



CRANLEIGH PARISH COUNCIL

CRANLEIGH PARISH COUNCIL PLANNING CODE OF GOOD PRACTICE (PCGP)

Introduction

This Planning Code of Good Practice (PCGP) has been produced to provide practical advice relevant to the consideration of local planning applications (PAs). Members are advised to use this guidance in conjunction with:

- Cranleigh Parish Council's Standing Order's
- The Cranleigh Parish Council Members' Code of Conduct
- CPRE How to respond to Planning Applications: An 8 step guide
- CPRE Planning Explained.
- NALC's Legal Topic Note 58 'Planning'

A full list of publications can be found in Annex 1.

The Parish Council is not a statutory consultee on planning matters, but Waverley Borough Council invites its Towns and Parishes to submit local observations as good practice. Comments submitted by Town and Parish Councils are displayed with the appropriate application on the Waverley Borough Council (WBC) website and provide planning officers with a local view. Members of the public are able to make representations to the Parish Council, but should be encouraged to also participate in the Planning Authority's public engagement methods and make direct representations.

Members are always bound by the commitment to uphold the Cranleigh Parish Code of Conduct whenever contributing to the decision-making of the Council or of the Planning Committee.

Members of Cranleigh Parish Council (CPC) shall act in the public interest of the whole parish when considering any items of business, including local PAs. Members should always act impartially in reaching decisions and avoid taking account of personal feelings or those of a planning applicant. Members should not favour improperly any person, company, group or locality.

All pecuniary or non-pecuniary declarations in any application should be disclosed at the appropriate time at Planning Meetings, this includes any member of the Planning Committee who is also a member of WBC Planning Committee.

Guidelines on disclosable pecuniary or non-pecuniary interests can be found in the Cranleigh Parish Council Members Code of Conduct, but additional advice in relation to any matter under consideration at a Council or Planning Committee meeting can be gained from the Monitoring Officer at WBC or the Clerk to the Council.

The Planning Committee

1. All members of Cranleigh Parish Council are able to be part of the Planning Committee should they wish. The terms of reference for the Planning Committee is part of the Parish Council's Standing Orders (54).
2. The Planning Committee has been given delegated responsibility, where appropriate, for making comments and observations about PAs to the relevant statutory Planning Authority (usually Waverley Borough Council¹).
3. The Planning Committee formally decides, on behalf of the Council, appropriate observations to make on PAs and whether or not to object to them.
4. The agreed observations of the Planning Committee are submitted to the relevant Planning Authority (WBC) by the Clerk to the Planning Committee, within the deadlines applied by WBC.
5. In reaching its decisions the Planning Committee must only take into account material considerations i.e. issues that are in law, material or relevant to a planning application. Ultimately the courts decide on what constitutes a material consideration, however, case law gives local planning authorities significant leeway to decide what considerations are relevant and how much weight should be given to them.

Material considerations include:-

- Government Policy eg the National Planning Policy Framework.
- Waverley Borough Council's Planning Policies contained in retained policies or the Local Plan.
- The designated status of a site or its surroundings eg Area of Outstanding Natural Beauty
- A site's planning history (including existing planning permissions, previous applications, refusals and appeals)
- The effect on a conservation area or listed building

They can also include:-

- Accessibility, traffic, roads, adequate parking and servicing
- Access and highways safety
- Overshadowing
- Overlooking and loss of privacy
- Overbearing nature of proposal
- Loss of trees and ecological habitats
- Design and appearance
- Layout and density of buildings
- Effect on listed building(s) and conservation areas
- Noise and disturbance from the scheme
- Disturbance from smells
- Public visual amenity that is not loss of private individual's view
- Flood risk

¹ Surrey County Council (SCC) is the Planning Authority for some issues such as minerals extraction or waste disposal. The Committee may also wish to comment occasionally on planning applications submitted to neighbouring Planning Authorities e.g. Guildford Borough Council, if it is considered there will be material impact on the Parish.

6. Members should be aware of examples that the local planning authority cannot normally consider as a material consideration. These include:

- Loss of value to private individuals property
- Loss of view
- Boundary disputes including encroachment of foundations or gutters
- Private covenants or agreements
- The personal conduct, history or motives of any applicants
- Potential profit for the applicant from the application
- Private rights to lights or rights of way
- Damage to property
- Disruption during any construction phase
- Loss of trade and competitors
- Age, health, status, background and work patterns of objector
- Time taken to complete the work
- Capacity of private drains
- Building and structural techniques
- Alcohol or gaming licences

7. Members are encouraged to gain knowledge of the PA site by making a visual inspection from the public highway, footpath or other vantage point accessible to the public. Remember that entry onto private property without permission could be viewed as trespassing.

8. Cranleigh Parish Council has adopted a policy whereby meetings with developers to discuss PAs should only be at a Council meeting held in public. Should an individual applicant invite a member of the Planning Committee onto their property, consideration must be given to personal safety, public perception, openness and transparency. For this reason, members are advised not to enter private properties. However, should this be unavoidable members should listen to facts and not give personal opinions.

9. Should applicants, developers or groups of objectors wish to seek to lobby or request a private meeting about PAs they should be advised to make contact with the Parish Council Office to arrange for their representations to be made during the “public-speaking” sessions provided at the start of all meetings held by the Parish Council. Such written comments can be submitted to the office to be circulated to all Planning Committee members.

10. Should the occasion arise, members are encouraged to explain the Parish Council Planning Committees consultative role in contributing to the WBC’s decision making process on PAs to promote a greater understanding of the planning process. For detailed advice recommend WBC Planning Services.

11. When considering PAs the Planning Committee will consider statements on duties related to biodiversity, crime and disorder and other statements adopted by the Parish Council.

12. Councillors may be asked to speak at meetings of WBC’s Planning Committee. Comments should be agreed by the Chairman and Vice Chairman prior to public speaking.

Public Engagement

Members of the public have the opportunity to engage with the planning process in Cranleigh by:-

1. Viewing plans at the local Library or on-line.
2. Attending Planning meetings, all of which are held in public. Advance notice of planning meetings is available on the public notice board at the rear of the Village Hall, on the Parish Council Office door and on the Parish Council website www.cranleighpc.org.
3. Addressing the Planning Committee during the allocated public speaking time which is at the beginning of every meeting.
4. Contacting the Parish Council Office or individual Councillors.

In addition local residents are able to make direct contact with the relevant Planning Authority and submit comments in writing.

Adoption and review of the PCGP

This Planning Code of Good Practice was approved and adopted for use by the members of the Planning Committee at the meeting of the Planning Committee held on 16th February 2015.

February 2015

Review February 2017

Annex 1

List of publications

Campaign to Protect Rural England: (2011) How to respond to planning applications: an 8 step guide.

Available at:- <http://www.cpre.org.uk/resources/housing-and-planning/planning/item/1903-how-to-respond-to-planning-applications>

Accessed 10th February 2015

Published by NALC

Campaign to Protect Rural England: (2011) Planning Explained

Available at:-

<http://www.cpre.org.uk/resources/housing-and-planning/planning/item/2654-planning-explained>

Accessed 10th February 2015

Published by NALC

NALC (2012) Legal Topic Note 58 'Planning'

Available at:-

<http://www.nalc.gov.uk/library/members-library/legal-topic-notes/planning-environment-and-licensing-matters/666-58-planning/file>

Accessed 10th February 2015

Published by NALC

Society of Local Council Clerks (2012) The Role of Parish Councils in Planning.

Available at

http://www.slcc.co.uk/UserFiles/advice/245_NL%20The%20Role%20of%20Parishes%20in%20Planning%20-%20a%20Guide%2014%2008%2012.pdf

Accessed 10th February 2015

Published by SLCC

Waverley Borough Council (2013) Councillors' Planning Code of Good Practice.

Published by WBC