

Willoughby Parish Council

POLICY ON RESPONDING TO PLANNING APPLICATIONS

1. Overview

Rugby Borough Council (RBC) approves or refuses planning applications in Willoughby Parish. The Parish Council has no power to do so. They are, however, a statutory consultee and can make a case to RBC as to why an application should be refused. The case made must be in line with planning law which is the only framework RBC can use to make their decision. In Willoughby's case this will include the policies in the Willoughby Neighbourhood Development Plan (Modified October 2021) and Rugby Borough Council's Local Plan (2011-2031), together with the National Planning Policy Framework (July 2021).

2. Making comments on or objecting to a planning application

Councillors will discuss each planning application received at the next Parish Council meeting and decide whether or not to make no objection, to comment and/or to object. When the date to submit comments or objections lies before the next Parish Council meeting, all councillors will communicate with the Parish Clerk by email to give their opinion on the planning application, stating why they wish to comment or object, citing relevant planning policies and/or other material considerations that should be taken into account. Where valid reasons are given by one or more councillors, an extraordinary meeting of the Council will be called giving three clear days' notice so that the application can be discussed. *(See Appendix 1. Material considerations when determining planning applications)*

3. Requesting an extension to comment on a planning application

Should the date the Council has received notification of the planning application not provide sufficient time to call an extraordinary meeting as described above, the Parish Clerk will ask Rugby Borough Council for an extension of the date for submission of comments or objections so that such a meeting can be arranged.

4. Residents who wish to comment or object to a planning application

- a. The Parish Council website has a section 'Planning Applications' under Parish Council on the menu bar. This provides a direct link to each of the planning applications for Willoughby on the RBC website. There, residents can see the relevant documents that accompany the application. The letter from the planning officer notifying the Parish Council about the application will also be posted on the noticeboard in the Amenity Garden.
- b. Residents who have concerns about a planning application and wish to comment or object can do so directly to Rugby Borough Council via their website as noted above or in writing to the planning officer concerned. In addition, residents are welcome to attend a Parish Council meeting to tell councillors why they should comment or object to an application. They should cite specific planning policies and/or other material considerations that they think the planning officer should take into account when making their decision.
- c. As in 2. and 3. above, where the date to submit comments or objections lies before the next Parish Council meeting, residents should notify the Parish Clerk, in writing, that they wish to comment or object to a planning application, citing specific planning policies and/or other material considerations and, where valid reasons are given, an extraordinary meeting of the Council will be called giving three clear days' notice so that the application can be discussed.

This Policy on Responding to Planning Applications was adopted by Willoughby Parish Council at its meeting held on 10 January 2023 and will be reviewed in 2024, or before, should legislation change.

Appendix 1. Material considerations when determining planning applications

Taken from: Planning Aid England - Material Planning Considerations

Any consideration which relates to the use and development of land can be a planning consideration. Whether it is 'material' depends on individual circumstances. When dealing with planning applications, the following matters are the most common material planning considerations and may be relevant, although this list is not exhaustive.

- Local, regional and national planning policies (includes Supplementary Planning Documents and Guidance; National Planning Policy Statements and Guidance Notes)
- Government circulars, orders and statutory instruments
- Previous appeal decisions
- Loss of daylight or sunlight
- Overshadowing/loss of outlook to the detriment of residential amenity (but not the loss of any view as such)
- Overlooking/loss of privacy
- Overbearance/dominance
- Highway issues: traffic generation, vehicular access, highway safety
- Noise and disturbance resulting from use, including proposed hours of operation
- Smells
- Capacity of infrastructure (e.g. in the public drainage system, or spaces in schools)
- Loss of trees (where detrimental to amenity)
- Adverse impact on nature conservation interests and biodiversity opportunities
- Effect on listed buildings and conservation areas
- Layout and density of buildings
- Design, visual appearance and finishing materials
- Archaeology
- Risk of flooding
- Landscaping
- Light pollution

The following are matters which cannot be taken into account:

- Matters controlled under Building Regulations or other non-planning legislation e.g. structural stability, drainage details, fire precautions
- Private issues between neighbours e.g. land/boundary disputes, damage to property, private rights of access, covenants etc.
- Loss of value of property
- Loss of a view
- Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working
- Competition between businesses – loss of trade etc.
- Objections relating to the fact that an application has been submitted retrospectively and that the work has already taken place (without seeking permission first)
- Applicant's personal circumstances (unless exceptionally and clearly relevant, e.g. provision of facilities for someone with a physical disability)