

STAVERTON PARISH COUNCIL
Policy 024

PLANNING POLICY – REPORTING AN INFRINGEMENT

ROLES AND RESPONSIBILTIES RELATED TO PLANNING MATTERS

Aims

The aim of this policy to ensure Staverton Parish Council acts proportionately and with fairness and consistency to all residents of Staverton Parish whilst striving to protect the appearance and amenity at all times within the Parish.

Definition

“Suspected planning infringement” means non-exhaustively any suspected breach of planning regulations, i.e. planning approval, conservation area approval, listed building consents or obligations, TPO requirements, or failure to comply with conditions and approved plans.

Introduction

1. Staverton Parish Council, hereinafter “SPC” is the local Parish Council that sits within West Northamptonshire Council.
2. West Northamptonshire Council, hereinafter “WNC” acts as and is the planning authority for Staverton.
3. WNC decides whether;
 - a. planning permission, listed building consent or any other form of planning approval is required or is not required;
 - b. to permit or to refuse any planning application;
 - c. if any action should or should not be taken by way of enforcement arising from any suspected planning infringement or failure to obtain the relevant planning approval or otherwise comply with planning policy, conservation area policy, listed building policy or tree preservation order policy.

4. All applicants have a statutory right to seek to appeal WNC decisions to the Independent Planning Inspectorate which they do not agree with and believe have been made contrary to WNC policy, relevant regulations or the law.
5. The SPC does not;
 - a. decide whether planning permission is required;
 - b. decide any planning application;
 - c. decide if a suspected planning infringement of planning regulations should be enforced;
 - d. decide any method of enforcement;
6. SPC is a statutory, (which means in this instance, mandatory), consultee of any planning application that has been made within the boundary of Staverton Parish. The means that when asked by WNC, SPC will comment on any planning application.
7. SPC will also be a consultee of any appeal process to the planning inspectorate.
8. SPC notes that WNC must act in accordance with the National Planning Policy Framework (December 2024) which on matters of enforcement considers at paragraph 60;
 - a. "Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control."

Roles

9. SPC has representative powers to take action to protect the appearance and amenity for all and at all times within the Parish.

10. SPC recognises that it plays an important role in the provision of local knowledge and awareness of activities within the Parish.
11. SPC may act on behalf of Parish residents who report to a parish councillor or councillors that a planning related matter (such as a suspected planning infringement) ought to be reported to WNC.
12. SPC may act if it otherwise comes to the attention of a Parish Councillor or Councillors that a planning related matter (such as a suspected planning infringement) ought to be reported to WNC.

In what circumstances will Staverton Parish Council act?

13. If the circumstances in paragraph 10 or 11 above apply, SPC will apply the same 'proportionate' approach to suspected planning infringement as is required of WNC (when considering what enforcement measures to take) by para 60 National Planning Policy Framework (December 2024).
14. Individual Councillors will not act alone, but will, following the process set out at paragraph 15 in order to ensure collective corporate responsibility and fairness to all the residents of Staverton Parish.
15. The following process will be followed by SPC upon receipt of a report or on becoming otherwise aware of a suspected planning infringement;
 - a. Add the item to the agenda for the next Parish Council meeting;
 - b. Prior to the meeting if sufficient time is available: (if sufficient time is not, seek to adjourn the agenda item to the next meeting);
 - i. Invite the resident to the next Parish Council meeting where the suspected breach of planning policy will be discussed;

- ii. Speak with the relevant resident to understand their perspective and take a note;
 - iii. Seek to obtain such evidence as can reasonably be obtained to either support or refute the suggestion of a planning infringement; (this means gather as much information as possible, including the exact location (address/plot), a description of the alleged breach, photographs, dates of activity, and the names of the people involved).
- c. At the Parish Council meeting where the suspected breach of planning is to be discussed, before voting on any motion to either report or to not report a suspected planning infringement, SPC Councillors must be reminded by the Chair that;
 - i. SPC is not under a legal duty to make report every suspected planning infringement to WNC;
 - ii. SPC should represent local interests;
 - iii. SPC works in partnership with WNC and provides information to WNC because it is good public policy for it to do so;
 - iv. All councillors should consider that a suspected planning infringement is 'credible' before agreeing to report it and should not vote to report a 'mere allegation';
 - v. SPC Councillors should ask themselves the following questions before voting;
 - 1. Is the suspected breach minor or major?
 - 2. Is the suspected planning infringement detrimental to the appearance within the Parish?
 - 3. Would it demonstrate either favouritism or bias in voting to either report or not to report the suspected planning infringement?
 - 4. Is the suspected planning infringement likely to be enforced?

5. Is it otherwise proportionate and in the best interests of the Parish and in accordance with your duties to represent local interests to report or not report the suspected planning infringement?

16.If by majority vote Staverton Parish Council determine that a suspected planning infringement should not be reported, it will record that within the minutes of the meeting and write to the resident confirming that was the decision taken.

17.If by majority vote Staverton Parish Council determine that a suspected planning infringement should be reported, it will record that within the minutes of the meeting and write to the resident confirming that was the decision taken and thereafter promptly and within 14 days after the majority vote, invite the Parish Clerk to report the matter to WNC by submitting the relevant form at:

<https://forms.westnorthants.gov.uk/xfp/form/447?council=wnc>

Thereafter Staverton Parish Council will provide such assistance and information as is requested by WNC on an ongoing basis to enable WNC to properly investigate the matter.

Adopted by Staverton Parish Council;

3rd February 2026