

Planning Policy – 5 Day Protocol

Overview

A conflict of opinion can occur between the Parish Council and Cornwall Council with regards to planning applications, if a conflict occurs the Planning Officer at Cornwall Council will contact the Parish Council by email (via the Parish Clerk).

The email will state the reasons why the Planning Officer disagrees with the Parish Council's consultee response and will usually include references to National Planning Policy, Local, neighbourhood Plans and a reply is requested within five days. This Policy explains the procedure when a five-day notice is received.

Receipt of the notification

On receipt of the notification from the Planning Officer that the 5-day Local Council Protocol has been invoked, the Parish Clerk will forward, to those Councillors who were at the meeting when the original decision was made, the email from the Planning Officer.

The councillors should respond to the notification as soon as possible, or at the latest by the deadline requested by the Parish Clerk, with their comments and a choice of option 1, 2 or 3 as listed below.

The Clerk will determine based on the majority (excluding any councillors not at the meeting in which the original council decision was made) the response. In the event a majority is not reached the Chairmans response will be the casting vote.

Response Options

The Council can submit one of the three responses:

1. Agree with the Planning Officer's recommendation.
2. Agree to disagree.
3. Having made strong planning reasons, maintain support for the proposal against the Planning Officer's recommendation, and request that the application is determined by Cornwall Council's Planning Committee.

Please note: Council Members are asked to be mindful that in accordance with Cornwall Council's Protocol for Local Councils, Cornwall Council's Head of Service (or their nominated officer) will exercise their discretion on whether/or not the application goes to the planning committee after first discussing the matter with the Divisional Member (Elected Cornwall Councillor for Camelford & Boscastle)

Requests for the application to be considered by Cornwall Council's planning committee.

If response 3 is selected the Parish Clerk will ask the Councillor(s) to provide reasons why they do not agree with the Planning Officer's recommendation (these should be planning/policy reasons) as the Council may be asked to provide additional information as to why the application should be considered by Cornwall Council's Planning Committee.

Representation at Cornwall Council's Planning Committee

The Parish Council will be able to send a representative to speak at the meeting of Cornwall Council's Planning Committee, the attending Councillor will need to formally register to speak. Registrations must be received by 12 noon two working days before the meeting.