



South Swindon Parish Council
Planning Policy

To be adopted July 2021

Introduction

This guidance note sets out how South Swindon Parish Council will engage with parish residents when dealing with Planning Applications and explain how the Planning Process operates.

Planning Applications

A Planning Application is submitted to the Planning Authority, which is Swindon Borough Council by a developer or an individual. The Planning Application is given a unique number and the details of the Planning Application are placed on the Swindon Borough Council website. The address is

<http://pa1.swindon.gov.uk/publicaccess/search.do?action=advanced>

and then following the links to Planning Applications searches. There will sometimes be 2 numbers for the same address, one number prefixed LBC. This will mean that the plans also require Listed Building Consent.

Planning Application Process by Parish Council

Due to the number of planning applications received by the Parish Council it is not possible for the Parish Council to consider every planning application at its Planning Committee.

Planning applications received by the Parish Council will be circulated to the Parish Councillors which represent the ward(s) where the application is located. Any Parish Councillor may "call in" any application to be examined by the Parish Council's Planning Committee. Members of the public can therefore ask a Parish Councillor to "call in" a planning application on their behalf to be considered by the Committee. Parish Councillors who "call in" an application will be invited to attend the Planning Committee to discuss the application, or alternatively to submit a written statement which will be circulated to Committee members for consideration.

Large Planning Applications as defined below will always be examined by the Planning Committee the first time that the Parish Council receives the application. If a Large Planning Application returns for subsequent consultation (for example due to the application being revised or a decision being appealed) the Committee's Chair and Vice-Chair, in consultation with Parish Council Officers, will consider whether the application should be re-examined by the Committee. All Parish Councillors are also entitled to exercise their right to "call in" an application for discussion at any time.

In some circumstances the Parish Council may wish to submit a response without discussing the application in full at a meeting of the Planning Committee. This may include responses for minor applications, applications which the Parish have previously examined, or responses regarding a straight-forward point related to a Borough Council policy, a Parish Council policy, or national regulations. In these cases a response will be drafted by the Chair and Vice-Chair of the Planning Committee and brought to the next Committee meeting to be reviewed and approved before it is submitted.

The Parish Council may submit a response objecting to an application, a response supporting an application, or a response making a comment which neither objects to or supports the application (such as requests for further information).

Planning Committee Meetings

The Planning Committee of South Swindon Parish Council normally meets on a Tuesday evening. The Planning Applications that have been received by Swindon Borough Council and that are going to be considered by Committee are placed on the Agenda for the meeting. The

Agenda is placed on the Central Library noticeboard and on the Parish Council's website. The address is www.southswindon-pc.gov.uk

Public Attendance at Meetings

Members of the public are welcome to attend any meeting of the Parish Council. The public are given a 10 minute session at the beginning of the meeting where they can make representation regarding any Planning Application that is on the Agenda. This can be an objection or in support of a Planning Application.

The Parish Council considers it important that Parish residents should be allowed sufficient time to express their views at meetings of the Planning Committee. If there is not sufficient time in the 10 minute session for all the public to speak, the Chair of the Planning Committee may request from the Committee permission to adjourn the start of the formal meeting to permit members of the public to make representation of their views.

Once the formal meeting has started, the public are able to remain, but they can only observe the meeting and not speak.

Large Planning Applications

Large will normally be defined as in excess of 15 dwellings, or a retail or commercial development with an area greater than 150 sq metres, although this is flexible and this procedure should be considered for smaller developments where there is significant public concern about the proposals.

If a number of the public have attended for a large Planning Application, the group will be asked to put forward a spokesperson to put forward their concerns. Further speakers should make new points and not repeat the previous speaker.

When the Parish Council knows in advance that a Planning Application is going to be of interest to a large number of parishioners, the Clerk will arrange for an additional Planning Committee Meeting to be held where the only business on the agenda will be to determine the Parish Council's response to that Planning Application.

The public session may be extended (as described in 'Public Attendance at Meetings'). At the conclusion of the public session the Chair will sum up the concerns that have been raised before the start of the formal meeting.

Pre Application Discussions

For large Planning Applications the developers may request a 'pre -application' discussion with the Parish Council. These proposals will be treated as confidential by the Parish Council unless the developer has indicated that they are happy that details are shared with the public.

When this appears on the Agenda of a Planning Committee Meeting, the public are able to give their views at the beginning of the meeting (as described in 'Public Attendance at Meetings'), but they will not be able to stay and listen to the discussion by the Parish Council.

There are strict rules to be followed by the Parish Council when giving their decision on Planning Applications. One of the most important is called predetermination. This means that the Parish Council can only discuss a Planning Application when it is on the Agenda and they have the plans before them. If the Parish Council decided to support or object to a Planning Application at a meeting and before they had seen the plans, then this would be considered predetermination. The Parish Council would then give up their right to comment on the Planning Application. It is very important that this does not happen.

For large Planning Applications, the Planning Authority will require the developer to have held public consultations ahead of submitting their Planning Application. This could be through the Parish Council by attending a Planning Committee Meeting or on their own by an exhibition or meeting.

Residents that have concerns over large Planning Applications are invited to provide contact details, preferably email address, to the Clerk so that they can be notified of significant events or dates.

Planning Decisions

The decision of the Planning Committee is given to the Planning Authority and it is Swindon Borough Council that decides whether to grant the Planning Permission.

The decision of the Planning Authority may be made by a Planning Officer, if it is a small Planning Application or the Planning Committee for larger Planning Applications.

The Parish Council has the right to request that a Planning Application is determined by the Planning Committee at Swindon Borough Council if they can demonstrate that there is an important issue of principal in their objection to the Planning Application. Parish Councillors will then attend the Planning Meeting at Swindon Borough Council to support the view of the Parish Council.

Whilst the views of the Parish Council and Swindon Borough Council may coincide, that is not always the case. An assumption should not be made that the decision of the Parish Council will be followed by the Planning Authority.

Conduct of Parish Councillors

Parish Councillors are free to share any information that is within the public domain with residents. Any document submitted with an application, unless marked 'confidential', 'commercially sensitive' or similar and any document published on Swindon Borough Council's 'Planning Public Access' webpages are considered to be in the public domain.

Parish Councillors are free to engage with residents, residents groups etc. and may express their own views on the merits of any application. They may not give any indication as to the likely response of the Planning Committee before an application is considered by that Committee.

Swindon Borough Council Planning Meetings

When the Parish Council has asked for a Planning Application to be determined by the Planning Committee at Swindon Borough Council or for larger Planning Applications determined by Committee, the Parish Council is expected to attend the Planning Committee meeting to put forward the views of the Parish Council.

This would normally be the Chair of Planning Committee. However, the Chair may decide that another Councillor might be better placed to put forward the views of the Parish Council and the Chair has the authority to invite that Councillor to speak on behalf of the Parish Council.

Other Councillors may attend the meeting and speak, but they must make it clear that they are giving their own views (which could be as a Parish or Borough Councillor) and that they are not representing the Parish Council.

This is particularly important when a Borough Councillor is speaking on behalf of the Parish Council. They must ensure that the Parish Council response is kept separate from any views that they may wish to express as a Borough Councillor.