

WILTON TOWN COUNCIL

Ancient Capital of Wessex

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PLANNING GUIDANCE

This page gives a brief guide to how planning applications are dealt with and Wilton Town Council's role in the process. There is more information on the Planning and Building Control page of the Wiltshire Council website

Wiltshire Council is the planning authority for Wilton and is the only body which can make decisions on planning applications.

Wilton Town Council, as a statutory consultee, is entitled to comment on planning applications but cannot make a decision on them.

A page is created on Wiltshire Council's website for each planning application when it is accepted as a valid application. All the application documents, and all comments on the application, can be viewed from that page and there is a link to an online comment form.

Every planning application which relates to land and buildings in the parish of Wilton is usually considered at a meeting of the Amenities & Planning Committee, although depending on timing, both Full Council and the Finance & General Purposes committee will also consider the response to be made. The Full Council meets on the first Tuesday of the month, the Amenities & Planning committee meets on the third Tuesday, and the Finance & General Purposes Committee meets on the fourth Tuesday. There is a 15 minute period near the start of the meeting during which members of the public, including those supporting or opposing a planning application, can make statements. Councillors will then discuss and vote on the comments to be made by the Town Council on each application.

The Town Clerk submits the Town Council's comments to Wiltshire Council and members of the public can also separately submit comments to Wiltshire Council.

Decisions are made on the applications either by a planning officer (employee) of Wiltshire Council who has been delegated the authority to determine the application or, in a small number of cases, by the [Southern Area Planning Committee](#) which is made up of Unitary Councillors. This will have been preceded by a request from the Unitary Councillor for the parish in which the application is raised to be referred to the Committee. If the decision is to be

made by the Southern Area Planning Committee, the meeting will be advertised and members of the public can attend and make statements (but generally only three speakers in favour and three against). However if the decision is made by an officer, it will be made in private and only written comments will be considered.

If permission is refused, or is granted subject to conditions, the applicant may appeal to the Planning Inspectorate (an independent body). However, neither Wilton Town Council nor anyone else opposed to a planning application can appeal if planning permission is granted.

When considering an application, the councillors can only take note of **MATERIAL PLANNING CONSIDERATIONS**: Issues that may be relevant to the decision (There may exist further material planning considerations not included here)

- 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
- 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

NON-MATERIAL PLANNING CONSIDERATIONS: Issues that are not relevant to the decision: (There exist further non-material planning considerations not included in this list)

- Matters controlled under building regulations or other non-planning legislation e.g. structural stability, drainage details, fire precautions, matters covered by licences 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
- Factual misrepresentation of the proposal
- Opposition to business competition
- Loss of property value
- Loss of view