

# EDGCOTT PARISH COUNCIL

## Planning Response Policy 15



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## 1 PURPOSE

Pursuant to the Local Government Act 1972 and Section 27 of the Localism Act 2011, Edgcott Parish Council ('the Consultee') is a designated **Planning Consultee** of the **Planning Authority** Buckinghamshire Council – Aylesbury Vale ('the Authority') and is charged with representing the views of local residents in respect of the planning process within Aylesbury Vale.

The Planning Authority is legally obliged to submit relevant planning applications to the Consultee and invite it to respond such as to give the Planning Authority a local perspective that can be weighed, at its sole discretion, in the 'Planning Balance'.

The Consultee may choose to respond, should it feel a response would be in the public interest and within a fixed planning consultation period, such as to convey the views of local residents regarding what they would consider to be the impacts and implications on local infrastructure and sustainability should the Planning Authority grant an application..

Whilst legally bound to "consider" local input, the Planning Authority is NOT obliged to accept it either in whole or in part.

This Policy provides the framework within which Council will effectively weigh the benefits against the harm a planning application would have on the local community and how to conduct those arrangements in relation to the requirements of the relevant legislation such as to ensure the timely and efficient compliance with its obligations and to deliver its duties in regard to the expectations of the residents of the Parish..

It is designed to clearly demonstrate to the Planning Authority and developers how the Consultee has taken in arriving at its decision and it lays out how Councillors and council employees are expected to abide by these requirements.

Council has made every effort to ensure all relevant statutory requirements to which a council is subject are encompassed in this Policy but confirm that, in any event, those requirements apply whether or not they are incorporated herein.

### Notes:

- Where the word "councillor" is used, unless the context suggests otherwise, the meaning is intended to include non-councillors, with or without voting rights, and council employees.
- A 'co-opted member' is a person who is not an elected member of the Council but who has been co-opted onto the Council, or a committee or sub-committee properly constituted by Council, by a majority of elected Councillors at a properly constituted meeting of Council and who is entitled to vote on any question that falls to be decided at any meeting of Council or that committee or sub-committee.
- A 'meeting' is a properly constituted meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.
- Unless otherwise expressed, a reference to a Member of the Council includes a co-opted member of the Council.
- Where gender specific wording is used, meaning is intended to be gender neutral.

**Definitions:**

- **GUPC** or '**Local Council**' or '**the Planning Consultee**' = Edgcott Parish Council
- **BCC** or '**Planning Authority**' = Buckinghamshire Council – Aylesbury Vale.
- **PVALPS** = The Proposed Vale of Aylesbury Local Plan Submission for period 2013 to 2033, pending adoption.
- **Affordable Housing** = Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. Homes that do not meet the above definition of affordable housing, such as 'low cost market' housing, may not be considered as affordable housing for planning purposes." (Reference; AVDC)
- **Footpath/footway/pavement** = a 'footpath' is a public right of way across fields; a 'footway' is a pedestrian route; a 'pavement' is a man-made route for pedestrians, e.g. beside a road
- **NPPF** = National Planning Policy Framework, introduced by the Government in Spring 2013.
- **PPG** = Planning Practice Guidance
- **HEDNA** = Aylesbury Vale Housing and Economic Development Needs Assessment,
- **HELAA** = Aylesbury Vale Housing and Economic Land Availability Report v.3, May 2016 formerly known as the Strategic Housing Land Availability Assessment (SHLAA) as required by the NPPF using guidance in the PPG.

**2 SCOPE**

In response to an unusually high number of large-scale planning applications in a short period of time and the prospect of within the Parish boundary, the Council has taken several measures to establish the views of local residents. These included holding a number of open, well attended public planning meetings, taking views direct from residents attending council meetings and from numerous direct contacts with councillors.

These views are incorporated into this Policy and Council now believes it can confidently represent the views of the majority of residents when considering large scale planning applications where the overarching, community-wide concerns they have expressed also apply to any given application proposed in the Parish.

In addition, Council has taken due regard of the proposed VALP submission - 2017, the NPPF, the local HELAA and HEDNA, other Planning Authority Policies and Statutes and precedent derived from previous planning decisions and appeals.

**3 POLICY****CP15.3a Policy Objectives**

1. To provide Councillors with a balanced, common approach to responding to invitations from the Planning Authority such as to convey residents' concerns regarding planning applications within the Parish.
2. To provide residents with a clear understanding of how the Council has arrived at its decisions;
3. To provide the Planning Authority a basis on which the Council will respond to their invitations;

4. To provide developers and applicants with those factors residents of the parish will consider important for sympathetic development of their community.

#### **CP15.3b Procedure**

1. On receipt of an invitation to comment from the Planning Authority, the Clerk will forward the request to all Councillors as soon as practically possible, highlighting the closing date for comments;
2. Councillors will seek the views of local residents directly, as appropriate, and also monitor all relevant Developer, Planning Authority and local resident input on the AVDC Planning web site up to three days prior to the closing date;
3. Given sufficient local concern, the Council may also call an open, public, planning meeting for residents to express their views and notify the developer/applicant of the venue, time and date of the meeting and its conclusions accordingly;
4. If the closing date for comments falls after the next meeting of Council, the application will be placed on the agenda for that meeting and the Council response formally agreed;
5. If the closing date for comments falls before the next meeting of Council, the Clerk will initiate the Rapid Response Protocol, three clear days prior to the closing date, to establish a majority response;
6. Having established the views of Council, the Clerk will complete the response invitation document together with any Council's Planning Response Statement (ref: CD18) and any other supporting documentation and submit it to Council for ratification prior to submission, by email, to the Planning Authority the day before the closing date to allow residents the maximum period for contacting their Councillors;
7. If the invitation requires a signature and in the unavailability of the Chair or Vice Chair, the Chair may authorise, directly and by exception, the Clerk to sign, by delegated power, given the Council's response has been duly obtained in accordance with the above;
8. In the Clerk's absence on critical due dates, the Chairman or Vice Chairman will initiate the response in due time.

#### **CP15.3c Factors in Weighing the Balance**

As a duly empowered representative of the residents of a small to medium village within the planning governance structure of Buckinghamshire Council, Edgcott Parish Council, having taken due regard of the NPPF directive to approve sustainable development, will not object to new housing development where it can be demonstrated that it;

1. does not represent a risk to the sustainability of Edgcott, Springhill and Kingswood, its environment or local infrastructure;
  2. does not represent a risk to the wellbeing, amenity, health or safety of the residents of Edgcott, Springhill and Grendon Underwood.
  3. is in accordance with all applicable statutory planning requirements of the PVALPS, HEDNA, HELAA and this Policy;
  4. fulfils all of the following criteria.
- a. The proposed development is located within the existing developed footprint of the village\* or is substantially enclosed by existing built development;

- b. The proposed development will not lead to coalescence with any neighbouring settlement;
- c. The proposed development is of a small scale (normally two dwellings or fewer - net) and in a location that is in keeping with the existing form of the settlement and would not adversely affect its character and appearance;
- d. The proposed development respects and retains natural boundaries and features such as trees, hedgerows, embankments and drainage ditches;
- e. The proposed development would not have any significant adverse impact on environmental assets such as landscape, historic environment, biodiversity, waterways, open space and green infrastructure;
- f. The proposed development would have no material effect on and can be served by existing infrastructure, including highways, schools, utilities, medical and emergency services.
- g. Any mitigation works proposed by the developer are seen as making a tangible contribution to a real improvement in the overall community affected by the development, that any such improvement is one that is actually needed and not merely a means of facilitating an approval of the planning application and which can be supported physically and financially with legal enforcement in perpetuity.

\*the existing developed footprint is defined as the continuous built form of the village and excludes individual buildings and groups of dispersed buildings. This includes former agricultural barns that have been converted, agricultural buildings and associated land on the edge of the village and gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the village

Conversely, Council will oppose any development that contravenes any of the above.