

# Sheviock Parish Council

## Planning Process and Procedure

### 1 Preamble

- 1.1 This procedure supports the fair treatment of all planning applications and ensures that the Parish Council fulfils its obligations in responding to Cornwall Council within an agreed timetable.
- 1.2 Sheviock Parish Council has a statutory right to be consulted on planning applications made for land and property within the parish boundary.
- 1.3 Sheviock Parish Council does not have the power to grant or refuse permission. This is the role and responsibility of the Planning Authority – in the case of Sheviock, this is Cornwall Council. Sheviock Parish Council can, like individuals, businesses, or institutions, register an objection to an application, which the Planning Authority must then consider – along with any other objections - when determining whether to grant or refuse permission.
- 1.4 The Council normally considers planning applications through its Planning Committee. Cornwall Council normally allows up to 21 days for comments to arise.
- 1.5 Upon receipt of notification from Cornwall Council of planning applications in the parish, the Chairman of the Council's Planning Committee or a representative normally visits the site and seeks to contact near-neighbours to identify whether they have any concerns about the proposals ahead of the Sheviock Parish Council Planning Committee considering the application.
- 1.6 If a planning application is contentious or the Parish Council is considering an objection then a special Planning meeting will be called if the 21 day response time occurs before the date of the next scheduled Parish Council meeting. The date time and location of special Planning meetings are published on parish notice boards giving 3 clear days notice, while the Parish Council meetings are held on the second Monday of each month starting at 7 pm in the Schoolroom of the Methodist Chapel in Crafthole. The public is normally welcome to attend these meetings. Applicants or concerned neighbours can make a short statement to the Committee to inform its deliberations during a period set aside at the beginning of the meeting for public participation.
- 1.7 In order for the Council to reach a balanced and objective view, members of the planning committee are required to 'declare a personal interest', for example if they, or their immediate families would be particularly advantaged or disadvantaged by a proposal (or might be thought by a member of the public to be affected). Similarly, if a councillor would not be personally affected, but in some way could be seen as favouring or not favouring a proposal for reasons other than proper planning considerations then he or she will declare a 'prejudicial interest'. Typically councillors declare an interest if an application affects a property which is very close to properties they own, or if they belong to an organisation which would be affected by an application. Once a councillor has declared an interest he or she will not speak or vote in respect of the application and will leave the room for the period of the discussion.

### 2 Definitions

- 2.1 Parish Planning Officer – appointed at the Annual Parish Council meeting in May to be responsible for managing the Parish Council's evaluation and decision making process for all application received by the Council, except when the Planning Officer has a Prejudicial interest in an application or is unavailable for other reasons, when the Parish Planning Officer for that application will be a Parish Councillor, including the Chairman of the Parish Council, appointed jointly by the Planning Officer and the Chairman of the Parish Council.

### 3 Receipt of Planning Information

- 3.1 The Parish Council will continue to receive Planning Applications as hard copy.
- 3.2 On receipt of Planning Information the Clerk will separate out Planning decisions which will be filled with the appropriate Planning Application, will note the decisions, add details of the application to the agenda as a sub-heading under Planning and will report the decisions at the next Parish Council meeting.
- 3.3 On receipt of a Planning Application the Clerk will:
  - 3.3.1 Check that documentation is complete;
  - 3.3.2 Determine the deadline date for a response to Cornwall Council, 21 days from the date on the covering letter from Cornwall Council, and mark this clearly in red on the envelope used for circulation of the information to councillors;
  - 3.3.3 Mark up a table on the front of the envelope listing all councillors who are members of the Parish Planning Committee, with columns to show date received, date passed on ;
  - 3.3.4 Provide a sheet inside the envelope to allow councillors to submit their comments on the application;

- 3.3.5 If the application is a resubmission or a change to a previous application make a copy of the decision relating to the previous application and enclose that in the circulation envelope;
- 3.3.6 Contact the Parish Planning Officer to confirm eligibility and availability to deal with the application;
- 3.3.7 Pass the application to the Parish Planning Officer or an agreed substitute Parish Planning Officer as quickly as possible;
- 3.3.8 If the application is a resubmission or a change to a previous application to the Parish Planning Officer or an agreed substitute Parish Planning Officer will act as a reference point for other councillors during the process of evaluating the application.
- 3.3.9

## **4 Processing a Planning Application**

- 4.1 On receipt of the Planning Application the Parish Planning Officer will review the application and discuss any particular aspects with the Parish's designated Cornwall Council Officer to clarify policy etc.; the name and telephone number of the designated officer is given in Appendix 1.
- 4.2 The Parish Planning Officer will then arrange to visit the applicant and immediate neighbours in a timely manner to determine if there are any objections or other comments, both for and against, relating to the application.
- 4.3 The Parish Planning Officer will decide after the visits if any further points of clarification are required and if so contact the Parish's designated Cornwall Council Officer.
- 4.4 The Parish Planning Officer will add any comments to the circulation envelope and pass it to a councillor known to be available to process the application.
- 4.5 Each councillor who receives the application will review the application and append comments in particular indicating if they have a personal and or prejudicial interest in the application before passing it to a councillor known to be available to process the application.
- 4.6 The circulation envelope will be returned to the Parish Planning Officer dealing with the application who will decide on the further action to be taken:
  - 4.6.1 If the application is not contentious, there are no adverse comments from any member of the Planning Committee and the 21 day response period will end before the date of the subsequent Parish Council meeting then the application will be returned to the Clerk who will complete the return form indicating Parish Council support together with any particular aspects that have attracted strong support because they reinforce Parish Council aims and objectives. The Planning Officer will report the Parish Council's response for all Planning Application dealt with in this way at the subsequent Parish Council meeting.
  - 4.6.2 If the application is contentious and the Date of the next Parish Council meeting will allow a response to Cornwall Council within the permitted 21 days then the Application will be put as an Agenda Item under Planning for Consideration. The Application will be introduced by the Parish Planning Officer prior to discussion to RESOLVE the Parish Council's response. The Clerk will complete the return form indicating The Parish Council's decision together with any comments and send it to Cornwall Planning as well as sending it to the applicant and any residents who have submitted comments.
  - 4.6.3 If the application is contentious and the Date of the next Parish Council meeting will not allow a response to Cornwall Council within the permitted 21 days then the Application will be considered at a single item Special Meeting of the Planning Committee to Resolve the Parish Council's response.

## **5 Special Planning Committee Meetings**

- 5.1 Notices of the intention to hold a Special Planning Meeting must be placed on all Parish Notice Boards at least 3 clear working days before the meeting.
- 5.2 Details of the meeting will be delivered to the applicant and close neighbours at the same time as the notices are displayed.
- 5.3 The Special Planning Meeting will be chaired by the Chairman of the Parish Council. Minutes will be taken by the Clerk, if present, or a Councillor. The minutes will be published on Parish Notice Boards and on the web site as if they were a Parish Council Meeting. At the meeting the Application will be introduced by the Parish Planning Officer prior to discussion to RESOLVE the Parish Council's response. The Clerk will complete the return form indicating The Parish Council's decision together with any comments and send it to Cornwall Planning as well as sending it to the applicant, any residents who have submitted comments and any residents who attend the Special Planning Meeting.

## **6 Reporting Decisions Reached by Cornwall Council**

- 6.1 When a decision is reached by Cornwall Council and received by the Clerk, the Clerk will file the decision notice with the Planning Application in a secure and easily retrievable filing structure in the Parish Council Office.
- 6.2 The Clerk will add reference to every Planning decision received to the Agenda for the subsequent Parish Council meeting and will report the outcome to the Council.

## **7 Records**

- 8.1 Written records shall be kept of all resolutions reached on every Planning application and included in the minutes of the Parish Council meeting at which they are reported or resolved.

- 8.2 Any information relating to a planning matter must be treated in a suitably confidential manner.  
Adopted by all councillors  
Date: