

STOPPING THE SPREAD!



Parish and Town Councils

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Town & Parish Council Planning

- **Statutory Consultee but**

- this means that all planning applications for proposed developments in the parish are notified to the PC for comment
- however, whilst the PC has to be consulted by law, there is no obligation for the district to take account of their views
- In our PC, each application is emailed to all councillors; if a majority have no objections, the clerk notifies such to the planning department
- If there is an objection, then the application is scheduled for discussion at the next meeting or an additional PC meeting is scheduled.
- It is not uncommon for the parties in favour of or against an application to attend PC meetings, verbally put their case and the councillors to debate the points before arriving at a conclusion

- **Neighbourhood Plans**

- Isfield does not have a neighbourhood plan
- There has been a suggestion from a neighbouring parish to make a joint plan
- However, that would require a proposal for areas for development which would be bigger as the combined boundaries are obviously bigger
- Current advice is not to start a plan as the uncertainty over what precisely will be the role of plans in future



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- **Pre-determination vs Predisposition**

Predetermination

- A councillor is obliged to treat all applicants equally – that includes developers
- If a councillor is pre-determined on a course of action eg on the record as opposing a development before it comes to committee, then they shouldn't participate in any related discussion
- A decision that is judged as pre-determined can be appealed

However

- A councillor might be pre-disposed as being against overdevelopment
- They can say as much, along the lines of 'I am pre-disposed to object but I'd like to see all the comments for and against before I make up my mind.'



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- ‘Material Considerations’
 - Ian touched on this earlier
 - ‘Material Considerations’ are the factors that a planning officer considers before coming to a conclusion – these could be distance to nearest shops & schools, existence of bus services etc.
 - Each ‘Material Consideration needs to be ‘weighted’ as the officer comes to a conclusion
 - Some Councils publish a concise list of ‘material considerations’ – unfortunately Wealden does not appear to.
 - Planning Inspectorate reports are useful as they layout the material considerations, the weighting and how the inspector arrived at their decision.
- Opportunity to Speak
 - Where a PC objects or supports a development, it can ask to speak at the district planning meeting that considers the application
 - This can be helpful where 2 or more neighbouring parishes all feel strongly about an application and want to put the strength of opposition across
 - Sometimes it works, plus strenuous objections will typically be covered by the local press.

