

Cheshire West & Chester Borough Council **Planning Applications**

As a statutory consultee, a Parish Council will receive notification from Cheshire West and Chester Borough Council (CWaC) Planning Authority of planning applications within their parish boundary.

A Parish Council would normally discuss any application and then submit their comments back to the planning Authority.

In the decision making process, the Parish Council's comments do not carry any more weight, than any individual person's comments.

A decision to approve or refuse an application is normally made through delegated powers by a Planning Case Officer, who is appointed by the Planning Authority to consider the specific application.

Applications are assessed against the National Planning Policy Framework (NPPF), CWaC's Local Plans, and Supplementary Planning Documents (SPDs), and Neighbourhood Plan policies.

The decision will be made after the Planning Officer has considered all material aspects relevant to the application. This consideration does take account of all comments submitted from a number of Statutory Bodies and the general public. They will then, under their delegated powers, either grant or refuse the application.

For objections to be considered as relevant and carry weight in the decision, they must be based on material planning reasons. (See list below) It is not acceptable for a statutory body or an individual to say they just don't like the application.

Not all applications are decided by the Planning Officers, and there is a CWaC Planning Committee consisting of a number of elected Ward Councillors who convene on a monthly basis to determine the more complex applications.

Certain types of applications, (e.g. all mineral applications, developments with over 200 dwellings, and applications with CWaC ownership or interests) are automatically sent to the Planning Committee for a decision.

In addition, elected Ward Councillors have the right to request a "call in" for applications to be determined by the planning committee.

The decision to allow other applications to go to the committee, lies with the Head of the CWaC Planning Authority and the Chairperson of the Planning Committee, after establishing there are valid material planning reasons for it to proceed to the committee for determination.

If the application is to be decided by committee, then the ward councillor is able to attend the public open session and speak for 5 minutes, alongside a Parish Council representative, an objector and a supporter, who all have the right to speak for 3 minutes.

All planning applicants have the right to appeal against the decision of the committee or any conditions imposed on the application they do not agree with.

Appeals are heard by an independent Planning Inspector, who has been appointed by the Secretary of State, and can be decided by way of either, written representation, a public hearing or a public inquiry.

Material Planning Considerations

The following issues would be considered as material and relevant to the decision made for against planning applications:

- Access & Traffic
- Ecological Impact
- Economic Impact
- Health & Safety including Fear of Crime
- Privacy & Loss of sun and daylight
- Noise & Smell
- Visual Impact, Design & Alignment with Village character
- Planning History & Related decisions

Non-material

The following issues would not be considered as relevant to the decision:

- Loss of an individual's view
- Who the applicant is
- Who actually owns the land?
- Private rights e.g. shared or private access drives
- Any perceived effect on property values
- Impact on other businesses i.e. more competition
- Whether there is a better use for the site
- Restrictive covenants that are in place
- Change from previous schemes
- What the applicant will do next
- The number of individuals objecting or supporting the application

No Mans Heath Parish Council Representation

No Mans Heath Parish Council have previously considered the application 19/03675/FUL - Change of use from residential (Use Class C3) to residential institutions (Use Class C2) including external alterations at Council Houses, Cholmondeley Road, Hampton and submitted material comments and observations that reflect the residents' concerns.

The Councils comments can be found on the CWaC Planning Portal at the following address: <https://pa.cheshirewestandchester.gov.uk/online-applications/applicationDetails.do?activeTab=consulteeComments&keyVal=PYUNDTTELYQ00>

Residents are encouraged to make their own comments. This can be achieved by E-mailing: planning@cheshirewestandchester.gov.uk

It is advised that any comments being submitted focus on the material planning considerations, keeping a short and precise as possible, whilst leaving out any personal emotional sentiments.

Although residents' comments will be considered against this application, they will not be visible on the planning at this moment. This is due difficulties complying with the national General Data Protection Regulation. (GDPR)

However, CWaC are currently working on solutions to enable all comments submitted against applications, to be visible on the portal again in the near future, without compromising any individual's identity.

Our current Ward Councillor, has requested that the application is determined by the CWaC Planning Committee.

Planning Web Site to search for applications:

<http://pa.cheshirewestandchester.gov.uk/online-applications/>

Enter the planning application reference number or a key word

Chris Whitehurst

CWaC Planning Committee Member May 2015 – April 2019