



WORPLESDON PARISH COUNCIL ADVICE ON COMMENTING ON PLANNING APPLICATIONS

Approved by the Full Council – 22 June 2017

Parish Councils are statutory consultees for all planning applications. They have no decision making powers and can only make representations. Parish Councils can, however, play an important role in giving the local view on a planning application. Views must be based on **planning grounds** (and **not on representations made by upset neighbours, local amenity or pressure groups**).

Officially, comments and recommendations must be made to Guildford Borough Council within twenty one days of an application being received, so it is therefore vital that applications are dealt with quickly and efficiently.

All applications will be approved by the Borough Council unless there are good planning reasons for refusal. The Planning Authority is empowered to attach conditions to a planning approval, if it so wishes, or request applicants to amend applications to take account of special concerns. The Parish Council may, therefore, recommend conditions to be attached to such applications.

The present procedure is as follows:

1. Detailed plans shall be notified by email, upon receipt, by the Clerk to members. All comments should be returned by email to the Clerk who will collate the various responses in time for the next Planning Committee or Full Council meeting.
2. The Clerk prepares an agenda for the Planning Committee meeting/Full Council meeting including on it details of all planning applications received. This agenda has to be placed on the Council's notice boards and website.
3. Councillors should undertake site visits whenever possible.
4. The Ward Councillors' views to be notified to the Planning Committee/Full Council at the meeting and a recommendation to be made by the full Planning Committee/Full Council.
5. The Clerk to submit a response via the Planning Portal to the Planning Department of Guildford Borough Council as soon as possible after the meeting, expressing the Planning Committee/Full Council's comments and recommendations.
6. A majority of ward members, the Chairman or Vice Chairman of the Parish Council to act under delegated powers in conjunction with the Clerk to forward a comment to Guildford Borough Council in the event of action having to be taken urgently.

The Borough Council is currently working to produce a new Local Plan. Until that time the 2003 Local Plan policies are still being applied...

<http://www.guildford.gov.uk/newlocalplan/CHttpHandler.ashx?id=1068&p=0>

Policy RE3

The policy which relates to developments within the settlement area boundaries is RE3. Within settlement boundaries new building will be permitted in the nature of infilling on land substantially surrounded by existing development for the following purposes:

1. Development of a small gap in an otherwise continuous built up frontage of appropriate scale and design;
2. Small scale housing developments appropriate to the scale of the locality;
3. Community or employment facilities appropriate to the scale of the settlement.

The above will not be permitted where it involves the loss of important open spaces, harms the character or appearance of the area, or where necessary services are inadequate, or has an unacceptable impact on other residents.

Policy RE2

The vast majority of the Parish is sited within the Green Belt. Fairlands, Jacobs Well, Wood Street Village and Worplesdon are “identified settlements” in the Green Belt. (There are a few urban areas within the Parish which can be found on The Local Plan - Proposal Map inset 2.) Perry Hill and the area around Wood Street Village Green are Conservation Areas. Perry Hill Green, Stringer’s Common, Littlefield Common, Broad Street & Backside Commons, Rickford Common, Merrist Wood, Wood Street Village Green and St. Mary’s Churchyard are SNCI’s (Sites of Nature Conservation Importance). Whitmoor Common is a SPA (Special Protection Area), SSSI (Site of Special Scientific Interest) and LNR (Local Nature Reserve).

Within the Metropolitan Green Belt new building will be deemed inappropriate unless it is for the following purposes:

1. Agriculture and forestry;
2. Essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
3. Limited extension, alteration or replacement of existing dwellings providing it is in accordance with Policies H6 and H9.
4. Infilling in villages to the extent specified in Policy RE3;
5. Affordable housing for local needs in accordance with Policy H12.
6. Re-use and adaptation of rural buildings in accordance with Policies RE9 and RE10.

With reference to 3 above for replacement dwellings **Policy H6** of the Guildford Local Plan applies:

Policy H6

1. Does not result in the loss of a small dwelling;

2. Is in scale and character with the area;
3. Has no unacceptable effect on the amenities enjoyed by the occupants of buildings in terms of privacy and access to sunlight and daylight;
4. Has no unacceptable effect on the existing context and character of the adjacent buildings and immediate surroundings;
5. Outside the identified settlements and within the Green Belt there will also be a presumption against the replacement of existing dwellings with dwellings which are materially larger.

Policy H9

For extensions Policy H9 applies:

1. Will not result in the loss of a small dwelling;
2. Will have no unacceptable effect on the scale and character of the dwelling;
3. Will have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to sunlight and daylight;
4. Will have no unacceptable effect on the existing context and character of the adjacent buildings and immediate surroundings;
5. Outside the settlement area there will be a presumption against extensions to dwellings which result in disproportionate additions taking into account the size of the original dwelling.

Quality of Response

Parish Council observations will carry more weight if they:-

- Indicate clearly whether the Parish Council recommends that the proposal should be approved, refused or suggests conditions under which they would support approval of the application.
- Observations are made in a professional manner and not on the basis of personal opinions.
- Comments are based on valid planning reasons.
- Responses are received within the time allowed (late responses may not be included in reports to committees).
- Councillors will need to observe planning guidance and planning legislation in their response.
- Factually correct and verifiable.

Material Planning Considerations (in no particular order)

- Local, strategic, national planning policies, and policies in the Development Plan... of particular importance is Whitmoor Common, which forms part of the Thames Basin Heath Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and a Local Nature Reserve (LNR)

- Emerging new plans which have already been through at least one stage of public consultation
- Pre-application planning consultation carried out by, or on behalf of, the applicant
- Government and Planning Inspectorate requirements - circulars, orders, statutory instruments, guidance and advice
- Previous appeal decisions and planning Inquiry reports
- Principles of Case Law held through the Courts
- Loss of sunlight (based on Building Research Establishment guidance)
- Overshadowing/loss of outlook to the detriment of residential amenity (though not loss of view as such)
- Overlooking and loss of privacy
- Highway issues: traffic generation, vehicular access, highway safety
- Noise or disturbance resulting from use, including proposed hours of operation
- Smells and fumes
- Would the proposal, if approved, cause any problems for the area as a whole?
- Capacity of physical infrastructure , e.g. in the public drainage or water systems
- Deficiencies in social facilities e.g. spaces in schools, hospitals, doctors' surgeries etc.
- Storage & handling of hazardous materials and development of contaminated land
- Will the proposal have an unacceptable affect on the landscape i.e. loss of trees, hedges?
- Adverse impact on nature conservation interests & biodiversity opportunities - Stringer's Common has the local designation Site of Nature Conservation Importance (SNCI)
- Is the site/property of special interest historically or environmentally? Effect on listed buildings and conservation areas
- Incompatible or unacceptable uses
- Local financial considerations offered as a contribution or grant
- Layout and density of building design, visual appearance and finishing materials
- Inadequate or inappropriate landscaping

- Is the appearance and size of a new building in keeping with the surrounding area or are the external alterations to an existing building in character (scale/height/design/materials)?
- Is the present property a small dwelling? (floor space of less than 85 square metres)
- Are there any present and potential problems affecting the site and surrounding area e.g. flooding, poor access?
- Signing, advertisements etc. – will they obscure sight lines, are too large or unsuitable in design etc.
- Crime implications.
- Planning History.
- Parking spaces – are they compatible with the Borough Council's Supplementary Planning Document?
- Sufficient access for emergency services and amenity vehicles.
- Would the development affect the Openness of the Green Belt? Or would it affect the views into or out of an AONB (Area of Outstanding Natural Beauty).

Invalid considerations

- Matters controlled under building regulations or other non-planning legislation e.g. structural stability, drainage details, fire precautions, matters covered by licences etc.
- Private issues between neighbours e.g. land/boundary disputes, damage to property, private rights of access, covenants, ancient and other rights to light etc.
- Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working (covered by Control of Pollution Acts).
- Opposition to the principle of development when this has been settled by an outline planning permission or appeal
- Applicant's personal circumstances (unless exceptionally and clearly relevant, e.g. provision of facilities for someone with a physical disability)
- Factual misrepresentation of the proposal
- Opposition to business competition
- Loss of property value
- Loss of view

Unacceptable conditions

- Time limit on completion of development.

- Condition of the site during development e.g. tidiness.
- No advertising on site.
- Deferment of commencement/completion of building work.
- Occupation of properties (unless affordable housing).
- Highway alterations.
- Furnishings of premises.

Occasionally applicants submit incorrect plans. Members need to check plans and backup documentation carefully for errors. If an error is found the Parish Council may advise the Planning Authority of this fact.

Conservation Area Consent is required for:-

- The demolition of all or part of most buildings.
- The demolition of all or part of most structures (including walls and garden buildings).
- The proposed lopping, topping or felling of trees.
- Removal of hedgerows
- Changes to external appearance of buildings including installation of new windows.
- Design of new development.
- The erection of satellite dishes

Summary – recommendations that can be made by a Parish Council

- Approve.
- Approve with conditions.
- Approve and strongly support – give reasons (e.g. of benefit to village, increased employment opportunities.)
- Object with reasons for objection.
- Object – suggest conditions if the application should be approved by the planning authority.
- No comment.

Declarations of Interest

Members are reminded that they if they have a disclosable pecuniary interest they must withdraw from the meeting and are not permitted to participate in any discussion or vote regarding that matter in accordance with the Local Code of Conduct adopted by the Council.

Government Planning Legislation

It is the Government's intention to simplify and speed up the planning process. To that end in 2012 the NPPF was introduced and Planning Policy Guidance was subsequently issued. General Permitted Development rights have recently been extended and on 15 April 2015 new legislation came into force: Town and Country Planning (General Permitted Development) (England) Order 2015 – This Statutory Instrument can be viewed at the following URL

http://www.legislation.gov.uk/ukSI/2015/596/pdfs/ukSI_20150596_en.pdf

Prior Approval Applications are now being submitted to the Borough Council. These supersede the previous General Permitted Development applications. There are few grounds on which the Parish Council can object to this type of application.

The National Planning Policy Framework and Guidance can be viewed at the following URL:

<http://planningguidance.planningportal.gov.uk/>

New Local Plan

The Borough Council is currently preparing its new [Local Plan](#). The Submission Local Plan contains proposals for large development in and around the parish.

Parish councillors are required to read the relevant documents and to comment on them by the appropriate deadline.