material Considerations**

Comments need to relate to planning issues, rules and policies, and whilst these may vary with the nature of the proposal and the site, relevant issues may include for example:

- Structure Plan and Local Plan
- Government Guidance and Orders
- Case Law and previous decisions
- Highway safety and traffic
- Noise, disturbance and smells
- Design, appearance and layout (further guidance here is set out in the District Design guide).
- Conservation of buildings, trees, etc
- Residential amenities.

Both Salesbury Parish Council and individuals are entitled to make comments on any of these and other planning-related issues.

Issues that are not usually relevant in reaching planning decisions, will vary from case to case but may tend include, for example:

- matters covered by other laws (e.g. alcohol licence)
- private property rights (e.g. boundary or access disputes)
- the developer's morals or motives
- possible future development
- loss of view over other people's land
- the age, race or gender of the applicant and similar issues
- effect on value of property.

### **Code of Conduct**

Councillors are reminded that there are strict rules that guide Parish Councillors behaviour in public life. For example, councillors must avoid bringing the council into disrepute and must not use their position to secure advantage or disadvantage. They must promote equality and treat people with respect. There are sanctions if councillors break the Code of Conduct.

With respect to planning, Councillors must declare any pecuniary or non-pecuniary interest in a matter to be discussed at a meeting as soon as they are aware they have an interest. Councillors with a declared interest may make representations at the start of the meeting during the public participation section, however, the Councillor must leave the room when the Council moves into decision-making and cannot be present for any vote. For decisions taken under the scheme of delegation, Councillors should declare their interest and take no further part in the process.

Councillors with or without declared interests may respond to any planning application as a private individual, but these responses must not include any reference to their role as a Councillor or be sent from an email address that could be seen to refer to this role.