

This note is intended to provide a very broad guide to the role of the Planning Board and the parameters within which it must work in making decisions on planning applications. At the end of this note are web sites which provide more details on aspects of planning.

The role of the Planning Board

It is the duty of the Statutory Planning Board to decide planning and other development related applications in Bournemouth. The members of the Board are elected to represent the interests of the whole community in planning matters and is comprised of eleven elected Councillors with the numbers of each party reflecting the political makeup of the Council.

Not all decisions on planning applications are made by Planning Board as, in line with Government advice, most decisions are delegated to the Service Director of Planning, Transport & Regulation. Those applications that cannot be determined under delegated powers are presented to the Planning Board for a decision - typically just over 100 each year. To see what triggers a planning application to Planning Board for a decision the Council's Scheme of Delegation can be viewed at:

<http://www.bournemouth.gov.uk/PlanningBuilding/ApplyingforPlanningPermission/MakingAPlanningApplication.aspx>

Material considerations

When determining planning applications the Planning Board must take into account planning considerations only. This can include views expressed on relevant planning matters. However, local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons.

Valid planning reasons include the Council's statutory and non-statutory Planning Policies and the Government's national planning policies. In addition there may be other things that can be accepted as relevant in reaching a decision (these are known as material considerations - see below for examples). These are the matters that the Board will consider as relevant when deciding a planning application. For example, a site identified for housing use in the Council's adopted planning policy would be acceptable in policy terms for housing purposes, the Council would then assess the details of the proposal against considerations such as layout/design, density, access and traffic.

Material considerations can include:

- 1 Layout, density
- 2 Privacy
- 3 Daylight / sunlight
- 4 Access / traffic
- 5 Local economy
- 6 Design / appearance
- 7 Noise / smell
- 8 Landscape
- 9 Cumulative Impact
- 10 Previous similar decisions
- 11 Rarely - personal circumstances

Issues that **cannot** be considered to be material considerations include:

- 1 Competition between businesses
- 2 Devaluation of property
- 3 Personal circumstances
- 4 History of applicant
- 5 Restrictive covenants
- 6 Constructional details
- 7 Disruption from construction works
- 8 Issues more readily covered by other legislation
- 9 Change from previous scheme
- 10 Impact on property value
- 11 Ownership of land / right of access
- 12 Loss of a private view

Examples of National and Local Planning Policy

The Planning System: General Principles (Extracts) (Published by Central Government 2005 & remains in force)

Determining planning applications - "Local planning authorities must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where

there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision.”

Private interests - “The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.”

National Planning Policy Framework (Published by Central Government 2012) The Presumption in favour of sustainable development - Para 14(extract)

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Bournemouth Local Plan: Core Strategy (October 2012) - Policy CS41- Quality Design

The Council will seek to ensure that all development and spaces are well designed and of a high quality. Development should, through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings, provide a high standard of amenity to meet the day to day requirements of future occupants, and contribute positively to the appearance and safety of the public realm.

The Council will seek to ensure that new developments, including changes of use, enhance the character, local distinctiveness, cultural identity, amenities of future occupants and neighbouring residents. New developments should also aim to conserve and improve landscape and townscape, biodiversity and habitats.

The Council will encourage all new residential developments to meet Building for Life standards.

Development which by virtue of its design would be detrimental to the built environment, amenity or character of any part of the Borough will not be permitted.

List of useful websites:

Bournemouth Borough Council, Planning & Buildings - <http://www.bournemouth.gov.uk/PlanningBuilding/PlanningBuildings.aspx>
Planning Portal - www.planningportal.gov.uk/
Communities and Local Government (Planning & Building) - www.communities.gov.uk/planningandbuilding/
GovUk - www.gov.uk/browse/housing/planning-permission