

District Council report April 2024

From Monday (8th April) planning officers will no longer be sending 5-day referrals to respective Ward Members should the officer recommendation be different to that of the host Town/Parish Council or Meeting. As a result, it means that for applications where you have previously made a response but the case officer recommendation is different, these will no longer be referred. In order that you are able to have opportunity to review these earlier applications in light of the amendments to the Constitution, Town and Parish Councils and Parish Meetings are being given time to review these specific applications to assess whether you think the Ward Member(s) should assess whether it meets the requirements to require Planning Committee to determine it. Please note the attached list does not indicate one way or another what the recommendation might be.

The list of applications is attached to this email. Not all applications under consideration are included as some will automatically be taken to Planning Committee e.g. those where the Council has an interest or those which have already been identified for Planning Committee. The list has been sorted into Town/Parish order in order to assist you.

When you are reviewing these applications, I would suggest that you take account of section 8.0 of the Protocol which the Ward Member(s) will also need to consider in relation to referrals, copied below for assistance:

3. A referral request **must be** based on the following circumstances:-

- a) *The application has attracted an unusually high level of public interest raising material planning considerations to the development being considered, which might be reflected in the number of letters or emails, or a petition received in connection with the application;*
- b) *There has been a recent and significant change of planning policy (either at national or local level) which would result in a different recommendation being made in respect of an application than would previously have been the case;*
- c) *The application has wider ramifications of more than just local interest;*
- d) *Any other reasons based on individual planning merits and circumstances of the application;*
- e) *For referrals by Adjoining Ward Members where the application, in their opinion, would have a material planning impact on the whole or part of their ward (8.1) the referral request shall include a reason or reasons as to how the application will have a material planning impact on their Ward.*

4. A referral **should not** be made in the following circumstances:-

- a) *To resolve a disagreement between an applicant and the objector(s) to an application; or*
- b) *Because the applicant considers that there is more likelihood of a grant of permission if the application is referred to the Committee for a decision; or*
- c) *Because the objectors to an application consider that there is more likelihood of a refusal of permission if the application is referred to the Committee for a decision; or*
- d) *Because the applicant/objector does not agree with the advice given by a Planning Officer.*
- e) *Ward (or Adjoining) Members who have referred an application to Planning Committee are able to speak to the Planning Committee in accordance with the procedures set out at Section 11.0 Consideration of Business on the Public Agenda.*

In order to ensure we are able to make timely decisions on the applications, it has been agreed with the Chair of Planning Committee that we will need to receive any referral request from Ward Members within 10 working days i.e. on or before the close of business on the 19th April 2024. I am aware that in some instances there are single Ward Members for an area who might not be available (e.g. they are out of the country) – in this situation I would suggest that you speak to an adjoining Ward Councillor to explain the situation and ask them if they are able to act on your behalf.

Cllr Penny Rainbow
District Council member, Southwell