

All Parish Councils
Newark & Sherwood

Telephone: 01636 65
Email: matt.lamb@nsdc.info
Your ref:
Our ref:

15th June 2017

Dear Clerk,

RE: CONSULTATION ON PLANNING APPLICATIONS

As you will be aware the District Council is the Local Planning Authority responsible for making decisions on planning applications (with the exception of county matters broadly relating to mines and minerals). My purpose in writing to you is to provide further details of the process for making such decisions, including the role of the Parish and Town Councils/Meetings and the matters that the District Council is permitted to take into account when making a planning decision.

The role of Parish/Town Councils.

You will be aware that as part of a planning application process the District Council consults all Parish Councils when a planning application is submitted, although for the majority of applications towns and parishes are not statutory consultees. I am aware that there is concern when planning decisions are made contrary to the wishes of the Parish Council and accordingly I would like to try and explain some of the factors that can and cannot be taken into account when the District, as local planning authority, makes a planning decision.

Essentially planning decisions must be based on what are deemed 'material planning considerations'. What constitutes a material consideration has been established over time by the courts and by appeal decisions. **I have attached some of the common matters which are material and those which are not material to a planning decision.** The District Council is only permitted to have regard to the matters which are material planning considerations. You may find some of the matters interesting, surprising or frustrating. I write not to increase this frustration but rather to assist you in understanding how your parish council may be able to formulate their comments to us. Please note that this list is not exhaustive and if you are unsure you can contact the planning Case Officer in respect of a particular application. It will still be for the District Council to come to an independent view on the application, even if the Parish do either raise concerns or express support on material planning grounds. However, framing comments in the correct way will assist in getting your points across and ensure that any comments supported by material planning considerations are given due weight.

Officer Delegation or the Planning Committee?

Whether a decision is delegated to Council Officers or determined by committee is set out in the Council's Scheme of Delegation (available on our website at <http://www.newark-sherwooddc.gov.uk/planning/planningdecisions/>). For certain types of planning application the planning decisions (please see the Scheme of Delegation which details this) may only be delegated in circumstances where the recommendation of Officers differs from that of the Town/Parish Council. **However this is the case only where the Parish/Town Council has clearly set out material planning reasons for their stance of either supporting or objecting to the application.** I have attached a new pro-forma that will be issued when consulting you on any future planning applications. Please ensure this form is completed in order for us to take into account any comments made.

I hope this letter clarifies the position. District Councillors have also been made aware of the contents of this letter and have been provided with a list of what does and what does not constitute a material planning consideration.

Yours sincerely,



Matt Lamb
Business Manager
Growth and Regeneration