

Gretton Parish Council

How we deal with Planning

1.0 Purpose

This document defines how Gretton Parish Council (GPC) deals with planning applications, when invited to comment by Tewkesbury Borough Council (TBC) planning. It defines the role of the Parish Council in the wider planning process, our approach in Gretton, how planning applications are handled, how residents can be involved and the criteria we use to consider and respond.

This document provides local guidance only, it does not replace any planning law or process, but aims to describe GPC's approach, to hopefully ensure consistency and objectivity when we handle planning applications.

2.0 The role of Parish Councils in the planning process.

Parish Councils have no planning powers, but they are formally consulted on planning applications, along with other bodies and the public.

Parish Councils are invited to make representations on their behalf and representing the views of village residents.

In the past, if a Council objected to an application, this automatically meant that it would have to go to the Planning Committee. This is no longer the case, though it is argued that a well-argued objection from a parish council, should ensure that an application gets increased scrutiny.

An application can be determined directly by the appointed Planning Officer, but if it is significant or at all contentious, it will go to Committee.

Planning Committee dates and agendas are available to view on the TBC website.

At this committee, GPC and residents can speak to the objection (a 2-minute speaking slot).

Planning Committees are open to the public on the day, and proceedings are also available to view on-line, both live and afterwards.

TBC make the planning decision and any subsequent appeals against a TBC decision are heard by a government inspector.

3.0 Our approach in Gretton

GPC will strive to be pro-active and add value to the planning process by improving communications, providing a local voice and local knowledge, representing views of village residents; and hopefully ensuring that any development makes a positive contribution to the Village.

We will:-

- ensure residents are aware of planning applications
- listen to concerns and issues raised by residents, ensuring they are informed and feel represented.

- ensure TBC are aware of relevant local issues and any community concerns
- avoid taking sides in neighbour disputes but consider applications on their merits
- act for the greater long-term good of the village
- aim to balance the need for housing against the impact of development on the village environment
- where appropriate strive for engagement as opposed to confrontation
- strive to be transparent, consistent and maintain objectivity

4.0 How does the planning process work?

Planning legislation is constantly changing - this is summary of how it works at present.

- an application for planning approval is made to TBC. There may be different requirements if an application is in the conservation area (village centre) or not
- TBC Planning notify relevant bodies including GPC and inform immediate neighbours of the application
- Details of the application are placed on the TBC website and representations are invited by a set date
- All representations, from the public, GPC and a range of formal consultees are collated and published on TBC's planning web-site :-
 - <https://publicaccess.tewkesbury.gov.uk/online-applications>
- The planning officer then makes an assessment and a recommendation to accept or reject, or refer to the planning committee with a recommendation
- If an application is rejected by TBC, then the applicant can appeal against TBC's decision. This appeal is managed independently and triggers a separate appeal procedure, which includes a repeat consultation process, which is arbitrated by an independent planning inspector.
- Either side can challenge this appeal ruling which would then go to the High Court.

Planning applications can either be:

- a) Full Planning applications. This is the most common and used for a very wide variety of planning issues from tree management in a conservation area to full housing developments. These show the full details of any proposed developments.
- b) Permission in Principle (PIP). These have replaced 'outline planning permission' and are increasingly used for larger developments. The PIP application contains only outline information on the potential development and objections can only address limited criteria: eg location, land-use and amount of housing.

The PIP, if successful, is then followed by a Full Planning application, where full details are then provided and the consultation process repeated.

5.0 How does GPC handle a planning application?

5.1 Triage

As a council we are made aware of all planning applications. We apply a triage process to categorise applications and trigger our response. As Councillors we agree whether a proposal is:

- Category 1 - Minimum Impact - an application has little impact on the village environment - often minor applications for domestic works. GPC can respond to TBC on behalf of residents without further consultation.
- Category 2 - Possible Significance - there are some likely impacts on the village environment - a new build proposal or one that changes the visual appearance of key buildings or heritage assets. Requires some consultation with impacted residents.
- Category 3 - Significant Impact - proposals resulting in significant change, for instance proposals to develop several houses or commercial buildings. Likely to prompt wider village concern.

5.2 Criteria

The criteria we use to judge whether an application has significant impact on the village might be:

- a) visual - it introduces a substantial visual change or an intrusion into the village landscape and character
- b) technical - it potentially impacts negatively on utility services, traffic or parking or could worsen flooding problems
- c) historic – it potentially impacts negatively on the important historical aspects of the village
- d) nuisance - it potentially could cause significant noise or smell nuisance to neighbours
- e) it causes concern to a significant number of residents
- f) it might be used as an undesirable precedent for future applications. This may not qualify as a 'material consideration' in the planning process, but arguably still a consideration worth noting. GPC can request a condition to remove permitted development rights to limit creep in usage.
- g) it might infringe planning laws which protect the village - see Annex 1

It should be noted that aspects such as loss of property value, loss of view or trade and impacts on private deeds and covenants, private rights of way or neighbour disputes are not considered relevant in the planning process.

In general, our approach will follow these principles:

- Domestic extensions / alterations – we don't object unless they make a negative visible impact on the village. This might include excessive scale, unsuitable materials etc. What people do which is not visible or obtrusive lies between them and Tewkesbury planners.
- New builds – consider the degree of sympathy with the existing setting in the use of design, materials, etc. The arbiter of these matters is the borough conservation or planning officer. We will often only offer a comment rather than an objection, unless the proposal offends one of the general criteria outlined above.
- Larger scale development - listen carefully to resident's views and assess proposals against the full range of criteria outlined above and relevant planning policy.

Try to maintain / develop the visual amenity of the village – our objections or comments may address :- cutting down trees, impacts on registered footpaths, demolishing walls, raising conservation concerns about decaying buildings, or planning enforcement issues.

5.3 Process

Timescales are fixed by TBC, and we may have to respond between GPC meetings and ratify our responses at the next meeting. The process we adopt for each category is as follows.

Category	Description	GPC Action
1	Minimum Impact	• Make application visible on website and social media • Ensure immediate neighbours are aware. • Neighbours should object or comment directly to TBC and notify GPC • Councillors discuss by email • Comments consolidated and a GPC response issued
2	Possible Significance	• Make application visible on website and social media • Ensure likely impacted residents are aware and consulted. • Discuss at a formal council meeting or a special planning meeting, where GPC will listen to the views of residents • Comments consolidated and a GPC response issued • Neighbours should object or comment directly to TBC and notify GPC
3	Significant Impact	• Make application visible on website and social media • Ensure local residents are aware. • Produce and communicate a consultation and response plan. This may include;- - Open public meeting - Joint preparation of a formal response document • Discuss at a formal council meeting or a special planning meeting, where GPC will listen to the views of residents • Comments consolidated and a GPC response issued • Neighbours should object or comment directly to TBC and notify GPC

In all cases we will listen to neighbours and effected residents, if possible, representing the majority views to the planning authority but, if necessary, maintain an independent judgement based on planning realities. If we do object on the basis of residents' concerns, we will, if possible, represent residents at TBC planning meetings and in some instances at planning appeals.

5.4 Engagement

Where appropriate GPC will engage with the applicant to better understand the intent and substance of an application. This will always be conducted with full transparency and wherever possible will involve more than one GPC councillor. Full notes of any discussions will be made available.

5.5 Planning Response

The process outlined in section 5.3 will inform the position of GPC with regards to an application. GPC will gather all comments, construct a consolidated response which will be reviewed and agreed before submission.

The response will be objective, reference planning factors and law. Where possible mitigation suggestions will be included.

In general, where GPC has issues with specific parts of an application an approach of “although generally supportive of the application at this stage we Object until the following have been addressed” approach is favoured to ensure that the areas of concern are highlighted.

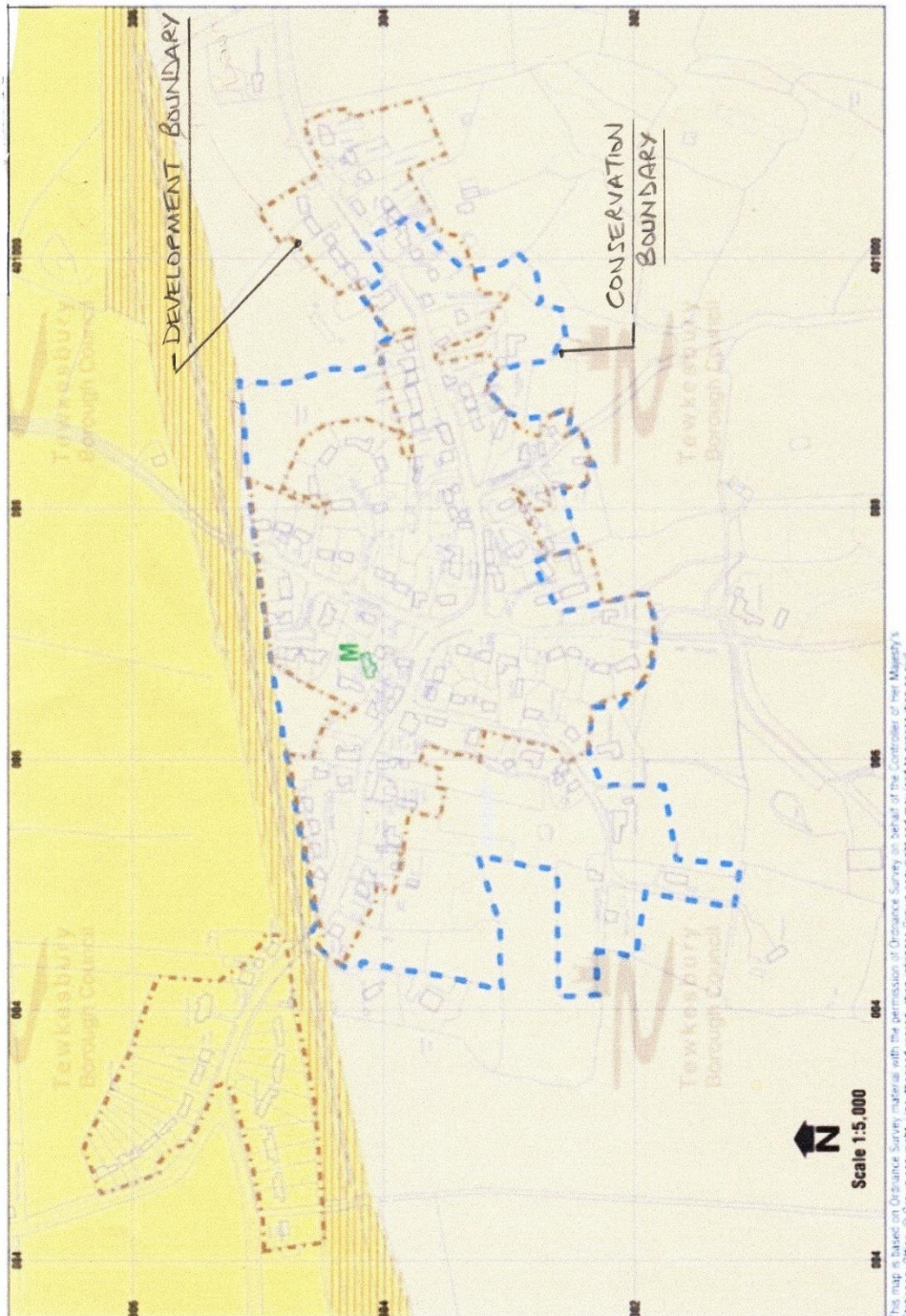
Annexe 1 The relevant planning law and policy we take account of.

The following includes typical planning law and policy that is considered. These criteria are not exhaustive, are subject to changing government legislation and can be overruled by considerations at TBC.

- No development outside the village development boundary – a map of this is available from a previous local plan but dates back a long time so may be considered as outdated in planning committee papers. The latest Local Plan 2020 does not contain a planning map for Gretton as it was not classed as a service village. We are currently arguing that for non-service villages like Gretton the former development boundary still applies as only minor development is envisaged under the TBC Development Plan for Tewkesbury Borough. See attached map at Annexe 2.
- Preservation of Heritage assets in the Conservation area. Not just unsuitable alterations to buildings and new buildings but walls, trees and other elements which make up the visual character of the conservation area. These considerations require planners to look at the scale, design, materials and impact of proposals on the visual quality and character of the Conservation area. Again, a map of the Conservation area is available in a previous local plan, a copy is attached at Annexe 2.
- Opposition to back land development – this remains a planning policy at TBC level for settlements judged to be “linear”. Gretton Fields certainly meets these criteria, and we have fought applications using this. It is more doubtful that Gretton Village with its side lanes and back land development around Working Lane and Redwood Close, as well as examples of individual back land development around Pink Cottage can actually be declared a linear development. However, the Parish Council in the past has used this as grounds for objection because of the example of Gotherington, which is arguably overdeveloped.
- Flooding and drainage issues. This is a consideration for the County Council as well as TBC and GPC. Obviously new building in areas that flood is undesirable particularly because it can worsen flooding for other houses in the area. We have used this in objections to development on vulnerable sites, where the drainage infrastructure is failing. However, TBC have lost appeals against large scale development on the floodplain at Longford.
- Limits to the amount of development in non-service villages (as defined by the Joint Core Strategy). Gretton is a non-service village and is already well over the 15% level of planned expansion to 2031.
- There are also planning rules about setbacks, visibility splays on drives and other technical criteria which can often work against objectives like securing the heritage or visual appearance of the Conservation area.
- Enforcement when planning rules are broken – can also extend to maintenance issues as well as hedges blocking footpaths. We can request action by TBC.

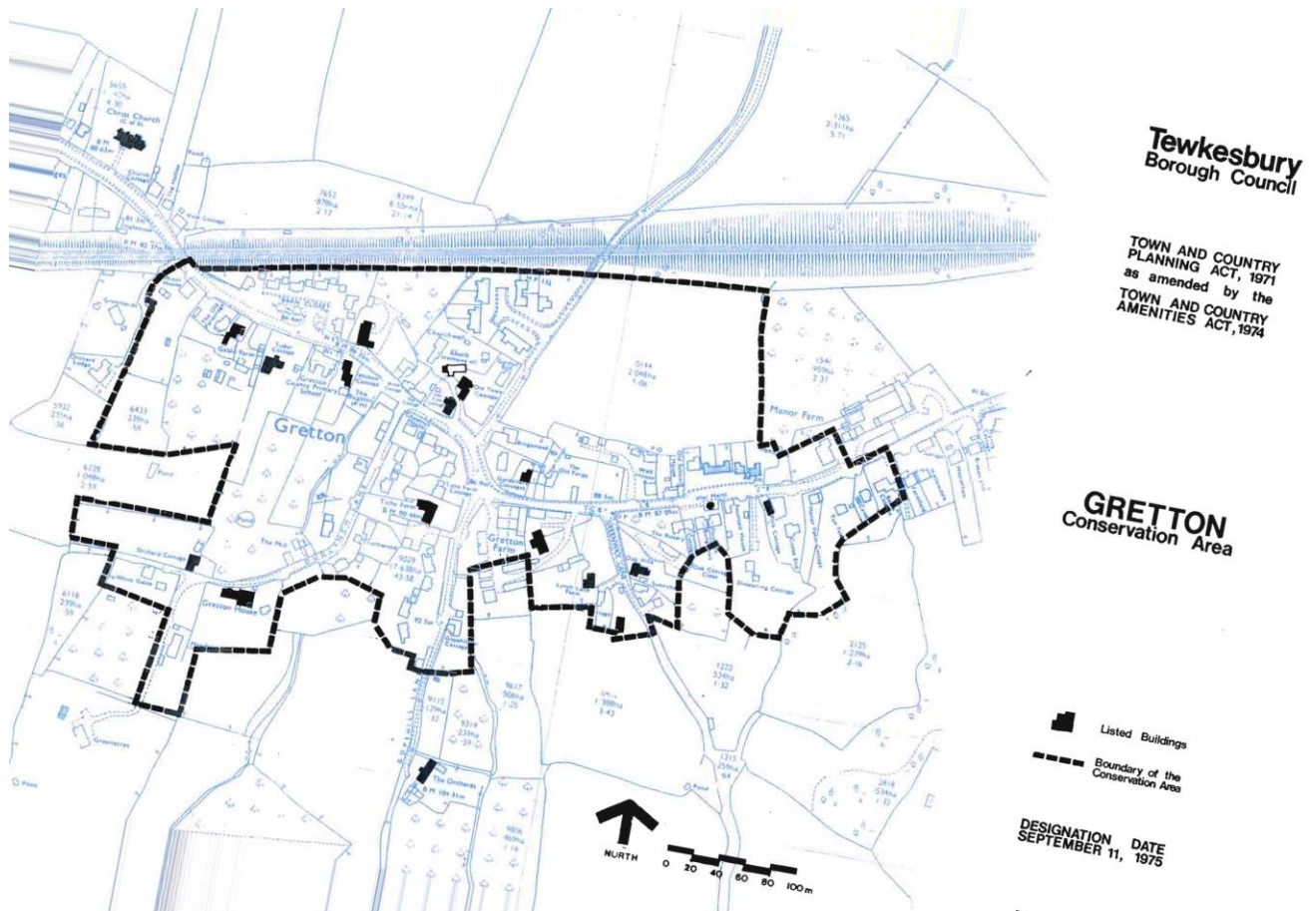
Annexe 2a Gretton Settlement and Conservation Boundaries

(Waiting a better, clearer & hopefully more up-to-date version)



Annexe 2b Gretton Conservation Area Boundaries

(Clearer version, but does not show the settlement boundaries)



Version 3.0, 22 Dec 2022 – DRAFT for GPC website