



Thurlaston Parish Council

**Planning Subcommittee Terms of Reference
and
Planning Application Assessment Procedures**

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Version	Author	Date	Review date
V1b	Helen Creery	Jul 2019	Mar 2020
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Overview

Thurlaston Parish Council (TPC), as part of its operating procedures, has in place a Planning Subcommittee which comprises all Parish Councillors who are asked to study and provide comments on all planning applications, from modest applications made by property owners within the Parish to major planning applications and projects which fall under the umbrella of the Rugby Local Plan. Rugby Borough Council (RBC) proposed developments do not necessarily appear on the Rugby Planning portal; for example new schemes may be issued as consultation documents.

Major developments will be brought to the attention of the Chairman of the Planning Subcommittee who, in conjunction with the Chairman of TPC, will decide how individual proposals should be managed.

TPC delegates power to the Planning Subcommittee to assess each planning application and decide on respective actions and the formulation of assessment reports. TPC planning assessment reports are sent to the Parish Clerk/Responsible Officer who will forward these to the relevant RBC planning officer.

It is the role of the Subcommittee to collate the opinions of Councillors, and on occasion, applicants and neighbouring residents who may be affected by application proposals. Guidance pertaining to planning assessment criteria is included as an annex to this document.

New applications are generally received by the Parish Clerk; however the Chairman of the Planning Subcommittee will regularly check for new applications on the planning portal on the RBC website.

Planning Subcommittee

1. The Planning Subcommittee membership normally comprises all TPC Parish Councillors with the exception of the Chairman of the Parish Council. A Subcommittee Chairman will be appointed at each TPC Annual General Meeting.
2. The Subcommittee will conduct its business in line with TPC's standard protocols.
3. The Chairman, or his/her nominee, will convene planning meetings as and when necessary.
4. Any member of the Subcommittee can preside by agreement in the Chairman's absence. A quorum will be a minimum of two members. Where there are requirements to assess collective opinions on matters, and seek a majority viewpoint, the Chairman will have a casting vote should this be necessary.

5. In normal circumstances meetings of the Subcommittee will be held as closed sessions. These do not preclude the Subcommittee from inviting relevant members of the public attending where they have specific interests in a planning application.
6. The Subcommittee will use relevant guidance¹ in assessing proposals. Planning objections must be based on planning regulations (e.g. material considerations) and not solely on personal opinions.
7. The Planning Subcommittee reports to TPC. Copies of planning assessments will be provided for information.
8. TPC delegates financial power on planning related expense up to an annual limit of £500. Where expenditure is expected beyond this limit it must be referred to TPC to obtain authorisation.

Procedure

1. The Parish Clerk will circulate all incoming applications by RBC reference number to all Councillors via email. Application details can be viewed on the RBC planning portal.
2. Under normal circumstances the Chairman of the Planning Subcommittee will provide a preliminary assessment of each planning application and decide how best to undertake an assessment. This may/may not require a formal session of the Subcommittee. Any proposed action will be communicated to all Councillors. This will include arrangements for assessing individual applications, where appropriate this may include site visits.
3. Individuals' comments should be sent to the Chairman of the Planning Subcommittee by noon 7 days prior to RBC's closing date for submissions.
4. The Subcommittee will collate opinions from Councillors and all affected parties, as necessary, and formulate a response report for submission to RBC. In order to meet RBC reply deadlines, members of the Subcommittee must either agree to the draft report or disagree giving their reasons for their disagreement within 48 hours of receiving the draft. If no further comments are received then it will be assumed that Planning Subcommittee members are content with the proposed report.
5. Any amendments will be re-circulated for approval to gain a final consensus that the wording is a '**Final Parish Council decision**'.
6. Should the TPC or its Parish Clerk become aware of any material change to an application during the consultation process, such information will immediately be promulgated to all Councillors. The Chairman of the Planning Subcommittee will then consider whether changes are required to a previously submitted report and

¹ LGA: A Councillor's Workbook on Planning
NPPF: National Planning Policy Framework
WALC: Warwickshire & West Midlands Association of Local Councils

consult Subcommittee members as deemed appropriate. It is recognised that full consultation may not always be possible due to time constraints imposed by RBC.

7. The Parish Clerk will forward the Planning Subcommittee report to the responsible planning officer within RBC's Development Team.
8. A copy of the report will be uploaded to the TPC website by the website administrator as part of TPC's transparency commitment.

Annex: Planning Application Assessment Guidance

Parish Councils are not Planning Authorities. Parish Councils are only statutory consultees in the planning process. Parish Councils cannot approve or reject planning applications. The length of time taken to determine a planning application is governed by the local planning authority (RBC) not TPC. A Parish Council can request that it be given extra time to comment on an application. The decision whether this is granted rests solely with the planning authority.

The following information should be taken as guidance. From time to time national and local guidance and rules may change, and members of the Planning Subcommittee should seek to use best endeavours to ensure their considerations are valid and accurate.

Valid reasons for comment on a Planning Application

Comments that are clear, concise and accurate stand more chance of being accepted than those that are not. When planning applications are considered, the following matters can all be relevant. These are referred to as 'material planning considerations':

- Overshadowing and loss of light.
- Over dominance for the locality.
- Noise disturbance, smells, obtrusive lighting or other impacts on amenity.
- The planning history of a site.
- Impact on the character or appearance of a Conservation Area and Listed Buildings.
- Effects on an area - this includes the character of an area, availability of infrastructure, density, over-development, layout, position, design and external appearance of buildings and landscaping.
- National planning policies and guidance.
- RBC planning policies and guidance.
- Impact on important trees.
- Effects on existing tree cover and hedgerows.
- Public rights of way.
- Highway safety issues - such as traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians, cyclists and horse riders.
- Car parking provision and standards.
- Public services - such as drainage and water supply.
- Flooding and/or pollution issues.
- Loss of important open spaces.
- Public proposals for using the same land.
- Loss of important community facilities.
- Proposed landscaping.
- Prevention of crime and disorder.

- Precedent - but only where it can be shown there would be a real danger that a proposal would inevitably lead to other inappropriate development (for example, isolated housing in the countryside).
- Relationships to local development plans.

Irrelevant Reasons for Planning Refusal

- Speculation over future use.
- The identity of the applicant or occupant.
- Questioning the applicant's motives or morals.
- Unfair competition.
- Boundary disputes.
- Breach of covenants and personal property rights, including personal (not Public) rights of way .
- Loss of a private view.
- Devaluation of property.
- Matters controlled by other legislation - such as internal space standards for dwellings or fire prevention.
- Religious or moral issues.
- The fact that the applicant does not own the land to which the application relates.
- The fact that an objector is a tenant of land where the development is proposed.
- The fact 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.