

The Role of Iken Parish Council on Planning Matters

The following guidance is offered to assist Parish Councillors in their understanding and deliberations regarding planning matters within Iken.

The role of the Parish Council is to represent local views and should:

- Provide local knowledge.
- Raise areas of concern.
- Inform, debate, and add value to the process.
- Contact and involve District Councillors if required.

Parish Councils are statutory consultees in the planning process and must be informed of all planning applications and any amendments to those applications within the parish. The clerk to the Iken Parish Council (PC) has contacted East Suffolk Council and requested that Iken PC be advised of all planning matters concerning Iken. It is noted that some applications are not for public comment, but for transparency, all planning notices will be noted on the Iken PC website.

The PC can only comment on planning applications in the same way as any other member of the public.

If there are no comments from the Public or Councillors, then no meeting is necessary unless requested.

Any comments by the PC must be agreed upon during a properly called public council meeting. When a meeting is announced, the Clerk will also send an invitation to the planning applicant, inviting them to the meeting to discuss their application should there be any questions. The invitation is not seeking obligatory attendance.

Members of the public attending the meeting can comment, speak in support of or object to any application during the 'Open Forum' segment of the meeting but not during the council's deliberations later. However, they may be asked to clarify the application details during the PC's deliberations at the invitation of the person chairing the meeting.

Comments agreed in the council meeting are submitted in writing by the Parish Clerk to our planning authority.

Prior to the meeting, members of the PC will study the plans, forms and details submitted with the application carefully. They can request the views of the statutory bodies e.g., English Heritage, Environment Agency, Highway Authority, etc. The advice of such statutory bodies will almost certainly bind the local planning authority. Please remember that the PC is only a consultee and counts as one opinion.

Without advice from residents of the Parish, the members of the PC will give their own opinions. The PC can and will seek the views of residents of the Parish, particularly in controversial cases, and will reflect such local feelings during the deliberation process. However, should there be widespread objection or support for a proposal, the PC will always urge members of the public to send individually written letters or e-mails directly to the planning authority.

It must be understood that the PC's comments in response to a planning application can only be based on planning matters.

Where possible, the PC can quote policies in the Local Plan, as these are the starting point for considering the merits of any application. Objections should be clear, concise, relevant, and accurate to stand a chance of being accepted. Whilst the local planning authority must consider the representations of the PC, this does not mean that an application will be decided in accordance with the views of the PC.

In reaching a decision, the local planning authority is required to weigh up all issues associated with an application and comments made by the PC may have insufficient weight to enable the application to be determined in line with the wishes of the Parish.

Any comments or objections must have a genuine material planning consideration and matter of relevance to the development.

Material planning considerations include:

- Layout, density.
- Risk of flooding or pollution.
- Overlooking and loss of privacy.
- Overshadowing and loss of light (daylight/sunlight).
- Access and traffic generation (highway safety).
- Local economy.
- Design, appearance and materials.
- Appearance, effect on street, specially designated area or building (e.g. conservation areas, listed buildings, ancient monuments, etc.).
- Adequacy of parking.
- Noise and smell.
- Landscape, contamination, loss of trees, etc.
- Cumulative impact.
- Past planning history or appeal decisions of the site.
- Central government policy and guidance (National Planning Policy Framework, Planning Practice Guidance).

The following are NOT considered to be material considerations:

- History of the applicant.
- Loss of view.
- Commercial competition.
- Change from the previous scheme.
- Impact on property value.
- Restrictive covenants.
- Ownership of land, right of access.
- Noise & disturbance from construction work.
- Land & boundary disputes.
- Land ownership.
- Damage to property.
- Private rights of way.
- Deeds & covenants.
- Private issues between neighbours.
- Lots of objectors.

When the PC response is 'NO OBJECTION', it is satisfied that all the above have been considered carefully and applied to the application under consideration, so has no area for objection. However, the PC may recommend adding planning conditions to the application should the local authority grant approval.

Planning conditions will only be imposed by the local authority where they are:

- Necessary
- Relevant to planning and to the development to be permitted
- Enforceable
- Precise
- Reasonable in all other respects

Planning Decisions.

Around 95% of all decisions on planning applications are decided by the planning authority case officers without being reported to a Planning Committee.

Planning officers make a recommendation to the Principal Officer with delegated authority to make decisions.

The case officer's recommendation may or may not be accepted and the decision is not made until the Principal Officer signs the formal Notice of Decision.

Alternatively, any member of the Planning Committee may request an application is determined by the Planning Committee prior to the consultation expiry of the application for the following reasons. The application is:

- a major development.
- has an exceptional level of public interest.
- likely to rise in a debate on planning issues.
- where the applicant (or their spouse or partner) is an employee or a member of the Local Council.
- where the decision would be significantly contrary to policy in the Local Plan.
- where the Local Council is the applicant.

Where the officers are recommending permission, parish objections do not include:

- domestic extensions.
- lawful development certificates.
- works to protect trees.

Based on the above, the PC will, if required, request that an application be brought to the committee anytime up to the point that the decision is agreed.

Iken Parish Council

August 2023