



OCCOLD PARISH COUNCIL

GUIDANCE FOR PLANNING DECISIONS

As the Council holds meetings on a regular basis please bear in mind the following pointers:

1. Planning matters are discussed during normal Parish Council meetings that are scheduled to last for no more than 3 hours and can only be extended at the Chairman's discretion.
2. The period of time designated for public participation at a meeting in accordance with the Council's Protocol for Public Participation in Council Meetings shall not exceed 15 minutes unless directed by the Chair of the meeting.
3. Verbal Questions / comments from the Public will be addressed to the Chairman and will not exceed 3 minutes in length and will only be extended at the Chairman's Discretion.
4. All members of the Committee should look at the applications on the agenda on the Mid Suffolk District Council website before the meeting:
<https://planning.baberghmidsuffolk.gov.uk/online-applications/>
5. If you do not know the sites, you might wish to familiarise yourselves with the locations but please remember to respect privacy and not to trespass on private land.
6. It is likely that councillors will, to some extent, rely on local knowledge of those who live closest to the sites in question. Google maps might be helpful too.
7. Take a look at the Local Plan on the Mid Suffolk District Council site:
<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>
8. Note that any objections need to be expressed in material considerations (see Appendix A), which includes referring to particular policies that Mid Suffolk District Council have adopted.
9. Please note that the Draft Joint Babergh Mid Suffolk Local Plan is out for consultation from July – September 2019.
10. Refer to the paper entitled Material Considerations if you are unfamiliar with the items that are covered under this term.
11. Take a look at the National Planning Policy Framework:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
this also works as a reference document for making objections on the basis of material considerations.
12. Be careful when expressing any concerns you might have at the meeting carefully. For example, do not make inappropriate comments about the applicant - however accurate!



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Appendix A – Material Considerations:

Material Planning Considerations

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. For comments to be effective, they must be planning considerations and related to planning legislation (which is to regulate the use and development of land in the public interest). The weight attached to materials considerations is a matter of judgement for the decision maker (i.e. the Local Planning Authority) however, they will be expected to demonstrate that in reaching that decision they have considered all relevant matters.

There may be further considerations, but these are the more commonly used:

MATERIAL CONSIDERATIONS – issues that may be relevant to the decision taken:

- Primacy of the Development Plan (Structure Plan and Local Plan)
- Planning policy guidance from central government
- Emerging policy in the form of central government consultation papers, white papers
- Relevant case law
- Pre-application planning consultation (carried out on behalf of or by the applicant)
- Design and impact on the visual appearance of an area – to also cover density; layout; design, appearance and materials
- Impact on a listed building or conservation area
- Impact on trees – including loss
- Impact on highway safety and the free flow of traffic – can include parking & traffic
- Existing use of the site and site features
- Prematurity
- Alternative site for development / fallback position
- Incompatible or unacceptable uses
- Precedent including previous planning decisions and appeals
- Resource, economic, social and cultural matters – including deficiencies & capacity
- Nature conservation
- Landscaping – can include means of enclosures
- Loss of sunlight
- Overshadowing / loss of outlook (to the detriment of a residential amenity)
- Noise or disturbance – resulting from use including hours of operation
- Smells and fumes
- Local financial considerations – S106 or CiL
- Human rights (as follows)
 - Article 6 Right to a fair trial
 - Article 8 Right to respect for private and family life
 - Article 14 Prohibition of discrimination
 - Article 1 of 1st Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject



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to the conditions provided for by law and by the general principles of international law.

IF AN IDENTIFIED PROBLEM FROM THE LIST ABOVE CAN BE DEALT WITH BY MEANS OF A SUITABLE CONDITION, THEN WITH REFERENCE TO THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF), THE LOCAL AUTHORITY IS REQUIRED TO CONSIDER THIS RATHER THAN BY ISSUING A REFUSAL.

NOT MATERIAL CONSIDERATIONS – issues that are not relevant to the decision

- Private issues between neighbours - property rights, boundary/access disputes, damage to property, covenants
- Ancient and other rights to light
- Right to a view or loss of a view
- Problems arising from the construction period (can be covered by Control of Pollution Acts)
- Effect on property values
- Competition
- Motives or personal circumstances of the applicant (unless relevant to the application)
- Matters covered by other Building Regulations or other non-planning legislation (e.g. structural stability, drainage details, fire precautions, licences)
- Previously made objections / representations regarding another site or application
- Factual misrepresentation of the proposal
- Opposition to principal of development if this has been settled by an outline planning permission or appeal