

Bomere Heath and District Parish Council (BH&DPC)

Planning Procedure & Policy



Version History			
Version	Date	Detail	Author
1	March 2018	New policy	M Speak / D Harmer
2	October 2023	Revised Policy – including larger developments	D Harmer / C Mason / C Stockton
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Planning Procedure and Policy

Introduction

The aim of this document is to outline the procedure which any planning application must follow and the role of the Parish Council (Hereinafter PC) in considering and commenting on any such application.

Planning Procedure

When you need planning permission:

- to build something new
- to make a major change to your building eg. Extension
- to change a use of your property

The Planning Process

Step 1 – The Application

In the first instance, applicants (where required to under statutory planning guidance) must make application to Shropshire County Planning Authority. Although it is true that some alterations and extensions may not require planning consent and will be classified as Permitted Development, it is always advisable to contact Shropshire County Planning for advice and to avoid expensive errors, as each case is unique.

Step 2 – Notification

When a local planning authority receives a planning application it is a legal requirement to publicise it. Notices that can be seen by passers-by must be posted at the site and adjoining properties notified. For any applications for large developments there must also be a notice included in the local newspaper. We also recommend a small advert in the Bomere Heath Parish News (contact number 01939 290200).

Step 3 – Consultation

It is current practice that Shropshire County Council will advise neighbours with a common boundary to the site as well as the Parish Council and other organisations such as the Local Highways Authority, Severn Trent Water Authority, Natural England for wildlife issues and the Environment Agency.

Step 4 - The Parish Council (PC) Procedure

Shropshire County Council Planning Authority appoint a planning expert to oversee each planning application, ultimately it will be this department that will decide the outcome of every application. The role of the PC throughout the process is primarily to deliberate and to comment based on predetermined local matters of importance.

It is generally considered by the Planning Authority that Parish Councillors are geographically and socially closer to each development and therefore more in touch with the needs of the area, the sustainability of each project and its effect on the aesthetic, cultural and social growth of any development. The PC can facilitate representations at the PC monthly meetings and if deemed necessary will arrange site meetings. It is not uncommon for a planning decision to be made by the County

Authority that goes against the deliberations and decisions of the PC. The final decision rests with the Planning Department..

Step 5 - Duration of the PC deliberations

The clerk to the PC will receive a notice of application and then the PC has 31 days to discuss and comment. Councillors are apprised immediately and can discuss and comment on it on the lead up to and during a monthly meeting. All councillors can access applications on the Planning Portal: www.shropshire.gov.uk/planning

If such an application arrives shortly before a monthly meeting with insufficient time for deliberation, and if necessary, voting, then a short extension can be arranged. Please note that the Parish Council break for summer and don't meet in August.

It is the PC's position, that for any application received during this time for the PC to request an immediate without prejudice extension until September. This is particularly done with larger developments.

Step 6 – The Right to Representation

An applicant and any persons affected by the application may request to address the PC in order to support or object to it. Should you wish to address the Parish Council please contact the clerk via email: **clerk@bomereheath.co.uk**

Transparency

Any councillor with previous acquaintance with those associated with any application must declare an interest and withdraw from this specific process. The PC have committed to arrive at planning decisions impartially and without bias or prejudice.

Step 7 – The Parish Decision

The PC can make one of three comments on the County Planning website electronically:

1. Support
2. Object
3. Representation (or Recommendation)

The third category is to allow the PC to make recommendations for the application to be modified – for example, should the PC feel that the number of houses on a development ought to be reduced, or in the case where neighbours would be overlooked, a window should be removed or obscured. The Parish Clerk or a designated councillor is responsible for making decisions known on the planning site of the County authority. The comments will also be reported in the approved minutes.

Step 8 – The Appeal Process

Under normal circumstances, an applicant has six months to appeal any decision. The appeal may take several months as a government expert is appointed to oversee the process and make the decision. His or her decision is final and will be influenced by national policy. For more information contact Shropshire Council at:

<http://www.shropshire.gov.uk/planning>

Larger Developments

The PC strongly encourage any larger or more contentious developments, including any multi-dwelling exception sites to engage with the PC and members of the community, specifically those most likely to be impacted, to ensure that a good level of collaboration is absorbed into the design and application process. We would also advise that a Pre-Application to Shropshire Council be undertaken for larger developments.

In recent years, developments without sensible and effective communication and engagement with the community has led to large numbers of objections.

Efforts of engagement for larger developments are reviewed when the PC review the application.

What can the PC comment on?

The Parish Council has a limited scope on what it can comment on, these are defined as "Material Considerations". We have shared the list that the Planning Authority recognise as the key considerations. They can include (but are not limited to):

- **Overlooking/loss of privacy**
- **Loss of light or overshadowing**
- **Parking**
- **Highway safety**
- **Traffic**
- **Noise**
- **Effect on listed building and conservation area**
- **Layout and density of building**
- **Design, appearance, and materials**
- **Government policy**
- **Disabled persons' access**
- **Proposals in the Development Plan**
- **Previous planning decisions (including appeal decisions)**
- **Nature conservation**

However, issues such as loss of view, or negative effect on the value of properties are **not** material considerations.

There is no set list defining material considerations, your Local Planning Authority will decide what is deemed to be 'material'.

Planning Policy

Planning policy is responsible for shaping development and sets out the plans and aspirations against which planning applications are determined.

National Level

National planning framework (NPPF) published in March 2012, replaces previous national policy documents.

Local Level

Perhaps the most important influence on Parish Policy is the result of the Community Led Plan (CLP) which was elaborated through 2016-2017 and completed in autumn 2017.

CLP Key Findings taken from the Bomere Heath CLP executive summary autumn 2017 (available at <http://www.bomereheath.co.uk/community/bomere-heath-district-parish-council-10134/clp-summary-findings/>)

1. 57% of respondents want no further large-scale housing development. Of the 43% who accepted some housing growth, nearly all respondents preferred new houses to be small, one or two-bedroomed dwellings. These results must underpin Parish Council Policy for the period up to 2036.
2. 42% of respondents favoured Bomere Heath as the prime location for supplementary housing.
3. A majority of the respondents accepting further development agreed that affordable rental and shared purchase properties should be considered.
4. Nearly all respondents wanted houses in keeping with the existing property stock.
5. Concerns were raised regarding loss of green belt land and emphasised:
 - improvement of roads and infrastructure required
 - strain on existing services and amenities
 - concern for loss of identity as a rural village

SAMDev DECISION

In 2015 the county plan known as SAMDev (Site Allocation and Management Development) was completed for the period up to 2026. Bomere Heath village was designated a 'Community Hub' with an agreed total of up to 50 properties to be built up to 2026.

The SAMDev numbers include the current 34 housing development on Shrewsbury Road and several other small building projects and therefore has already been exceeded, as the accompanying article clearly shows.

Some of the surrounding hamlets were given the status of 'Community Clusters' and agreed development of up to 25 houses in the same period. This number too, has been largely exceeded – imposing excessive strain on some hamlets such as Walford Heath. The PC shall consider this when reviewing applications.

LOCAL PLAN

Currently (October 2023) the local plan for the period 2026-2036 is being drawn up. Councillors would like Bomere Heath village to be granted 'Cluster' status (not 'Hub') but this is in the hands of county planners and unlikely to change. The current policy of BH&DPC is to resist large-scale development above the 50 houses already approved. This decision is considerably strengthened by the lamentable state of the road infrastructure leading into and out of the village. Unless the main roads leading in all compass directions to and from the village are widened and strengthened there should be no question of increasing traffic flow especially given added problems of areas of excessive speeding. The construction of the North-West relief road will eventually impact on the current situation.

Summary of Policy

In conclusion, the following are the guiding principles framing Parish Council policy:

- Resist all large-scale development of 20+ houses within the parish.
- Consider affordable housing projects more favourably than commercial, open market development.
- Acknowledge that the SAMDev numbers have now been exceeded beyond the agreed level.
- Carefully consider any impact on existing infrastructure with special regard to road problems (narrow, twisting sections, accidents, speeding)
- Consider small infill projects in keeping with surroundings.
- Consider the sustainability of projects (strain on or strengthening of existing facilities)
- Maintain the values of community spirit and a rural village identity.

For additional information concerning current housing policy, please go to the 'Planning' section on this website or use the link below:

<http://www.bomereheath.co.uk/planning>

or follow us on Facebook at Bomere Heath Parish Council.