

## How Planning Applications for Ashurst Wood are determined

All applications for planning permission must be submitted to Mid Sussex District Council (MSDC), which is our local planning authority. MSDC consults with a number of bodies, including the Village Council, and with neighbouring residents. Any member of the public can make representations to MSDC about a planning application.

MSDC's planning officers determine the majority of applications. Larger or more contentious applications will be sent to its Planning Committee. In making its decision on an application, MSDC will consider all representations received; but can only take account of **material planning considerations**.

Material planning considerations include:

- The National Planning Policy Framework and Government Planning Policy Guidance
- The Mid Sussex Local Plan and supplementary planning documents
- The emerging District Plan – although this currently carries limited weight
- A Neighbourhood Plan that has been through a Referendum and is 'made'. The Ashurst Wood Neighbourhood Plan has been 'made' and carries full legal weight
- Overshadowing or loss of outlook – but not loss of or change of a view
- Overlooking and loss of privacy
- Visual character of the area and need to protect high Weald Area of Outstanding Natural Beauty
- Highway issues, including access and highway safety – the local highways authority will be consulted and its advice will usually be followed by MSDC
- Noise or disturbance resulting from the proposed use
- Effect on trees, nature conservation or biodiversity
- Design and appearance of proposal

Matters that are not classed as material planning considerations include:

- Matters relating to Building Regulations
- Private issues between neighbours, such as boundary disputes or private access rights
- Disruption during building works – although planning conditions can be used to mitigate the impact of the construction period
- Concerns about property values
- Loss of a private view
- Motives, financial or otherwise, of the applicant

Where a planning application conflicts with policies in a 'made' Neighbourhood Plan, permission should not normally be granted. However, the current Mid Sussex Local Plan is considered to be out of date because MSDC cannot demonstrate a

five-year supply of housing sites. This means that the District Council must apply the presumption of sustainable development in the National Planning Policy Framework and grant permission for new houses **unless** the adverse impacts of doing so would outweigh the benefits.

The decision is made by MSDC after a balancing exercise has been carried out between the advantages and detriments of the proposal.

## **The Village Council's role in deciding Planning Applications**

The Village Council is a statutory consultee and makes a recommendation to MSDC as to how it considers planning applications should be decided. The recommendation is based on the Village Council's local knowledge and perspective and on material planning considerations.

The Village Council holds regular Planning Committee meetings to consider planning applications sent to it by MSDC. Applicants and objectors are always welcome to attend the Committee meetings and make representations during the period set aside for public participation at the start of the meeting. Members of the public are welcome to stay and observe the Council's deliberations, but may not take part in them.

The Planning Committee takes account of all representations made, but must base its recommendation on relevant planning considerations. Inevitably there will be occasions when applicants or objectors disagree with the Committee's recommendations. MSDC does not always follow the Village Council's recommendation.

It is important that Councillors do not predetermine any application before they have had the chance to see all the materials and before they have discussed the issues at a Planning Committee meeting. Until then, they can discuss the matter in general terms and comment on any potential relevant issues, but must be seen to approach the deliberations at the Committee with an open mind. Councillors who have expressed a firm view one way or the other before the Committee meeting might have to declare an interest and not take part in the meeting, although they could still send their own individual representations to MSDC.

## **Discussions and Consultations about planning proposals**

MSDC, as local planning authority, gives pre-application advice about potential applications. This includes advice about the policies and material considerations against which a proposal will be judged, what sort of information will need to be provided, and preliminary views about whether a particular scheme might be

suitable. This can help 'weed out' unsuitable applications or ensure that applications don't have to be sent back as they are incomplete.

Members of the Village Council are not professional planners, but are occasionally asked to discuss informally a proposed or submitted application, or an objection to an application. In such cases, it is always made clear that, while Councillors are happy to listen to what the person has to say and will point out any issues they consider might be relevant, they cannot and will not discuss the merits or otherwise of the matter until the Council's Planning Committee meeting.

Developers wishing to build residential developments of 10 units or more must submit with their application a Statement of Community Involvement. This must demonstrate that the views of the community have been sought and taken into account and should include reports of discussions with the local Council and feedback received from public exhibitions and advertising.