

Kingston Parish Council

www.kingston-pc.org.uk

Policy on processing planning applications

1. Planning Responsibilities

The Statutory Planning Authority for the Parish of Kingston is the South Downs National Park Authority (SDNPA). SDNPA have agreed with Lewes District Council (LDC) that if an application is deemed “significant”, it will be determined by SDNPA Planning officers. Otherwise applications will be handled by LDC Planning Department although in some circumstances, for example for school applications, cases are handled by East Sussex County Council.

Kingston Parish Council (KPC) can neither give consent to planning applications, nor prevent applications, but it does have a right to be consulted on all planning and development applications and decisions relating to the parish.

Decisions within LDC may either be delegated or passed to the Planning Committee

a. Delegated Decision

The majority of applications are decided by the Council’s officers, under powers delegated to them by the Council. This arrangement tends to apply to the more straightforward applications, so the Council’s Planning Committee can concentrate on more complex applications. In these delegated cases, officers have assessed the proposal against the relevant planning policies and other material considerations, including representations made by local residents and the relevant Town or Parish Council. The case officer then makes a recommendation for approval or refusal of the application, which is then reviewed and agreed by senior officers in the name of the Director of Planning of the SDNPA.

b. Planning Committee

For cases larger and more significant in nature the Planning Applications Committee made up of elected members will make a decision. Written reports are made to the Council’s Planning Applications Committee, with a recommendation from the case officer. These are generally applications that raise policy issues or where there is a difference of view between officers and Town/Parish Councils, or a significant level of public objection.

The Planning Applications Committee can decide to:

- Grant planning permission, with or without conditions, with reasons
- Refuse planning permission, with grounds of refusal
- Defer for further information/negotiations/site visit
- Be "minded to approve" an application, subject to resolution of outstanding points (for example a legal agreement) with delegation of a final decision to the Director of Planning and Environmental Services

2. The Planning Process

The whole process of advertising applications and providing comments is now done on-line through the SDNPA portal which can be accessed at <http://www.southdowns.gov.uk/planning/planning-applications> and clicking on Public Access.

When an application is received it is validated by LDC Planning Department to check that:

- the forms have been completed correctly and are signed and dated
- all relevant information and plans have been included and are of a recognised scale
- the correct fee has been paid

Once an application has been validated, an 8 week period (13 weeks for major applications) is allowed for the application to be determined. Within this period, 6 weeks are allowed for KPC to submit their comments.

Members of the public may make their comments on the SDNPA website and there is also an opportunity to register an interest in speaking at the planning committee meetings, focussing on issues which the planning officers are allowed to consider.

Once a decision has been made, a formal decision notice is issued to the applicant or agent. If it is approved, the decision notice will set out the planning policies relating to the development. It will also set out any conditions relating to the approval. An applicant, who is dissatisfied with our decision on an application, can appeal to the Secretary of State for a review. Only the applicant/s for the original application or an agent acting on their behalf can appeal a decision.

3. KPC's Role

The Parish Council is invited to comment in one of three ways:

a. "No comment"

This indicates that KPC has no strong views either way on an application. This will be treated by the LDC as a neutral comment, allowing it to determine the application either way (for approval or refusal) under delegated powers.

b. "Object"

This indicates that KPC has objections to the application and its submission to LDC should set out the reasons for objecting. In such circumstances, LDC can refuse planning permission under delegated powers, but will need to report the application to the Planning Applications Committee for determination if the officer recommendation is for approval and the objection received from the KPC is based on reasonable and sustainable planning grounds.

c. "Support"

This indicates that KPC supports the application and its submission to LDC should set out the reasons for supporting. In such circumstances, LDC can refuse planning permission under delegated powers, but will need to report the application to the Planning Applications Committee for determination if the officer recommendation is for refusal and the support received from KPC is based on reasonable and sustainable planning grounds.

KPC policy is to submit a comment in respect of all applications, even if the comment is "no comment".

In commenting on applications KPOC seeks to protect and enhance the character and appearance of the village; to ensure that any development, whether new or an alteration to an existing property,

will be sympathetic to its surroundings; to increase, wherever practicable, facilities for parishioners; to conserve wildlife, flora and the countryside; to focus on sustainability and to recognise the importance of its location within the South Downs national park.

4. Specific Policy on the Settlement Boundary

A Settlement Boundary has been established for Kingston which is the dividing line, or boundary between areas of built/urban development (the settlement) and non-urban or rural development – the open countryside.

KPC's policy is to oppose any application for development outside of the Settlement Boundary. The only exception to this would be where such developments make use of existing buildings on the site based on their restoration or refurbishment.

5. KPC's Consultation Process

In its assessment of planning applications, KPC should take into account all shades of opinion which is canvassed:

- in part through discussions with interested parties where possible,
- in part through residents contacting KPC directly,
- in part through monitoring comments made on the SDNPA website, and
- in part with reference to the wider interests of the village community taking into account planning guidelines and constraints, including the planning boundary and the Kingston conservation area.

To assist general communications on planning matters, summaries of all applications will be placed on the Parish Council's Notice Boards

KPC encourages all villagers, if they wish, to bring their views on applications to meetings of the Parish Council, and will then discuss these comments with you. It is important that the Council is made aware of peoples' views at the earliest opportunity as this is the only certain way that the Council has of knowing what views and /or concerns there are, as it is sometimes difficult to be sure that the Council is properly briefed on the wider views of villagers.

KPC recognises that for a variety of reasons some villagers may wish to express their views on an application on a confidential basis, and not to have their names in the public domain. In these circumstances villagers are encouraged to contact KPC's designated lead councillor for planning who will keep all such comments confidential but will collate and discuss these with other councillors on an anonymous basis before our submission is made.

6. KPC's Assessment Process

Because of the longer 2 month cycle period between Parish Council meetings compared to the 6 weeks consultation period for KPC to prepare and submit its comments, it is not always possible for an application to be discussed at the full meeting of KPC.

As a matter of course, KPC's designated lead councillor for planning provides will provide details of each outstanding application to all councillors by email on a regular basis. These details should include:

- a summary of the application,
- a summary of any comments received,
- any significant issues affecting consideration of the application such as whether it is located within the planning boundary and whether there may be valid grounds for objecting to or supporting the application,
- an initial comment on the application for review by Councillors

Councillors are then invited to advise KPC's designated lead councillor for planning on whether they agree with the proposed comment or wish to propose changes. These discussions will take place at a regular KPC meeting if the schedule allows, or by email and/or discussion on an informal basis if the comment has to be submitted on the SDNPA web site before the next formal KPC meeting.

Following this dialogue, the draft comments will be finalised by KPC's designated lead councillor for planning and passed to the Clerk to the Parish Council who will formally submit the comments on the SDNPA web site.

KPC's designated lead councillor for planning will provides a full updated report at each KPC meeting on current and ongoing planning applications, its comments on the applications, and their approval status. These reports will be made public as part of the published record of each meeting which is available on the KPC website www.kingston-pc.org.uk.

Reviewed & Adopted by: Kingston Parish Council	Meetings Date: 9 May 2018 Minute item: 14	Review Date: May 2019	Clerk: JP
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