

ASTON ROWANT PARISH COUNCIL PLANNING COMMITTEE

Procedure for Commenting on Planning Applications

This document is to inform Councillors (Cllrs) and residents on how Aston Rowant Parish Council (ARPC) review planning applications (PA) received for comment from South Oxfordshire District Council (SODC). ARPC are consultees only and do not approve or refuse a planning application but are asked to give their view as part of the SODC process.

Planning Process:

- On receipt of a planning application details are put on the ARPC website.
- The Clerk issues the document pack to the Cllrs and it is usually issued to a Cllr in the village where the application has been made.
- The Clerk puts a notice of all current and recent planning applications into the Parish Notes.
- The Clerk or Planning Committee Chair may post information regarding planning applications on KBAR or via any other means of approved communication.
- Any Cllr with a direct link to the application must declare an interest at this point and they cannot participate in any discussion or vote. See note 1.
- The document pack is circulated to the Cllrs whose comments are made on the paper form included in the pack or via email with all Cllrs copied in. The Chair will collate and summarise the comments prior to discussion at the next PC meeting and circulate those comments to the other councillors via email.
- Cllrs are reminded they should keep an open mind and view any application in a local context, consider the local impact as well as the wider benefits or issues associated with development. The Cllrs should consider the benefits and/or the harm to the whole community and not just the immediate residents or applicant.
- Cllrs are asked to fully consider the application and read the applicants submission documents in full. Cllrs should also consider comments and issues raised by neighbours and other residents. The Planning Chair may arrange a site visit and discuss the application with neighbours. Cllrs should take all the relevant information into account when making their decision. Cllr's should vote using their own judgement after considering all the facts and should not vote on behalf of other people.
- If the application is for a large development of 1 or more houses or a large-scale building, then the Chair will seek to have an 'open meeting' where the plans are laid out and residents can come and view the plans and give their views to the PC. The Chair will ask the applicant or developer to make a presentation and answer questions, but we cannot compel them to attend.

We may hold 1 or 2 of these types of meetings. At no point in these meetings should any Cllr express a view or opinion on the application.

- During this time no Cllr should comment on the application in public, but it can be discussed between Cllrs.
- The PC will seek residents', neighbours' and the applicants' views on any issue that may be relevant or to seek clarity on any issues that arise.
- The chair and other Cllrs may visit the application site and the neighbours.
- Following an open meeting the PC may decide to suggest modifications or alterations to the plans and the PC should try and resolve any issues with the applicant where possible before submitting a response to SODC. SODC officer should be informed. This may require members of the PC meeting with the applicant and asking for changes to be made.
- If the majority of Cllrs vote 'Should Be Approved' then at the next meeting the Chair presents the application and declares SBA, no further discussion is needed in the meeting unless a Cllr wishes to add a condition or comment.
- If the majority of Cllrs vote 'Should Be Refused' then Chair presents the application and summarises in the PC meeting the reasons for refusal and where necessary refers to relevant policy. Cllrs can then discuss the reasons for refusal and add or remove any they do not agree with if they wish.
- Following the PC meeting the Clerk submits the agreed response to SODC.
- At all PC meetings the PC will be open to hear views from all sides but no one other than Cllrs can discuss and vote on an application in a meeting. Members of public have an opportunity to comment on a planning application in the "Open Forum" session at the beginning of each meeting. Their comments can then be considered by Cllrs at the meeting.
- Cllrs should not express an opinion on any planning application until the Clerk has issued the PC's decision to SODC. After the PC's comments have been submitted, Cllrs are entitled to submit their own personal comments to SODC but should remain open minded and willing to change their view if new plans or information is submitted subsequently.
- Any questions regarding a planning application are to be directed to the Clerk and a response issued as soon as possible. Note that the PC only meet once a month and if the reply needs discussion then the reply may be issued after the following PC meeting.

There are five councillors on the planning committee at any one time, consisting of four councillors and the Planning Chair, who has the casting vote in the event of a tie in voting. The ARPC Chairman and Vice-Chairman are not permanently on the committee but can be asked to join the Cllrs, or where an interest is declared. The councillors on the committee should ideally have had training by attending a course (such as those run by Oxfordshire Association of Local Councils) or from an SODC planning officer before joining the Planning Committee.

NOTE. Cllrs must declare an interest if either a member of their family or a close personal friend is making the application, or if they will be affected financially and having done so, they will not be able to vote and must not take part in any discussion (usually achieved by stepping out of the meeting for the duration of any discussion/vote). Cllrs must decide themselves if a friend or neighbour is involved and they must satisfy themselves that they can make an unbiased decision.

NOTE. Cllr's do not have to comment in meetings, they do not have to answer questions from the public directly and any questions that residents do pose to the PC should go through the PC Chair and will be addressed at the next meeting.

NOTE. If SODC are minded to approve a planning application for a development, or an application is won from the independent appeal process, a contribution of funding comes from the developers. This Community Infrastructure Levy (CIL) contribution is a direct initiative from Central Government and does not affect statutory rights of the PC or SODC in the decision process.

SODC receive the payment from the developer and the PC will be entitled to 15% of that amount if they do not have an adopted NHP or 25% if the NHP is adopted and finalised. The PC can then use this for whatever project they need.

Section 106 agreements (based on that section of the 1990 Town & Country Planning Act) are legal agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable. These payments are also direct to SODC from the developer and go towards libraries, transport etc.