

Guidelines for determining Radwinter Parish Council's response to planning applications.

Adopted [22 February 2021]

The Radwinter Parish Council has no power to approve or reject planning applications. It is, however, consulted by the Uttlesford Planning Department and invited to express a view. It is important that our response is consistent, sensible and meets the expectations of residents of the village.

In general, the planning officers will decide the outcome of an application by applying planning guidelines drawn up by the Uttlesford District Council and central Government. Local residents, who may be affected by the development, and the Parish Council are then informed of the application and invited to comment.

The following guidelines have been agreed by Radwinter Parish Council to assist in determining its response to the district council:

1. Radwinter Parish Council can only agree to comment on planning applications in properly called Council or committee meetings which the public can attend. Comments are then submitted in writing by the Parish Clerk to the Uttlesford Planning Authority.
2. In general, the Parish Council will **Support** developments that address a village need, or where there is significant village benefit if the development goes ahead. Examples might include low cost housing, small retail developments, or developments creating employment.
3. In general, the Parish Council will **Not Object** to developments which do not detract in a significant way from the appearance of that area of the village or do not detract from a village amenity enjoyed by other existing residents.
4. In general, the Parish Council will **Object** and withhold its support in the following situations:
 - Where a planning application seeks to over-ride any covenants which apply to that area of the village;
 - When the amenity of surrounding properties is clearly compromised;
 - Where the appearance or nature of the village, in the judgment of the Parish Council, is materially compromised;
 - When development is proposed outside the 'village envelope';
 - When development is proposed along roads leading into the village – so called 'ribbon development'.
5. In all cases the Council may make comments. The comments should relate to matters set out in Appendix A.
6. The Council will not comment on issues set out in Appendix B.

If an application is refused, the applicant has a right to appeal to the Secretary of State for Communities and Local Government. In this situation, the Parish Council will again be invited to respond. In most cases, the original view of the Parish Council will still stand but if any further information has since come to light, the Parish Council may modify or change its view and inform the Planning Inspector accordingly.

Appendix A – Relevant reasons for comment

- Central government policy and guidance - Acts, Circulars, Planning Policy Guidance Notes (PPGs) etc.
- The Local Plan - and any review of the Local Plan which is underway.
- Adopted supplementary guidance - for example, Neighbourhood Plans, village design statements, conservation area appraisals, car parking standards.
- Replies from statutory and non-statutory agencies (e.g. Environment Agency, Highways Authority).
- Representations from others - neighbours, amenity groups and other interested parties so long as they relate to land use matters.
- Effects on an area - this includes the character of an area, availability of infrastructure, density, over-development, layout, position, design and external appearance of buildings and landscaping
- The need to safeguard valuable resources such as good farmland or mineral reserves.
- Highway safety issues - such as traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians and cyclists.
- Public services - such as drainage and water supply
- Public proposals for using the same land
- Effects on individual buildings - such as overlooking, loss of light, overshadowing, visual intrusion, noise, disturbance and smell.
- Effects on a specially designated area or building - such as green belt, conservation areas, listed buildings, ancient monuments and areas of special scientific interest.
- Effects on existing tree cover and hedgerows.
- Nature conservation interests - such as protection of great crested newts etc.
- Public rights of way
- Flooding or pollution.
- Planning history of the site - including existing permissions and appeal decisions.
- A desire to retain or promote certain uses - such as playing fields, village shops and pubs.
- Need for the development - such as a village shop
- Prevention of crime and disorder
- Presence of a hazardous substance directly associated with a development
- Human Rights Act
- Precedent - but only where it can be shown there would be a real danger that a proposal would inevitably lead to other inappropriate development (for example, isolated housing in the countryside)

Appendix B - Irrelevant reasons for objection

There are certain matters which do not amount to 'material planning considerations' under current legislation and guidance. These matters cannot be taken into account in considering a planning application and should not be included in objections as they weaken your case:

- Speculation over future use
- The identity of the applicant or occupant
- Unfair competition
- Boundary disputes
- Breach of covenants and personal property rights, including personal (not Public) rights of way
- Loss of a private view
- Devaluation of property
- Other financial matters
- Matters controlled by other legislation - such as internal space standards for dwellings or fire prevention
- Religious or moral issues - such as betting shops and amusement arcades
- The fact that the applicant does not own the land to which the application relates
- The fact that an objector is a tenant of land where the development is proposed
- The fact that the development has already been carried out and the applicant is seeking to regularise the situation. (People can carry out development at their own risk before getting planning permission)
- The developer's motives, record or reputation