

Briefing note for parish councils: proposed changes and clarification to the planning consultation processes

Parish and Town Councils are important consultees to the planning process. The views expressed by local councils in many cases represent the community voice in respect of development proposals and are influential. In 2016 for example, the Parish Council view aligned with Shropshire Council's view in 87% of cases. Effective communication between the Parish Council and Shropshire Council as Local Planning Authority is critical to the delivery of an efficient planning service and it is in this context that the following proposals have been developed.

1. Increase in consultation period for parish councils for planning applications from 1st March 2017

Parish and town councils are notified on planning applications and there is a 21 day period provided to make representations, which is consistent with other consultees. We are proposing to increase the consultation period in respect of planning applications from 21 days to **31 days**. The proposed change will not apply to notifications in respect of works to Trees in Conservation Areas (TCA) which have a shorter response time. Parish councils will still be able to request an extension of time to allow comments to be submitted, however this should be the exception and each request will be considered on an individual basis.

Why are we doing this?

- To enable more parish/town councils to make representations within the application timescales;
- Comments received within the consultation period can be taken into account early on in the assessment process by the case officer;
- It reduces the workload for clerks and officers in requesting and processing the requests for extensions of time.

What are the options if the parish does not have a meeting scheduled in the consultation period?

- Extraordinary meetings can be arranged to consider the application;
- Some parish/town councils have a smaller planning committee which meets more frequently to discuss planning applications;
- Parish/town councils can delegate responsibility for responses to an officer, i.e. the clerk;
- Shropshire Council will nevertheless take into consideration any comments received prior to a decision being taken.

2. Electronic communication with parish & town councils, the preferred method of communication from 1st June 2017

Whilst 70% of parish councils make representations to Shropshire Council electronically via the online planning register, "Public Access" only 30 parish councils currently receive planning

application notifications electronically, the remainder receive paper consultation letter and copies of plans posted to the parish clerk.

We are proposing that from **1st June 2017** all parish & town councils will be notified of planning applications from Shropshire Council by email to the clerk **unless we receive written confirmation from the parish council by April 30th** that this would not be possible to accommodate. Parish councils will no longer receive a paper copy of planning applications, plans and associated documents and will be emailed with a link to each application on our Public Access website: <https://pa.shropshire.gov.uk/online-applications/>

We will also be encouraging the remaining 30% of parish council's to send their consultation responses electronically via Public Access. Other council's locally have already successfully implemented electronic consultation including Telford and Wrekin, Powys, Hereford and Cheshire East.

What are the benefits of electronic communication for parish and town councils?

- Save the parish council money and time by emailing links to applications to councillors rather than handling the paper files;
- Public Access web pages have the most up to date information about all current applications, including comments from other interested parties including local residents;
- Enable compliance with the Data Protection Act <https://www.gov.uk/data-protection/the-data-protection-act> by not keeping paper copies of applications in councillors / clerks homes;
- Opportunity for everyone to view the documents online before the meeting and be prepared;
- Comments submitted by clerk appear immediately on Public Access.

Prior to issuing this note we received informal feedback on the draft proposals from a number of parish councils which has informed the following questions.

We don't have broadband connection where our meetings are held?

- You don't need to have a live broadband connection for meetings, documents can be downloaded prior to meeting (for example save documents to a memory stick or device);
- Could move meetings to venue that has broadband;
- Purchase a mobile accessible dongle so that internet can be accessed during the meetings as/when required

Broadband speed can be slow in some parishes/locations

- Could set up parish meetings to work off-line (e.g. save the documents to memory stick or computer) so the documents can be prepared in advance;
- Don't always need to download all of the documents to make an informed comment

How can we get cover the cost of purchasing equipment?



- Funding sources may be available for purchase of equipment (for those with a turnover of £25,000 or under, claims can still be submitted via Shropshire Association of Local Councils (SALC) for Department of Communities and Local Government (DCLG) funding to comply with the requirements of the Transparency Code <http://www.alcshropshire.co.uk/transparency-code>).
- Cost could be recouped by Parish/Town Council by savings on administration, printing, postage & storage costs

We currently don't have the skills to process electronic consultations and use Public Access

- The link below explains how to use the online planning register – Public Access <http://new.shropshire.gov.uk/media/2244/public-access-quick-reference-guide.pdf>
- Seek advice from parish/town councils that utilise electronic communication (e.g. Shrewsbury, Bridgnorth Town Council, Church Stretton, Ludlow Town council, Pontesbury, Much Wenlock, Prees, Oswestry Rural, Condoover, Market Drayton Town Council, Shifnal, Wem Rural, Claverley, Worfield, Albrighton, Wem Town Council, Oswestry Town Council, Myddle, Welshampton, Acton Burnell, Cockshutt, Alberbury, Ditton Priors, Uffington, Westbury, Astley Abbots, Badger, Shipton).

Some parish councillors don't have access to broadband at home

- Could use the parish equipment;
- Could use neighbours / friends / other councillors computer;
- Clerk could download the plans/documents and pass them onto Councillors via email or memory stick.

Can we still get a paper copy?

- You can print documents direct from Public Access website;
- Yes, we will provide a paper copy of the application form, location plan drawings and design and access statement in cases **where the Parish has requested to continue to receive a paper copy. However Shropshire Council will be seeking to recover the costs of this service from 1st September 2017 and will introduce charges of £15/consultation from that date. We will keep a record of paper copies requested and will put in place a mechanism for invoicing on a six monthly basis.**

How can we do site visits without a paper copy supplied?

- Documents could be downloaded onto a mobile device and this could then be taken out on site;
- Could review plans online beforehand;
- Could use Google Earth/Street View instead of doing site visit;
- Print paper copy from Public Access of key plans yourselves.

We need paper copies of plans so we can take measurements

- There is an online measuring tool within Public Access, when you click to measure a plan then instructions appear as to how to use the online; measuring tool.



How do we make comments via Public Access?

- You do not have to register to **view** the planning application documents and comments but you do have to register to **make comments**. When you register please use the following naming convention if registering as the parish clerk.
- TITLE – Mr/Mrs/Ms etc.
- FORENAME – Your Name (Clerk)
- SURNAME – Your Parish Council
- Other advantages for the clerk registering on Public Access include the ability to receive email notifications on the application status and when new documents are received. They can also request to be notified by email of any new applications in a ward or parish and any new decisions in a ward or parish

How do we get training and advice on using Public Access?

- If after reviewing the online guidance you would like more information about how to get the best out of Public Access please contact bsrsupport@shropshire.gov.uk

3. Responding to Planning Consultations

When commenting on planning applications, whether supporting, objecting or making other comments it is always helpful if the parish/town council provide reasons. The best way of influencing a planning decision is for your comments to refer clearly to relevant national and local planning policy (i.e. National Planning Policy Framework, Core Strategy/SAMDev/Neighbourhood Plan) and then any other material planning considerations where relevant. The link below gives more information on material planning considerations

<http://new.shropshire.gov.uk/planning/applications/commenting-on-an-application-faqs/>

On receipt of the initial planning consultation, for developments that include new streets could the Parish or Town Council at this point consider suitable local street names they may wish to propose should the planning permission be granted. This would allow Shropshire Council to create the new addresses within a reasonable timescale. For more information on this process please contact snn@shropshire.gov.uk

4. Applications for Certificates of Existing or Proposed Lawful Use

There have been queries from some parish councils about notifications received in respect of the above application types. To clarify these applications do not require a judgement to be made as to the merits of the development. The issue is whether the applicant is able to demonstrate on an evidential basis whether or not planning permission is required or a development is lawful. Accordingly parish councils are notified of such applications for information purposes only and it is not necessary to comment unless sharing matters of fact which can be evidenced.

Ian Kilby
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