

STOPPING THE SPREAD!

District Council

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District Council Planning

Q: Who has the responsibility to make Planning Decisions?

A: The Local Planning Authority

- In our case this is the Wealden District Council, the Planning Committee North and South (PCN/S
- Under the WDC scheme of delegation power, it is delegated to the Head of Planning & Environmental Services, in our case that is Mr Stacey Robins.
- In other words, the planning decisions are made by the case officer in consultation with the Head of Planning



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There are exceptions where:

- Where the application is a Major Application. This is denoted by MAJ MAO or MRM. This would be for 15 or more dwellings in the AONB and for 30 or more outside the AONB. or
- the Local Ward Member requests it go before the Planning Committee Also the Councillor for the adjoining Ward if the application impacts that Ward or
- 3 or more material planning objections have been received received from residents or Town or Parish Council if the Local Ward Councillor has not agreed for the decision to be delegated. or
- the Head of Planning decides there is a significant concern or controversy; for example the Town or Parish Council has material planning objections, or for any other reason. .



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Or

- the application is for 10 or more houses outside the development boundary (Also this applies to Commercial development of 500 sq m or more of floor space) or
- WDC itself is landowner or applicant or
- WDC Member is the applicant.

In these cases, the decision is made by the Planning Committee.

The last three on the list don't need to concern us here, the first five give residents an opportunity to influence the Planning decisions.

Planning decisions are all about balance.

Usually any development will do some harm and some good and it is a matter of finding the balance



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Do we think the Planning Committee is likely to make a better decision than the planning officer?

- Well in our experience, sometimes – Yes.
- The Planning Committees are made up of Local Ward Councillors from across the District and they should be in touch with, and represent residents in their Local Ward.
- That is their job!
- It is almost inevitable that sometimes the Members will see that Planning Balance in a different light to the planning officers, who may take a slightly more legalistic view.



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So how can you influence the officers and the Members in their decision making process?

- Firstly it is vital that the planning officers are well aware of any objection that local residents or Town & Parish Councils may have. (And I am assuming that it is objections that concern us generally, but it does of course also apply to support for an application)
- And that these objections need to be based on what is called a material planning consideration. You need to quote chapter & verse. The primary source for planning decisions is the Local Plan.
- Then there are many other factors which are important, such as the National Planning Policy Framework, Planning Policy Guidance, Supplementary Planning Documents, and Local Neighbourhood Plans are all material considerations.
- For example not; “I don’t like the way that Wealden is being covered in concrete” But;
- The National Planning Policy Framework paragraph 177 states; ” When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.”
- Secondly, it is vital that your Local Ward Councillor is well aware of your objections.
So you will need to write or email them and also the members of the Planning Committee who will be considering the case.

But please be brief!

- One side of A4 is enough.



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It's not unusual for the Agenda for a Planning Committee to be over 300 pages long and don't forget this is for the 3 or 4 items that come to the Planning Committee.

- In most weeks there are 50 or 60 planning applications in the Wealden District and your Ward Councillor will need to be alert to all the applications in his or her Ward.

A point about finding out about planning applications.

- If you are signed up to the "My Alerts" from Wealden District Council you will be notified of any new applications near your home address, and there will be a site notice displayed on the property where the application is made.
- But Local Councillors get a weekly list of planning applications, and you can sign up for this too by asking for it on the WDC website at;
- <https://www.wealden.gov.uk/planning-and-building-control/planning-weekly-list/>
- The My Alerts and Site Notices only tells you about full planning applications, it doesn't cover other types of planning requests such as Certificates of Lawful Development or Permitted Developments, so as these can often be just as damaging or controversial it is important for you to get the full list.

There is a window of 21 days when you can comment on an application on the website, so always do that as well as writing to your Local Ward Councillor.

- The Town & Parish Councils also have the opportunity to study and comment on planning applications so copy your objections to the Town or Parish Clerk and if you can then attend the Parish Planning Committee meeting in person so you can make your objections and hear the debate.

So in conclusion.

- It is up to you to make your voice heard at the Parish level, to your Ward Councillor, to the Planning officers and to the Planning Committee.



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Actions; It is vital that

- Planning officers are well aware of any objection
- Your Local Ward Councillor is aware of your objections.
- You keep yourself informed
- <https://www.wealden.gov.uk/planning-and-building-control/planning-weekly-list/>

