

1. Background

- 1.1 Newton and Noss Parish Council is currently an advisory body to the Local Planning Authority (South Hams District Council) for all planning applications that relate to the Parish area.
- 1.2 It should be noted that Newton and Noss Parish Council has no power to either grant or refuse an application for planning permission, such powers reside with South Hams District Council. However, the Parish Council does have the right to have its views taken into account by South Hams District Council.

2. Purpose

- 2.1 The objective of the Planning Committee is to consider planning applications outside of full council meetings and to make recommendations to full council. This shall be either via informal review or where appropriate via a formal Planning Committee Meeting.

3. Structure

- 3.1 The Committee will consist of a minimum of 3 council members. This number can be increased at any time, at the discretion and needs of the Committee. The quorum is currently 2 members.
- 3.2 In instances where only 1 member can take part, then the Parish Council's Chairman or another Parish Councillor will act as an occasional member ex officio in order to maintain a quorum.
- 3.3 At the discretion of the Full Council, the Planning Committee may also seek comments and advice from up to 3 designated parishioners. Currently that includes a representative of the RYDA and an ex-Chairman.
- 3.4 The members of the committee will be elected at the Parish Council Annual Meeting in May each year.
- 3.5 The Chairman of the Committee will be one of the members, elected by the membership.

4. Jurisdiction

- 4.1 To consider all planning applications received from the District Council, with particular reference to the adopted Neighbourhood Plan and draft the Council's response, unless an application raises issues and requires discussion and comment by Full Council
- 4.2 To study relevant plans, visit relevant sites and consider any comments from members of the parish before making a recommendation to Full Council for decision
- 4.3 To review all Construction Management Plans in line with the CMP Template published on the Newton and Noss Parish Council website
- 4.4 Where a planning application is for a development of 2 or more dwellings it will be discussed at full council
- 4.5 To ensure that any objections or recommendations are based solely on planning criteria (*for valid grounds for objection to any given planning application see Appendix 1 at the end of this document*)
- 4.6 To consider environmental aspects when considering planning applications
- 4.7 To respond on behalf of the Parish Council, when a time sensitive response is required
- 4.8 To attend planning training sessions as offered by the planning authority and to read all relevant documentation to ensure that the Committee is aware of current legislation and regulations
- 4.9 The Planning Committee will not offer pre-application comment except in cases determined by the Committee.
- 4.10 All powers shall be exercised in accordance with any Standing Orders, or directions given, by the Parish Council.

5. Consideration, Meetings and Recommendation

- 5.1 Planning applications shall be circulated to the Full Council by email as soon as possible after receipt by the Clerk.
- 5.2 Planning applications will normally be considered by the Planning Committee by email discussion prior to submitting draft responses to the Full Council for consideration at the next Parish Council meeting.
- 5.3 The Chairman of the Planning Committee will call Planning Committee meetings as and when necessary.
- 5.4 The Planning Committee will decide whether they have recommendations of support, objection or comment to make in relation to each Planning Application.
- 5.5 If any two Councillors consider an application to be of great importance to the parish, they may ask the Committee for a deferral to pass the decision either to the next Full Council meeting of the Parish Council, or if a time regulated decision is required arrange for an extraordinary meeting to decide on the response.
- 5.6 The Planning Committee has an obligation to ensure that all comments received prior to the meeting, from all relevant parties, applicants and objectors, for planning applications are considered at the meeting. Where a meeting has been called it will be open to the public.
- 5.7 A record of all planning applications, the responses of the Parish Council and the decisions taken by the planning authority will be recorded in the minutes of the Parish Council.

6. Responses

- 6.1 The Parish Clerk will communicate to the Local Planning Authority the Committee's decision in respect of applications considered.
- 6.2 Where an application is subject to an appeal, the Committee is authorised to make written representation or to elect a member of the Committee to attend the hearing.

7. Delegated Powers

- 7.1 The Committee only has delegated powers to consider planning applications and respond to them for the Parish Council when it is not possible to extend the timeframe for responses to be discussed at the next Parish Council meeting.

8. Declarations of Interest

- 8.1 Where there is conflict between the interests of any Council members and the interests of the Committee, that person must declare the interest and take no part in the consideration or response.

9. Review

Adopted: March 2022

Review: Reviewed annually in May

Latest review: May 2022

Appendix 1

The Parish Council must ensure that any comments or objections it makes to planning applications are based on planning criteria only and will assess each application's conformity to the Neighbourhood Plan, the Joint Local Plan and National Planning Policy.

The following list is not exhaustive but it gives an idea of the sort of things that would be classed as a material planning consideration:

- Car parking provision
- Design, including appearance, layout, scale, density and materials
- Highway safety issues and/or traffic generation
- Impact on important trees
- Impact on the character or appearance of the Conservation Areas, Listed Buildings and the Policy Areas, as defined in the Neighbourhood Plan
- Local drainage or flooding issues
- Loss of important open spaces or community facilities
- Noise disturbance, smells, obtrusive lighting or other impacts on amenity
- Over-dominance, overshadowing and loss of light
- Proposed landscaping
- The planning history of the site

The following, on the other hand, are examples of comments not considered by planning authorities to be material grounds for objection and as such cannot be taken into account:

- The reasons or motives of the applicant in applying for planning permission
- Any profit likely to be made by the applicant
- Any effect on the value of neighbouring properties
- Concerns about possible future development of the site
- Loss of a view
- Boundary and neighbour disputes
- Impact on private drainage systems
- Inappropriate or personal comments
- Nuisance or annoyance previously caused by the applicant [unless this relates to an existing development for which retrospective permission is being sought]