

Bamburgh Parish Council – Planning Applications Guidance Notes

What powers does Bamburgh Parish Council have with respect to planning applications?

The Parish Council is a statutory consultee meaning that the Planning Authority, Northumberland County Council, must consult the Parish Council on planning applications relevant to the Parish. Any views expressed by the Parish Council will be taken into account by the Planning authority before a decision is made, providing these are relevant to the determination of the application.

The final decision is made by the Planning Authority, not the Parish Council.

How does the Parish Council respond to planning consultations?

The Parish Council can only comment on a planning application in the same way as any individual can. When consulted, the Planning Authority gives a period, (usually 21 days), for comments to be received. The Parish Council can request an extension to this period so that proper consideration can be given to the application. Whilst an applicant may ask to discuss an application with the Parish Council it is important to note that, what the Parish Council is being asked to comment upon, are those plans and documents submitted with the application and lodged on the planning portal, and not what an applicant may tell the Parish Council.

Effectively, the Parish Council can respond in 3 ways, to support an application, to comment on the application or it can object to the application.

Parish Councils can only agree to comment on planning applications in properly called Council or Committee meetings which the public can attend. The response is submitted to the Planning Authority by the Parish Clerk.

Only points which are relevant to the determination of the planning application, known as 'material considerations', will be considered. Many of these are contained in National planning guidance, the Northumberland local plan and our local North Northumberland Coast Neighbourhood Plan. Additionally replies from other statutory and non – statutory bodies, such as the Environment Agency, Highways Authority, National Landscapes (formerly AONB), may be relevant. There are many other relevant considerations including: -

- Effects on specially designated areas or buildings such as conservation areas, listed buildings, ancient monuments, and sites of special scientific interest.
- Effects on an area, including overdevelopment, layout, design, and external appearance.
- Effects on individual buildings such as loss of light / privacy, noise, disturbance, or smell.
- Representations from neighbours, amenity groups and other interested groups so long as they relate to land use matters.
- Effects on public service such as drainage and water supply.
- Nature conservation issues such as protection of badgers, newts, bats etc. Effects on trees and hedgerows.
- Flooding or pollution risks.
- Planning history including existing permissions and appeal decisions.
- A desire to retain or promote certain uses such as playing fields, village shops or pubs.

It is important to be recognised that, in many cases, parish councillors do not have the expertise to decide on some matters and that these are the subject of scrutiny by the appropriate agency or County officer. If the Parish Council have a legitimate concern, they may object to a proposal subject to the approval of the appropriate agency or officer. Equally, they may challenge opinions where these are regarded as subjective.

Irrelevant Reasons for Objection

There are certain matters which do not amount to 'material planning considerations'. These matters cannot be taken into account in considering a planning application and should not be included in objections as they weaken the objection.

- Speculation over future use
- The identity of the applicant or owner
- Unfair competition
- Boundary disputes
- Breach of covenants & personal property rights, including personal (not public) rights of way
- Loss of private view (except of a listed building)
- Devaluation of property
- Other financial matters
- Matters controlled by other legislation – such as building standards or fire prevention
- Religious or moral issues – such as betting shops and amusements arcades
- The fact that the applicant does not own the land where the development is proposed
- That the development has already been carried out and the applicant is seeking to regularise the situation. People can carry out development at their own risk before getting planning permission
- The developer's motives, record, or reputation

Other Matters – Concerns and Issues

The applicant has to provide enough information for the application to be determined. They do not have to provide every detail because certain matters can be resolved by way of conditions included as part of the permission. Because of this, certain matters may not be considered 'objections' but it is entirely reasonable to raise concerns on such issues as proposed materials and colours, or the exact nature of planting or boundary treatment. These are frequently made subject to condition that details are provided and approved before the development proceeds. If a development is permitted, invariably the main condition is that the development shall be carried out in complete accordance with the approved plans. It is also a usual condition that the development must commence within 3 years of approval.