

# Planning Process for Illogan Parish Council

## Introduction

Town and Parish Councils are not planning authorities and therefore have no powers to approve or reject planning application. Town and Parish Councils are merely statutory consultees with the same rights as a member of the public. Town and Parish Councils must be notified of all planning applications within their parish so that they may comment on the application. Any views expressed by the Parish Council will be taken into account by the Planning Authority before a decision is made, providing the points made are relevant to the determination of a planning application. The final decision is made by the Planning Authority, **not** the Parish Council.

## Illogan Parish Council's Process for Commenting on Planning Applications

1. Notification from Cornwall Council of a planning application is received by email. The email contains the planning application number allocated by Cornwall Council, name of the applicant, address of the site, proposed works and the date that Cornwall Council would like Illogan Parish Council's (The Council's) comments back.
2. Council officers print the notification of the planning application, allocate the application with a reference number and log the details on a spreadsheet.
3. An email is sent to the planning officer requesting their initial comments on the planning application and if required requesting an extension on the deadline for our comments until the day after the next planning meeting.
4. The plans and supporting material are printed from Cornwall Council's website.
5. The planning application is entered onto the agenda for the next scheduled meeting of the Planning and Environmental Services Committee. The agenda is sent to Councillors, uploaded to the Council's website and put on the notice boards a three clear days before the date of the meeting. Only planning applications advertised on the agenda will be commented on during the meeting.
6. Before each meeting a member of the Planning and Environmental Services Committee, on a rota basis, is allocated the plans to look at in detail. The allocated members looks at the plans, visits the site and talk to neighbours if they feel it is appropriate and explains the applications and the comments they have about the plans etc to the rest of the Committee during the meeting.
7. Members of the public are invited to attend all meetings and are able to talk to the Council on planning applications that are being considered.
8. The meeting is held, the planning applications are discussed and the comments to be sent to Cornwall Council regarding the planning application are agreed by Councillors present at the meeting; comments are agreed by a majority vote.
9. The morning after the Planning and Environmental Services Committee meeting, the Clerk submits the Council's comments on all of the planning applications considered to Cornwall

Council electronically. Confirmation of the receipt of the comments is sent to the Council automatically.

## **What Next?**

1. In the majority of cases the planning application will then follow Cornwall Council's procedures and a decision will be issued. Cornwall Council emails a list of planning decisions to all Councils weekly.
2. If the planning officer disagrees with the Parish Council's comments they will email the Council with details of the Parish Council's comments and the reasons they disagree with the comments. In accordance with the Protocol for Local Councils the planning officer asks the Parish Council whether they will:
  - i. Agree with the planning officers' recommendation.
  - ii. Agree to disagree.
  - iii. Maintain the Parish Councils objection to the proposal against the planning officer's recommendation and request committee consideration by the Cornwall Council planning committee (which the Cornwall Council Planning Officer will then discuss with the Divisional Member who may or may not agree with your view).

The planning officer gives the Parish Council 5 working days to respond with the option they have chosen.

Illogan Parish Council takes the following actions:

- a. The Clerk emails explaining that the Council does not have a meeting in the next 5 days, explaining when the next meeting is and requesting an extension to the 5 day deadline.
- b. The correspondence is included as an agenda item at the next meeting of the Planning and Environmental Services Committee meeting if the email is received in time, the correspondence is then considered and a response agreed by a majority vote.
- c. The email is included in the agenda item on for correspondence at a meeting of the Planning and Environmental Services Committee meeting, the correspondence is then considered and a response agreed by a majority vote.
- d. If the deadline cannot be extended the Clerk emails explaining that as the Council does not have a meeting and the deadline cannot be extended that the Council maintain their original objections.

## **Cornwall Council Planning Committee Meetings**

If a planning application is being considered by Cornwall Council Planning Committee a representative of the Council will be appointed to speak at the meeting on behalf of Illogan Parish Council. The Councillor speaking at the meeting has three minutes allocated to speak and must represent the views of the Council as recorded in the minutes.