Wiltshire Council **Appendix 1**

Strategic Planning Committee

14 December 2016

Public Participation

Question from Kim Stuckey

Question:

Can Wiltshire Council confirm that it is Council Policy that planning benefits stated by developers in their applications carry greater planning weight than draft Wiltshire Site Allocation Plans? Background: I have read that a Council Officer states that a planning application can outweigh a draft Site Allocation Plan that "cannot be afforded full weight in the planning balance as the examination of the document has not yet concluded". This is apparently even true of modifications within draft Site Allocation Plans made by Wiltshire Council's own Associate Director Economic Development and Planning, and modifications suggested by a Planning Inspector.

Answer:

There is no Council Policy. The Council follows national policy contained in the National Planning Policy Framework (NPPF) and determines planning applications in accordance with statutory requirements. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 216 of the NPPF states that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

In accordance with NPPF, an emerging plan is a material consideration in planning decisions, as are the benefits of a scheme. They are just two elements of the planning balance to be weighed by the Council.