

## **69. Planning for Town and Parish Councils training course**

Cllr Alan Oulton and Administrative Officer Liz Kenny attended a training course run by Knutsford Town Council and delivered by planning consultant Dr Andrea Pellegram on 10 & 11 January 2018.

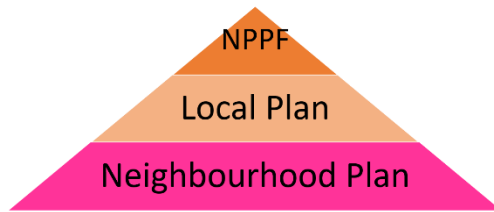
The course gave a thorough introduction and explanation of the planning system and focussed on how local councils could be more effective in responding to planning consultations.

The main messages from the course were:

1. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. This means that most planning applications are approved. Parish and Town Council are likely to be more successful in their representations on a planning application that raises concerns if they suggest ways to fix any problems they see with an application in a good quality response using compelling policy arguments.
2. The Town Council's response should include:
  - Description of how the proposal will impact upon your area
  - Reference to relevant policies
  - Discussion of how the proposal does/does not meet the policy tests
  - Recommendation on how the planning officer should respond
  - Keep your comments restricted to matters "material" to the planning system
  - Look to the other strategies and interests in your area if you have non-planning concerns
3. The Planning Authority (Cheshire West & Chester Council) must exercise its judgement and consider many (sometimes) conflicting issues to decide whether planning permission should be granted. This process of 'weighing up' the relevant factors is often described as the 'planning balance'.
4. On a large development, the developer will have done a great deal of work before submitting the application, and may have employed consultants to advise on dealing with any problems they anticipate. It is much easier to influence plans at the pre-application stage. Local councils may study site allocation documents and approach the landowner or else ask the Planning Authority to formally invite anyone having a pre-application meeting in the parish to contact the parish or town council. It is OK to talk to developers at this stage, although the council should have clear procedures to ensure that any such meeting is conducted in accordance with the Local Government Association & Planning Advisory Service's "Probity in planning for councillors and officers" guidance.
5. Planning Inspectors will not allow new evidence relating to an application at an appeal, so it is important to document all issues at the initial consultation stage.
6. Amongst the various types of planning permission is one called a Section 74 Application whereby the applicant seeks permission to modify the original conditions that limit the application. It is important that local councils take an interest in such applications as they could take away important protections afforded by the original planning consent. It is advisable to ask the Planning Authority to notify the parish of all s73 applications in their area.

### **Neighbourhood Plans**

Our planning system is "plan-led". Policies in the Planning Authority's Development Plan determine the form, scale and use of development. There is a hierarchy of plans that govern planning decisions, with the Government's National Planning Policy Framework (NPPF) at the top, shaped by Local Plans and then Neighbourhood Plans.



However, despite being at the lowest level, Neighbourhood Plans are very important. They must comply with the plans above them in the hierarchy, but they add local detail.

It is important to know the strengths and weaknesses of a local area, eg play areas, parking provision, cycle paths, footpaths, etc. The more evidence that the Neighbourhood Plans provide about strengths and weaknesses, then the better a parish council is equipped to have these addressed when the planning officer is looking for ways to overcome harm from a development proposal.

The trainer recommended the preparation of a community infrastructure plan which looks at local shortcomings and costed ways of overcoming them, with decisions about spending priorities. This may be used to seek developer contributions where a proposed development would put additional strain on local infrastructure.

Another advantage of a neighbourhood plan is quite technical, and relates to giving a parish some protection where the Planning Authority can meet some, but not all, of its objectively assessed need.<sup>1</sup>

### Planning Local membership

The trainer offers a “Planning Local” membership service for town and parish councils giving access to planning information and support prepared specifically for their needs via the website [planninglocal.co.uk](http://planninglocal.co.uk).

The benefits are:

- Regular newsletters with updates on changes in legislation, policy, best practice, Ministerial Statements, and other trends that you need to know about.
- Free advice and answers to your planning questions. Answers will be posted on the FAQ page so that other Planning Local users can benefit.
- Toolkits provide detailed advice and guidance on specific planning issues and can form the basis of in-house training and development.
- A training video of the flagship event, “Negotiate a better outcome in planning” can be viewed on the website free of charge.
- A library of links to important and useful documents on the internet will allow users to save time from hunting for documents and references.

The annual fee is £100 a year, with access for all councillors and officers.

**Recommendation:** To ask Policy & Process Committee to add Planning Local to the Council’s subscription list.

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<sup>1</sup> The NPPF provides that where Local Planning Authorities cannot demonstrate a **five-year housing land supply** of deliverable housing sites, the authority’s policies for the supply of housing are considered to be ‘out-of-date’, and planning applications are considered under NPPF only.

A Written Ministerial Statement from Planning Minister, Gavin Barwell, dated 12 December 2016, provided additional protection for parishes with Neighbourhood Plans, providing that the NPs will not be considered out of date where:

- The Statement is less than 2 years old, or the made Neighbourhood Plan is no more than 2 years old; and
- The Neighbourhood Plan allocates sites for housing; and
- The local planning authority can demonstrate a **three-year supply** of deliverable housing sites.