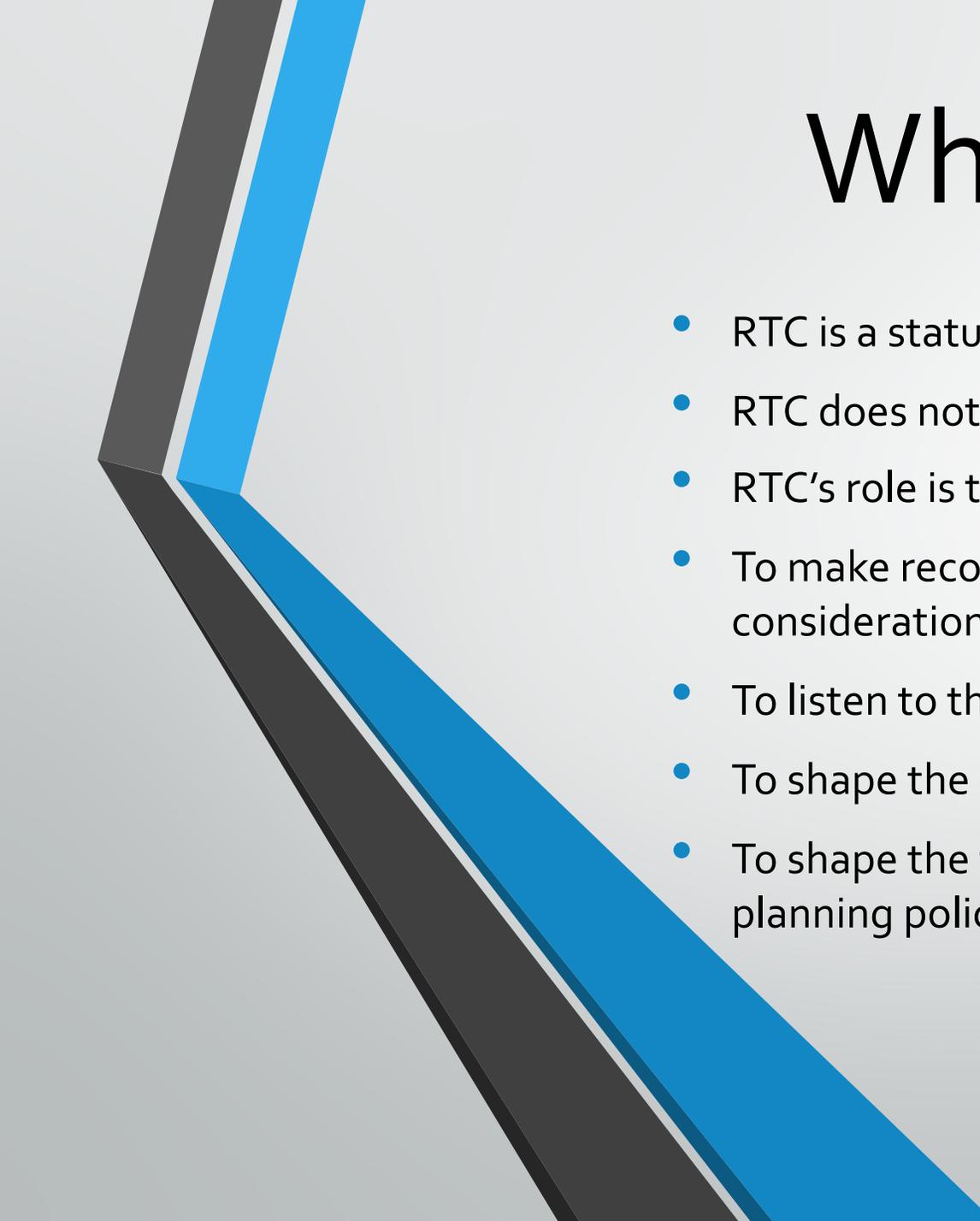




# Ryde Town Council

Planning Training



# What is RTC's role?

- RTC is a statutory consultee to the IWC in planning matters.
- RTC does not make planning decisions.
- RTC's role is to help shape decisions and make recommendations.
- To make recommendations based on planning policy and material considerations.
- To listen to the views of residents.
- To shape the determination of applications.
- To shape the future of the town through formal consultation responses on planning policy.



# How often do RTC have meetings?

- Meetings are held every three weeks in the evening.
- They are held on a Tuesday to ensure that comments can be lodged with the IWC by Friday (by officers).
- We sometimes have additional meetings for controversial planning applications.
- We are occasionally given delegated powers to manage locally important regeneration projects.

# How are decisions made?

- Decisions are made by the IWC.
- Decisions have to be made in accordance with national planning policy and local planning policy.
- Decisions have to be made based on material considerations and the weight of those considerations is a matter for the IWC Case officer.
- Decisions are made in accordance with the IWC constitution.
- For minor and major non controversial applications, decisions can be made by the case officer under delegated powers.
- For controversial planning applications Members of the IWC can ask for an application to be 'called in' and determined by the IWC Planning Committee.
- The IWC Planning Committee meets every 6 weeks.
- If the IWC Planning Committee look like they are going to make a decision that is not in accordance with National and Local Guidance, the IWC officers can evoke a call in process and hear the application again.



# What information shapes decisions?

- National Planning Policy Framework
- National Planning Practice Guidance
- The Island Plan ( Island Core Strategy 2012, being reviewed and will become the Island Planning Strategy )
- Supplementary Planning Documents
- Neighbourhood Plans (if Adopted)
- Relevant Case Law
- Material considerations

# Material considerations

- When a decision is made on a planning application, only certain issues are taken into account; these are often referred to as 'material planning considerations'.
- Local, strategic, national planning policies and policies in the Development Plan.
- Emerging new plans which have already been through at least one stage of public consultation.
- Pre-application planning consultation carried out by, or on behalf of, the applicant.
- Government and Planning Inspectorate requirements - circulars, orders, statutory instruments, guidance and advice.
- Previous appeal decisions and planning Inquiry reports.
- Principles of Case Law held through the Courts.
- Loss of sunlight (based on Building Research Establishment guidance).
- Overshadowing/loss of outlook to the detriment of residential amenity (though not loss of view as such).
- Overlooking and loss of privacy.
- Highway issues: traffic generation, vehicular access, highway safety.
- Noise or disturbance resulting from use, including proposed hours of operation.
- Smells and fumes.
- Capacity of physical infrastructure, e.g. in the public drainage or water systems.

# Material considerations (continued)

- Deficiencies in social facilities, e.g. spaces in schools.
- Storage & handling of hazardous materials and development of contaminated land.
- Loss or effect on trees.
- Adverse impact on nature conservation interests & biodiversity opportunities.
- Effect on listed buildings and conservation areas.
- Incompatible or unacceptable uses.
- Local financial considerations offered as a contribution or grant.
- Layout and density of building design, visual appearance and finishing materials.
- Inadequate or inappropriate landscaping or means of enclosure.
- The weight attached to material considerations in reaching a decision is a matter of judgement for the decision-taker however the decision-taker is required to demonstrate that in reaching that decision that they have considered all relevant matters.
- Generally greater weight is attached to issues raised which are supported by evidence rather than solely by assertion.

# Non-material considerations

- **NON-MATERIAL PLANNING CONSIDERATIONS:**
- Issues that are not relevant to the decision:
- Matters controlled under building regulations or other non-planning legislation e.g. structural stability, drainage details, fire precautions, matters covered by licenses etc.
- Private issues between neighbours e.g. land/boundary disputes, damage to property, private rights of access, covenants, ancient and other rights to light etc.
- Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working (covered by Control of Pollution Acts).
- Opposition to the principle of development when this has been settled by an outline planning permission or appeal.
- Applicant's personal circumstances (unless exceptionally and clearly relevant, e.g. provision of facilities for someone with a physical disability).
- Previously made objections/representations regarding another site or application.
- Proposals which have permitted development rights under the Town and Country Planning (General Permitted Development) (England) order 2015.
- Factual misrepresentation of the proposal.
- Opposition to business competition.
- Loss of property value or loss of view.
- Potential future applications.