



## **PROCEDURE FOR COMMENTING ON PLANNING APPLICATIONS**

This document is to inform Councillors and residents how Aston Rowant Parish Council (ARPC) review planning applications received from South Oxfordshire District Council (SODC). ARPC are consultees only and do not approve or refuse an application, but are invited to give their view as part of the SODC process.

- On receipt of a planning notification, details are put on the ARPC website.
- The Clerk emails all councillors with the link to the SODC Planning Portal for them to read and assess the application, plus a note of when our response should be submitted.
- The Clerk or Chairman may post information regarding planning applications on KBAR or via any other means of approved communication, if the application will prove contentious.
- Any Councillor with a direct link to the application must declare an interest at this point and they cannot participate in any discussion or vote. See note 1.
- Councillors should keep an open mind and view any application in a local context, consider the local impact as well as the wider benefits or issues associated with development. They should consider the benefits and/or the harm to the whole community and not just the immediate residents or applicant.
- Councillors are asked to fully consider the application and read the applicants submission documents in full. They should also consider comments and issues raised by neighbours and other residents. They may arrange a site visit and discuss the application with neighbours. Councillors should take all the relevant information into account when making their decision and should vote using their own judgement after considering all the facts and should not vote on behalf of other people.

- If the application is for a large development of 5 or more houses or a large-scale building, then the Chair will seek to have an ‘open meeting’ where the plans are laid out and residents can come and view the plans and give their views to the PC. The Chair will ask the applicant or developer to make a presentation and answer questions, but we cannot compel them to attend.
- We may hold 1 or 2 of these types of meetings. At no point in these meetings should any Cllr express a view or opinion on the application.
- During this time no Councillor should comment on the application in public, but it can be discussed between Councillors.
- The PC will seek residents’, neighbours’ and the applicants’ views on any issue that may be relevant or to seek clarity on any issues that arise.
- Residents should make any comments on the application, for or against, via the dedicated SODC Planning Portal, not to the Parish Council. While we are there to listen to residents views and opinions, we submit our own comments and cannot do so on behalf of individuals.
- Following an open meeting the PC may decide to suggest modifications or alterations to the plans and should try and resolve any issues with the applicant where possible before submitting a response to SODC. This may require members of the PC meeting with the applicant and asking for changes to be made.
- If the majority of Councillors vote “Should Be Approved” at the next meeting no further discussion is needed in the meeting unless a Councillor wishes to add a condition or comment.
- If the majority of Councillors vote “Should Be Refused” the Chair presents the application and summarises during the meeting the reasons for refusal and where necessary refers to relevant policy. Councillors can then discuss the reasons for refusal and add or remove any they do not agree with if they wish.
- Following the PC meeting the Clerk submits the agreed response to SODC and puts a notice of all current and recent planning applications into the next Parish Notes magazine.
- At all PC meetings the Councillors will be open to hear views from all sides but no one other than Councillors can discuss and vote on an application.
- Unless a specific meeting has been called as above, members of public have an opportunity to comment on a planning application in the “Open Forum” session at the beginning of each meeting. Their comments can then be considered by Councillors during the meeting.

- Councillors should not express an opinion on any planning application until the Clerk has issued the PC's decision to SODC. After the PC's comments have been submitted, Councillors are entitled to submit their own personal comments to SODC (Making it clear that they do not necessarily reflect the Parish Councils response) but should remain open minded and willing to change their view if new plans or information is submitted subsequently.
- Any questions regarding a planning application are to be directed to the Clerk and a response issued as soon as possible. Note that the PC only meet once a month and if the reply needs discussion then the reply may be issued after the following PC meeting.

All councillors should ideally have had training by attending a course (such as those run by Oxfordshire Association of Local Councils) or from an SODC planning officer.

NOTE 1: Councillors must declare an interest if either a member of their family or a close personal friend is making the application, or if they will be affected financially and having done so, they must not take part in any discussion (usually achieved by stepping out of the meeting for the duration of any discussion/vote) and will not be able to vote. Councillors must decide themselves if a friend or neighbour is involved and they must satisfy themselves that they can make an unbiased decision.

NOTE 2: Councillors do not have to comment in meetings, they do not have to answer questions from the public directly and any questions that residents do pose to the PC should go through the PC Chair and will be addressed at the next meeting.

NOTE 3: If SODC are minded to approve a planning application for a development, or an application is won from the independent appeal process, a contribution of funding comes from the developers. This Community Infrastructure Levy (CIL) contribution is a direct initiative from Central Government and does not affect statutory rights of the PC or SODC in the decision process.

SODC receive the payment from the developer and the PC will be entitled to 15% of that amount if they do not have an adopted Neighbourhood Development Plan, or 25% if the NHP is adopted and finalised. The PC can then use this for whatever project they need.

Section 106 agreements (based on that section of the 1990 Town & Country Planning Act) are legal agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable. These payments are also direct to SODC from the developer and go towards libraries, transport etc.

**Adopted at the Parish Council Meeting dated 13th February 2019.**

**Revised at the Parish Council Meeting dated 13th September 2023.**

**Revised at the Parish Council Meeting dated 8<sup>th</sup> April 2026.**

**To be reviewed every two years or when legislation dictates.**