

PLANNING APPLICATION PROCEDURE

This procedure covers routine planning procedures that are unlikely to cause a significant level of public interest or unlikely to be controversial within the Parish and where the normal planning review period is followed by NCC. This procedure is likely to apply to most of the planning applications on which the PC is a consultee.

It also covers those situations where a faster response may be required, for example when dealing with the discharge of conditions associated with a planning application (DISCON), work to trees in a conservation area (TREECA) and certificate of lawful existing use (CLEXIS). Because the County Council is not legally required to consult on these types of application, it is incumbent on the PC, if it wishes to respond, to act swiftly and proactively (see timescales below for urgent issues).

Further, if a planning application is identified as being for a significant or potentially controversial development, a nominated Councillor will be agreed. The nominated Councillor will be responsible for maintaining a clear overview of the issues and for identifying any further changes or planning issues arising from the application and / or associated planning conditions. These will then be brought to the attention of all Councillors. Alternatively, if the Clerk is alerted to further issues associated with a planning application, they will inform Councillors in the usual way. The nominated Councillor will work closely with the Clerk and all communication from the PC will be managed by the Clerk.

1. When a planning application is received, all Parish Councillors to be informed of the application by the Clerk via e-mail and any interests to be declared. Clerk to draw attention to any recent 'planning history' where known.
2. In the case of an application where NCC is not legally required to consult, the Clerk will notify NCC as quickly as possible of the PC's intention to respond. These issues will be treated as 'urgent' and shorter timescales for response will apply (see timescales in italics below).
3. Where further detail or clarity is needed from NCC, the Clerk will seek this as soon as possible, and feed the response back to Councillors.
4. Each Councillor will share his / her views and conclusions by e-mail with all other PC members (except those who have declared an interest) and the Clerk within 10 days from receipt of notification of the application (*or within 3 days for those issues deemed to be urgent*).
5. If Councillors' views on the application are significantly divided, then the majority view will prevail. The Clerk will ensure that there is a record of any dissenting views.
6. If the issue is complex, an extraordinary meeting of the PC may be held to resolve the issues (or at the next regular meeting, if timing of next meeting allows for this).

Newton on the Moor and Swarland Parish Council

This meeting may be held virtually.

7. The Clerk will draft a response to NCC and e-mail to all Councillors for comment. The Clerk will give a timescale for comments to be made, usually within 3 days (*or by the end of the next working day for urgent issues*).
8. In the case that differing views remain, a revised draft will again be circulated with a 3 day period for comment (*or the next working day for urgent issues*). If differing views remain about the text, the Chairperson will agree the final wording in conjunction with the Clerk, ensuring that it is in line with the majority view.
9. Clerk to send off final version to NCC Planning Department within the 21-day consultation period for standard applications (*or as quickly as possible for urgent issues*) with a copy to Councillors.
10. If the planning application is to be determined by Planning Committee, Clerk to inform Councillors and an agreement by the majority of Councillors will determine whether Parish Council oral representation is to be made at Planning Committee.
11. If the planning application is refused and the applicant appeals, notice to be given to all Councillors by the PC Clerk for them to ascertain whether the Parish Council wishes to make written representation to the Inspectorate or seek to appear at any hearing.
12. In order to manage the process, the creation of new e mail threads should be avoided wherever possible.