

The Orchards' and Margaret Marsh Parish Council

Planning Procedure Policy

(Adopted September 2022)

1. Essential Principles

1.1 The Council is required to act in the public interest. The word 'public' in this context includes the applicant, consultees, those affected by the proposals, local interest groups, the larger community of the whole district and regional/national priorities.

1.2 In determining planning matters, there are two principal parties – the applicant and the Council – everyone else is a "third party".

1.3 Third parties' views are very important and must be considered carefully, but they are only one of the things to be considered. Local opposition or support for a proposal is not in itself a ground for refusing or granting permission, unless it is founded on valid planning reasons that can be substantiated with evidence.

1.4 In law, the Council is required to make decisions on planning applications in accordance with the Development Plan, where it applies, unless "other material considerations" indicate otherwise. The Development Plan is the County Structure Plan and the Council's own Local Plan, read together. If decisions are made contrary to the Development Plan then the reasons for this must be recorded in the Minutes.

1.5 The wider aims and priorities of the Council are a material consideration in making planning decisions. They carry considerable weight when supported by the Development Plan.

1.6 Where the Council itself is the applicant, or has an interest in an application, the decision should be made impartially, as with any other application. The Council's interest is to be disregarded in the decision-making process.

1.7 Where information has been provided to Councillors or Officers on a confidential basis, it shall not be disclosed to third parties.

1.8 A guiding principle is that if there is any question about a matter of probity or propriety, advice should be sought from the Legal or Democratic Services sections. If in doubt, caution should be exercised.

2. The Role of Councillors Who Make Decisions on Planning Matters

2.1 The role of Councillors is to have careful regard to all relevant information before them and to come to a decision. Particular regard should be given to Development Plan policies when planning applications are considered.

2.2 Whilst Councillors have a special duty to their constituents, including those who did not vote for them, their over-riding duty is to the whole community. They should vote in what they perceive to be in the interests of the whole District.

2.3 Even if Councillors feel strongly about a proposal, they should not make up their minds how they intend to vote in advance of the decision-making Meeting, because all the information will not normally be available until then.

2.4 The Officer report and last-minute papers should be read and plans/ photographs seen before decisions are made. Councillors will also have an opportunity to put questions to Officers and hear the views of their fellow Councillors, the Applicants and other third parties during the course of the debate.

2.5 The Parish Councillors have the responsibility for being the Planning Officer for their own Parish, they make their recommendations on planning applications to full Council.

2.6 No individual Councillor should visit the applicant. If a site meeting is felt necessary, i.e. to obtain more detailed information regarding a controversial application, at least two members of the Parish Council must make an appointment and attend together.

2.7 No Councillor should express an opinion regarding the application to anyone connected either directly or indirectly to it.

2.8 On receipt of Plans, which will be circulated via email from the Clerk, Parish Councillor of the Parish is able to visit immediate neighbours if felt necessary.

2.9 If the application decision needs to be agreed before the next Parish Council meeting, a request to Dorset Council planning department for an extension on the time may be sent. (see 2.10)

2.10 If the Parish Council is not holding a meeting in the month that the decision needs to be agreed, the members are able to send their comments to each other and to the Clerk. If there is a majority vote for an application to either be agreed or objected to, this will then be sent to Dorset Council Planning and at the next Parish Council meeting, it will be recorded that the members agreed or objected to the application via email.

3. Requests prior to application being made

3.1 If asked by a resident for their advice, two members of the Parish Council are permitted the freedom to discuss a potential application before it is submitted to Dorset's Planning Department. This needs to be reported at the following Parish Council meeting.

3.2 In the event of a possible planning transgression being brought to the attention of the Parish Council or Councillor effort should be made to check the information provided. If a visit is necessary, at least 2 members of the Parish Council should attend and any information passed to Dorset's Planning Department.