



## SEDLESCOMBE PARISH COUNCIL PLANNING CODE OF GOOD PRACTICE

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### **P**ARISH COUNCIL RIGHTS.

Parish Councils have the right, if they request, under the Town and Country Planning Act 1990, Sched1, para8, to be **notified** of planning applications and of amendments (unless the District Council considers the amendments trivial). The District Council has undertaken within its 2005 "Guide to Development Control Practice" to send each parish a copy of every planning application or application for list building or conservation area consent, advertisement consent and applications to work to protected trees with the parish boundaries. The District Council will also notify a parish of amendments unless considered trivial.

**C**ONSULTATION. The District Council, as the Planning Authority, does **not**, however, have to **consult** with parishes. Consulting means asking the advice of/ having discussions with.

### **P**ARISH COUNCIL VIEWS ON PLANNING APPLICATIONS.

The District Council **must** take Parish Council comments into account when determining applications. Notwithstanding the regulations in the Town & Country Planning (General Development Procedure) Order 1995, a parish is given **21** days to respond to a planning application.. In Sedlescombe, the Clerk will normally be the person to notify the District Council of the Parish Council's comments using the facility on the Rother Planning website. The District Council has undertaken within its 2005 "Guide to Development Control Practice" to record the view of the parish on the written reports to the Rother Planning Committee if received up to 12 days before the relevant committee meeting. If Parish Council comments are received between 11 days before the meeting and 9am on the day of the meeting of the Planning Committee, the views will be reported orally at the meeting. Representations received later than 9am on the day of the meeting will be reported at the discretion of the Chairman of the Planning Committee.

**A**PPEALS. The District Council has undertaken within its 2005 "Guide to Development Control Practice" to notify parishes of a planning or related appeal within the parish area. According to Rother, the length of time parishes are given to comment on appeals is dependent on the number of appeals they are processing at any one time. However, the aim is to give about a month's notice. No information is given on the applicant's grounds



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of appeal. Appeal decisions are added to the relevant online planning application on Rother's website but sometimes there is a delay. As part of Rother's Best Value Review of its Planning Service, an action has been included to integrate appeals with the Planning Portal appeal casework by March 2006. This will mean that all background papers provided to the Planning Inspectorate on appeals will be available online.

**D**ETERMINATION BY DISTRICT COUNCIL. For those applications that have been delegated, if the Parish Council and the Planning Officer are in agreement, the applications will be refused or allowed as appropriate. Where there is a difference of opinion between the Parish Council and the Planning Officer, the District Councillor will have the opportunity to call the application to the Planning Committee at Rother, but must do so within five days. More contentious applications are referred automatically to the Rother Planning Committee.

**S**EDLESCOMBE PARISH COUNCIL CONSIDERATION OF APPLICATIONS. Sedlescombe Parish Councillors are allocated planning applications to consider and report on at Parish Council Planning Committee Meetings. This usually entails an inspection of the property that can be arranged through the Agent identified on the application. The Clerk will provide an appropriate list of questions for the Councillor to answer which will help direct his/her consideration of the application.

**L**OCAL ADVERTISING OF AN APPLICATION. As well as the pink planning notice which is posted near to the site of the application by the District Council, the Parish Council will give notice of the application on its noticeboard.

**R**OTHER PLANNING WEBSITE. Parish Councillors are encouraged to monitor the progress of planning applications on the Rother Planning website. If a Councillor looks at the relevant application before a Committee meeting, it is possible to see all objections, support, and comments from the highways department, environment department etc. which all help towards a fuller understanding of the application and whether it should be supported by the Parish Council.



## **SEDLESCOMBE PARISH COUNCIL PLANNING CODE OF GOOD PRACTICE**

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**I****NSPECTION OF SITES BY PARISH COUNCILLORS.** Although the Councillor who inspects a site is likely to meet the applicant, s/he should not express their opinion to the applicant. If an opinion is expressed, it could give the applicant the idea that the Parish Council Committee as a whole will vote in the same way.

**C****ONTACT WITH PARISH COUNCILLORS BY APPLICANTS.** Sometimes applicants or objectors contact Councillors to seek their support through the Parish Council. In these circumstances, the Councillor can either refer the person to the Clerk who has details of the recent planning history of the site and the Parish Council's comments on previous applications or can listen to the person and use what is said to add to the sum of the information available on the application. In either case, the Councillor should inform the Committee prior to the application being discussed of the contact and what was said. The Clerk also will report her contact with applicants or objectors to the Committee.

**D****ECLARATION OF INTERESTS.** It is most important that, where appropriate, Parish Councillors declare interests under the adopted Code of Conduct in any application before consideration at the Parish Council Planning Meeting. If a Parish Councillor is asked to make an inspection regarding a planning application on which they have any kind of interest they should inform the Clerk of their interest and she will advise who the application should be passed to. Parish Councillors with prejudicial interests on planning application must, once the interest is declared, leave the meeting and must not try to influence other Parish Councillors. At Planning Committee Meetings, Parish Councillors should take account of all the information presented to the Committee before reaching a decision.

**A****TENDANCE OF THE PUBLIC AT PARISH COUNCIL PLANNING COMMITTEE MEETINGS.** The attendance at a Planning Committee Meeting of the applicant or those opposing the application should not influence Parish Councillors in reaching a considered decision.

**D****ECISIONS.** The Clerk will provide information on a monthly basis to the Committee regarding decisions reached by Rother. This information will also be posted on the Sedlescombe community website and on the Council's noticeboard.