

Town and Parish Council Training

How to frame a consultation response



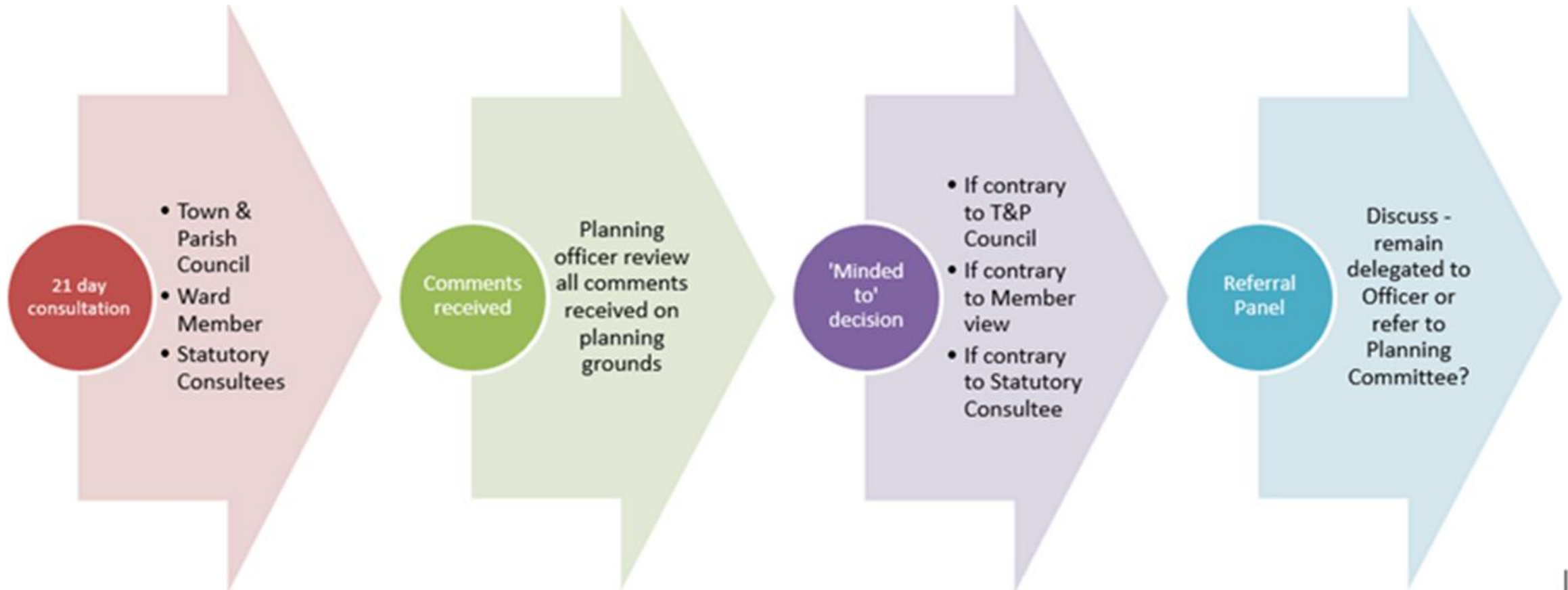
Scheme of Delegation

All planning application decisions including decisions concerning Environmental Impact Assessment (EIA) decisions or considerations requiring Habitat Regulation Impact Assessments (HRA) are **delegated** to Head of Planning and Coastal Management UNLESS:

1. The Planning Application is, in the opinion of the Head of Planning and Coastal Management and/or the Chair and Vice Chair of the Planning Committee, of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect; or
2. The applicant or landowner is East Suffolk Council;
3. The applicant, or agent, is an East Suffolk Councillor or an East Suffolk Council employee, or the applicant, or agent, is a close relative of an East Suffolk Councillor or East Suffolk Council employee; or
4. The referral process is triggered (see next slide) –

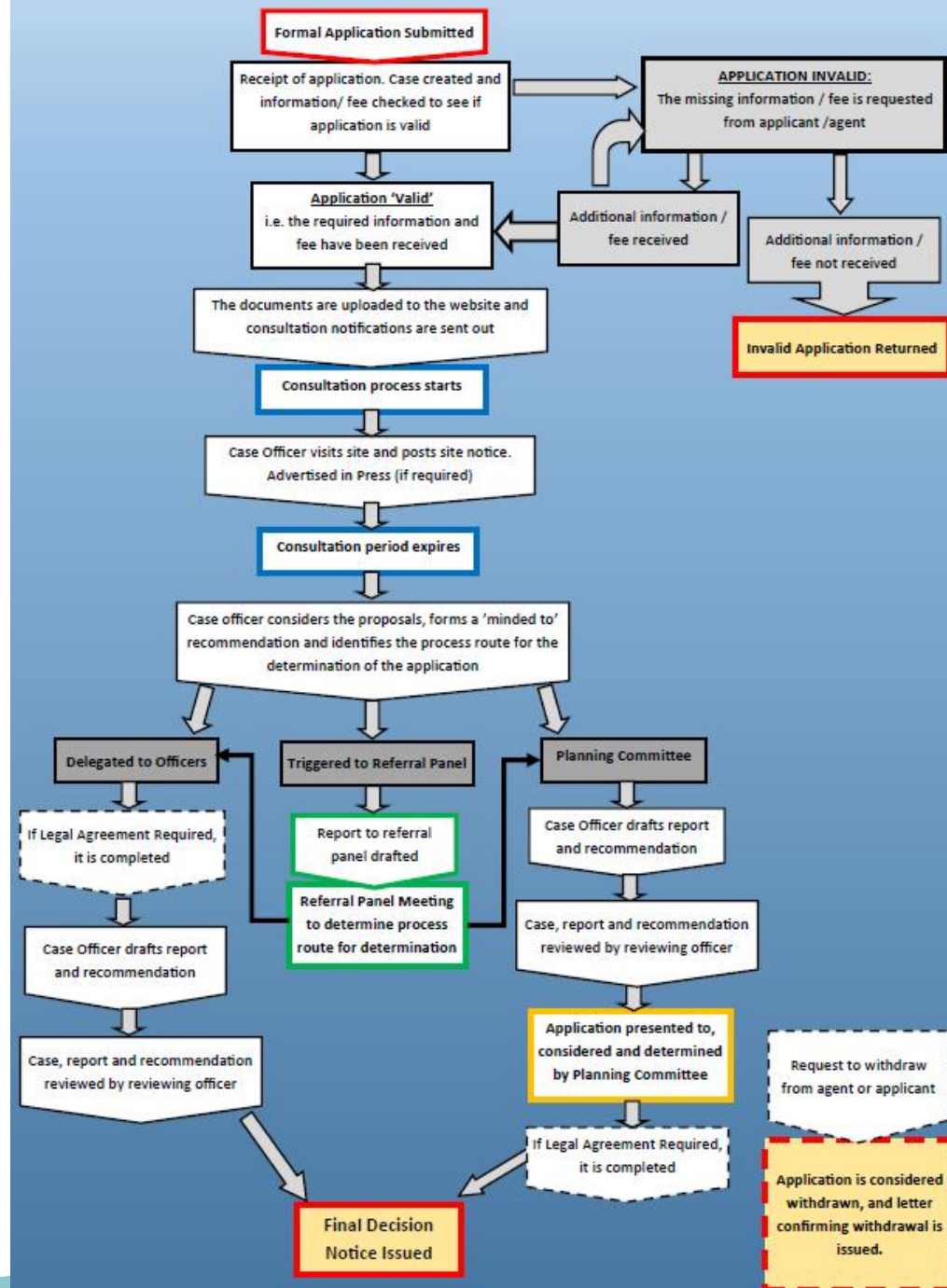
In which case, if item 4 is invoked, the Planning Application will be referred to the Referral Panel – the panel will discuss with the Head of Planning and Coastal Management (based on planning grounds) to either refer the application to Planning Committee for decision or remain delegated to the Head of Planning and Coastal Management.

Referral Process



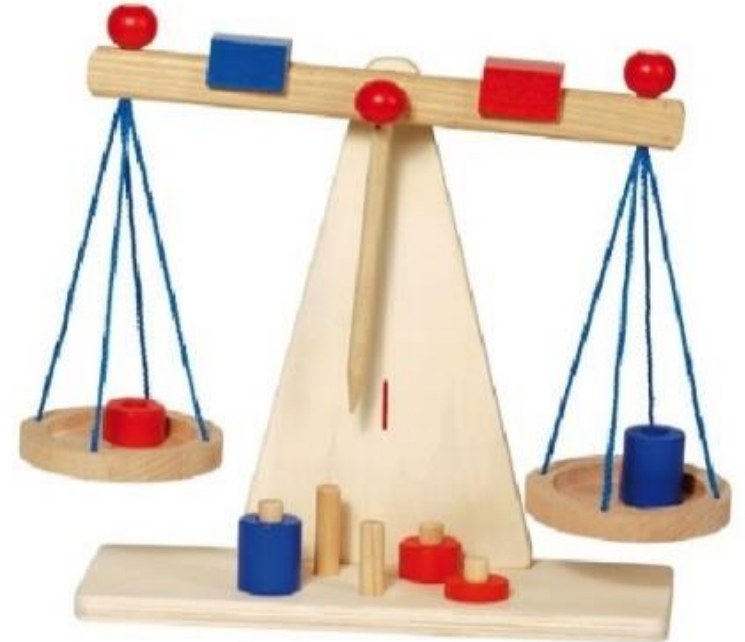
The life of a planning application

This table details all the processes necessary to consider and determine a planning application. In terms of timescales, the determination date for major applications is 13 weeks and is 8 weeks in all other instances



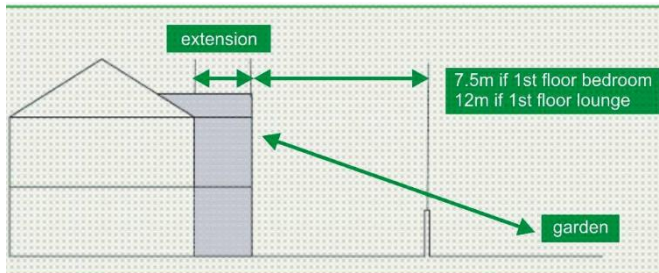
Material Planning Considerations

- What they are and are not - decided by statements of national policy or by decisions of the courts
- The weight that should be attached to each consideration in any particular case is for the decision maker.

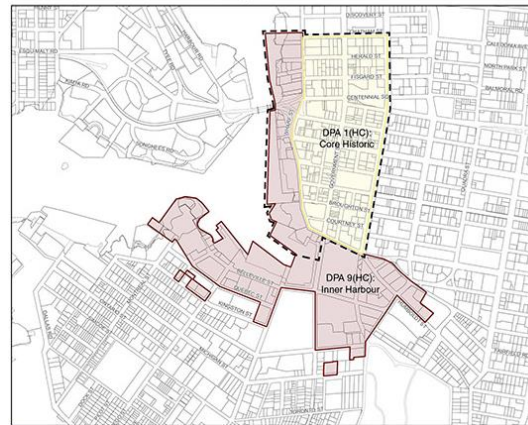


Material Planning Considerations (e.g.s)

- Overlooking / loss privacy
- Loss of light / overshadowing
- Effect on listed building
- Layout, density
- Policies in the Development Plan (including Local Plan and Neighbourhood Plan)
- Previous decisions/appeals/court cases
- Nature conservation and Ecology
- Parking
- Highway safety
- Traffic
- Noise
- Design, materials
- Govt. policy



Development Permit/Heritage Conservation Areas: Old Town



Non-material Considerations

These include:

- Loss of private view (i.e. from a window in a house or garden)
- Negative (or positive) effect on the value of properties
- Land ownership or restrictive covenants
- Applicant's personal circumstances (unless exceptional such as relating to a physical disability), ie nightshift working
- Business competition
- Too many already
- Damage to property fears
- Disturbance during building works
- Other matters controlled under building regulations or other non-planning legislation



What should I include in my comments?

Comments on applications should be made in writing to planning@eastsoffolk.gov.uk within the specified timeframe

You should include:

- The application reference number (this will be in the form DC/20/****/***
- The address of the application,
- Your contact details,
- Whether you:
 - o object (i.e. are against the scheme),
 - o have no objections (you wish to make comments but do not object or support)
 - or
 - o support the scheme (i.e. you are in favour).
- and
- Your specific views/comments on the proposals referring to material considerations (see overleaf).

It is important that the response is clear on the stance and raises material considerations to enable a greater chance of the referral process being triggered and called to committee.

If comments do not have a clear stance then they leave open ambiguity and may leave your comment as being neutral.

If the item is passed to the Referral Panel, then the Panel will look at what planning reasons there are for debating the matter round the Committee table.

A response saying – “we object” or “we support” will reduce any change of the matter being referred. Likewise raising non-material considerations will also weaken the Town or Parish Council’s position. We would suggest therefore that all formal responses are qualified by appropriate supporting text.

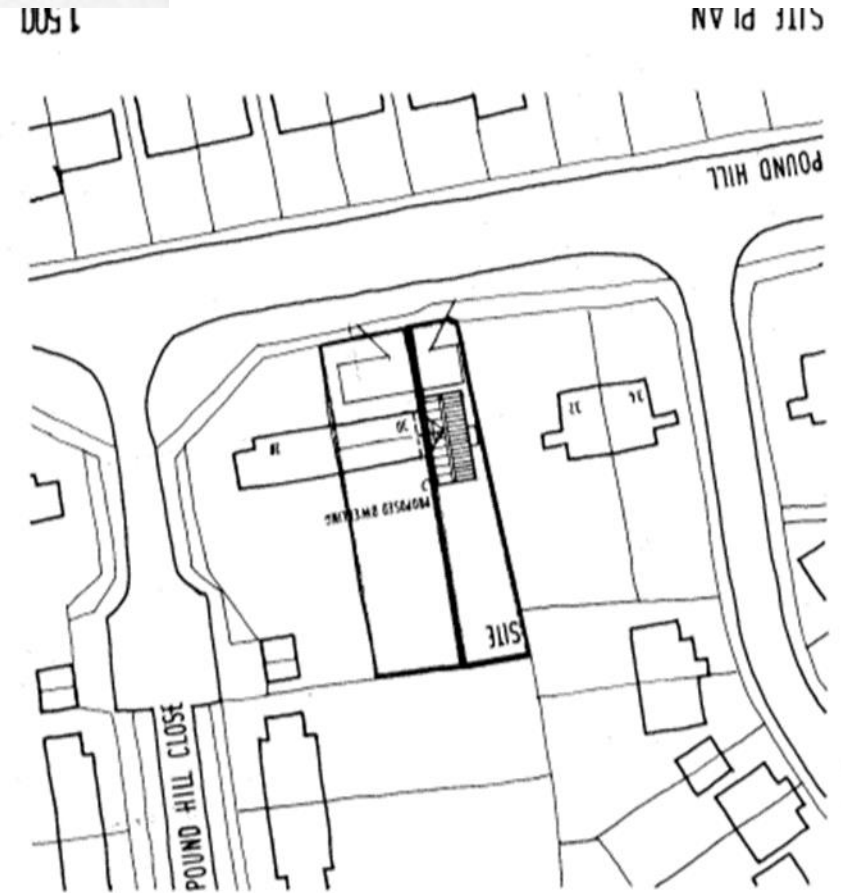
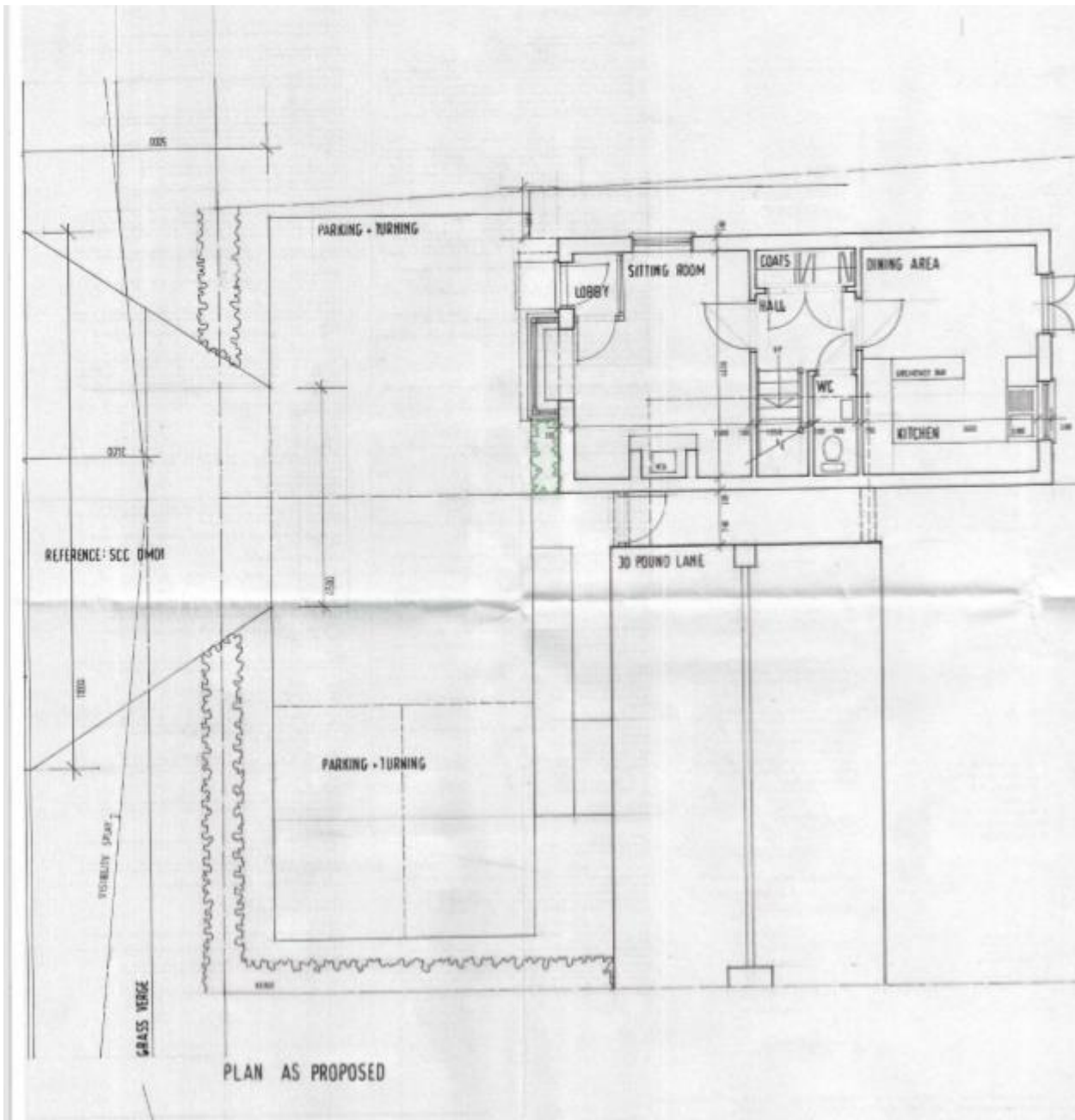
The following slides provide some examples of cases outside of East Suffolk Council.

Although there are references to policies it is not necessary that you are aware of their exact text as it is the principles you are looking at and suggestions on how a response could be worded.

Example One

one new dwelling

Example One – one new dwelling

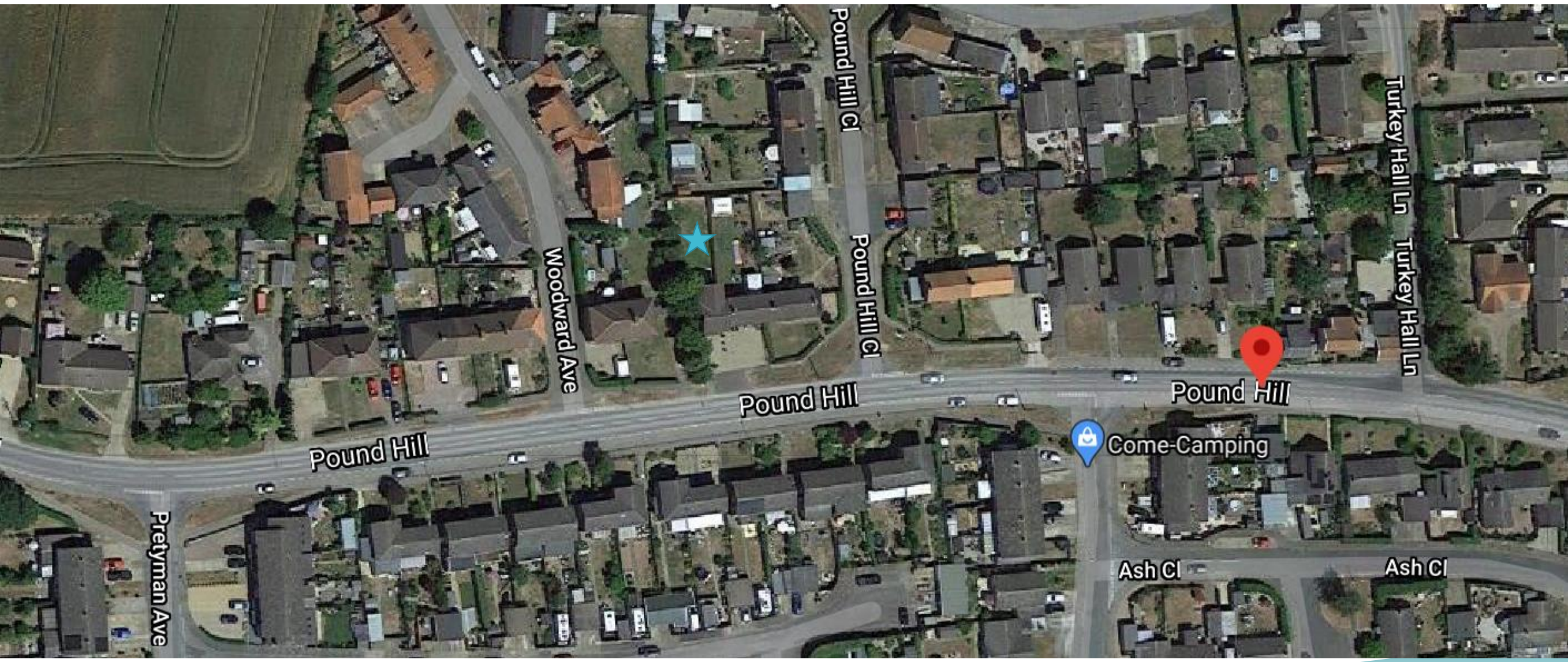




SOUTH ELEVATION AS PROPOSED



NORTH ELEVATION AS PROPOSED





What issues could you raise in either support or against the application?

What material planning matters do you think are engaged in this application?

Parish Council Response


Erection of detached dwelling and formation of vehicular access from Pound Hill serving new dwelling at 30 Pound Hill, Bacton IP14 4LP. After careful consideration and much discussion, the council have agreed to send the following response: It would appear that due to the roof line drawing planning policy GP1 has not been met. With the amendment to the original plans it would seem that a clear window is overlooking a neighbouring property which would appear to contravene planning policy SB2.

Is this a good response?

No formal stance recorded but they have referenced policy and material matters. I would suggest a formal object or support would help the Council better understand their view.

Example 2

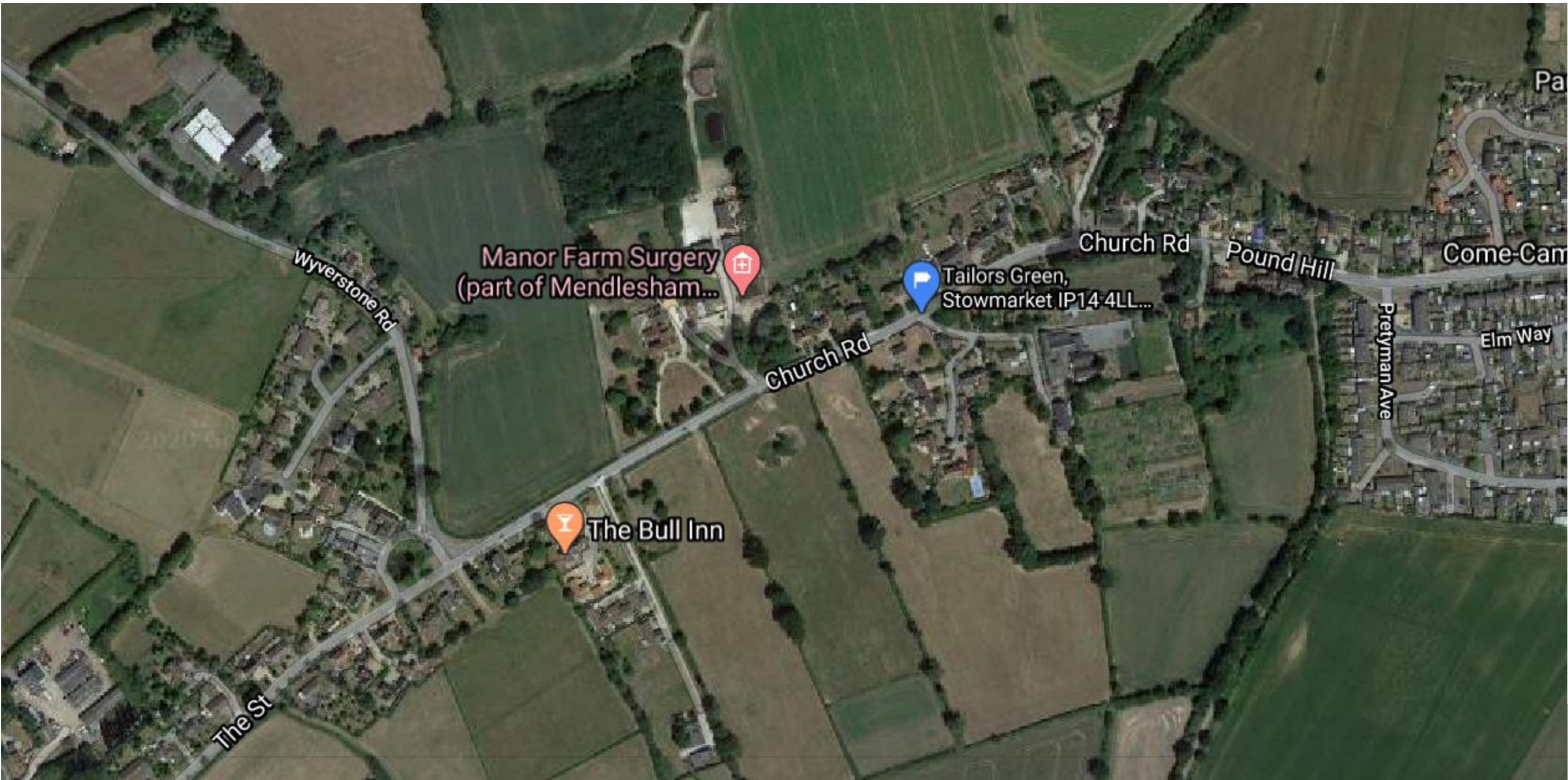
DC/17/05423 | Outline planning application (all matters reserved except access) for development of up to 81 dwellings. | Land To The North Of Church Road Bacton Suffolk

A teal-colored decorative shape, resembling a stylized hill or a wedge, is located in the bottom right corner of the slide.

DC/17/05423 | Outline planning application (all matters reserved except access) for development of up to 81 dwellings. | Land To The North Of Church Road Bacton Suffolk



★ denotes listed building



Manor Farm Surgery
(part of Mendlesham...)

Tailors Green,
Stowmarket IP14 4LL...

The Bull Inn

Wyverstone Rd

Church Rd

Church Rd

Pound Hill

Come-Cam

Elm Way

Preyman Ave

The St





What issues could you raise in either support or against the application?


What material planning matters do you think are engaged in this application?

Parish Response

Bacton Parish Council wish to object to this planning application and reference the following planning policies for the reasons for the objection: SB3, HB1 and T10.

How could this response be improved?

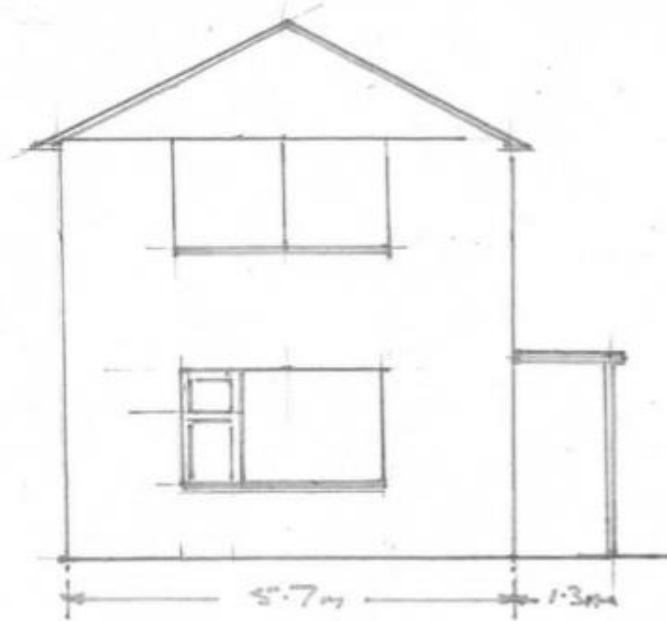
What are their material issues on the application – referencing a policy on its own does not highlight what the real concerns are.



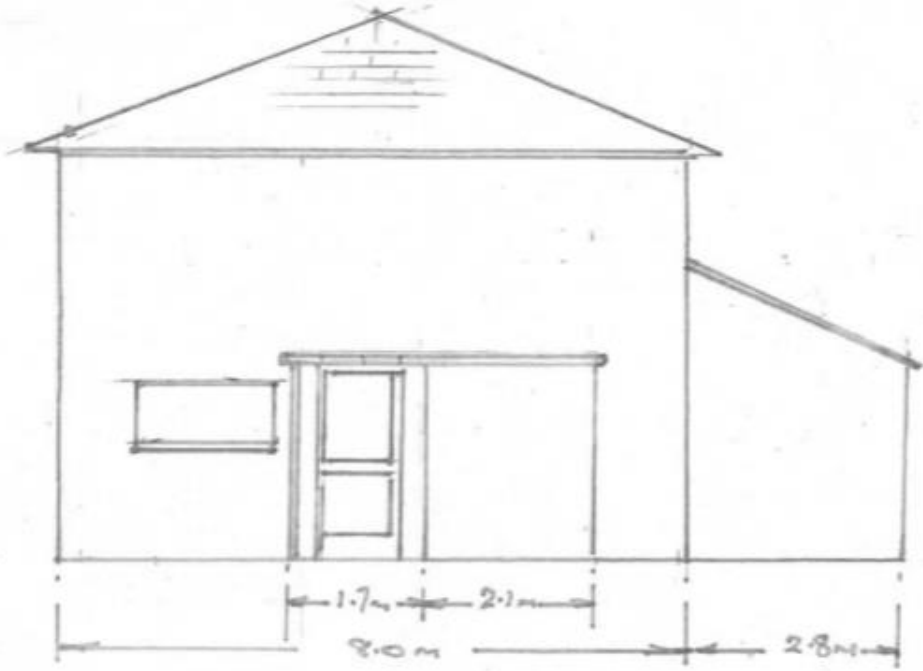
Example 3

single storey side extension

EXISTING FRONT ELEVATION



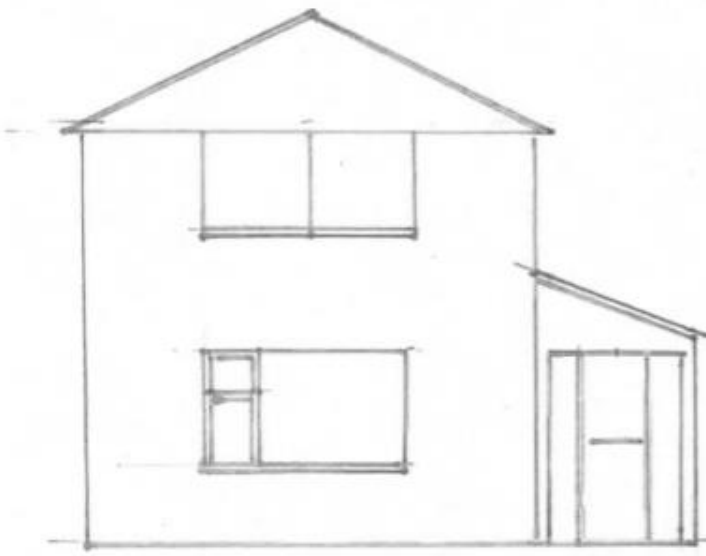
EXISTING SIDE ELEVATION



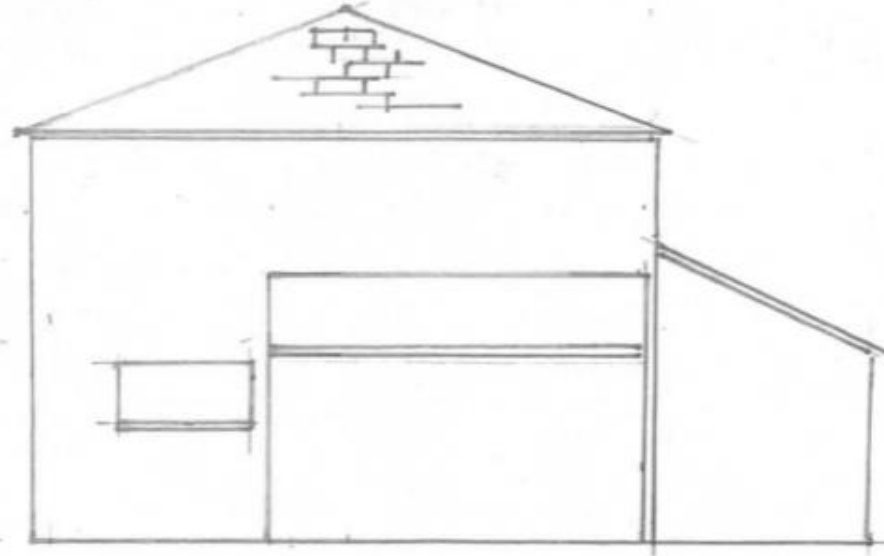
EXISTING REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION





What issues could you raise in either support or against the application?

What material considerations are engaged in this application?

Parish Council response

DC/18/02391 Erection of single storey extension 59 Pound Hill Bacton Stowmarket IP14 4LP. After careful consideration the Council agreed to SUPPORT this application. This decision was based on planning policy GP1; materials should respect local architectural styles, proposals should maintain or enhance the character and appearance of their surroundings.

Could the response be improved?

- It does what it says on the tin

Examples of other responses which are good examples:

- DC/18/02391 Erection of single storey extension 59 Pound Hill Bacton Stowmarket IP14 4LP. After careful consideration the Council agreed to SUPPORT this application. This decision was based on planning policy GP1; materials should respect local architectural styles, proposals should maintain or enhance the character and appearance of their surroundings. DC/18/02803 Erection of 1 no. dwelling 42 Pound Hill Bacton Stowmarket IP14 4LP. The Council resolved to SUPPORT this application based on policies GP1 and SB2: Within settlement boundaries developments appropriate to their surrounding will normally be permitted. This application is in keeping with the surroundings.
- DC/18/02738 Outline planning application (some matters reserved) Erection of 1 no. detached property with garage and access The Croft Earls Green Road Bacton Stowmarket Suffolk IP14 4SA. The Council agreed to SUPPORT this application quoting policies GP1 and SB2: The proposed application would enhance the character of the surroundings and respects the scale and density of the area. It does not effect the privacy and amenity of neighbouring properties.

Examples of other responses which are poor examples:

The Parish Council supports the application. – there is no reason to support the proposal. The Council could say that the proposal sits well in the steetscene, is a visual enhancement, meets identified housing need etc

The Parish Council objects to the application. – why does the Council object? What grounds are there for the officers to look for amendments or the referral panel to take the matter to committee.

The Parish Council raises concerns over the impact on property values – the stance is neutral as it states 'concern' rather than 'object' and also raises non material considerations which cannot be considered in the planning process.

