

## **Tarvin Parish Council Response to Facebook Comments on Tarvin Online Article – Budgens**

We recently published an article through Tarvin Online regarding the outcome of the appeal process for Budgens opening hours (1<sup>st</sup> March 2024). During our meetings we agree on items for publication that residents may find useful prior to the official minutes being published. These items are sent to Tarvin Online for publication and added to the home page of our website (<https://tarvinpc.tarvinonline.org/>) and the parish notice boards.

We would like to address some of the comments made by residents on the Tarvin Online Facebook post regarding the Budgens opening hours appeal.

It is important for residents to understand that the Parish Council (PC) does not have the authority to approve or reject planning applications. The outcome of planning applications are determined by Cheshire West and Chester Council (CWaC). All planning applications are received by the PC and we discuss each application at our monthly meetings. Councillors receive the relevant paperwork prior to the meeting, and at the meeting Councillors will discuss whether any information or comment needs to be shared with CWaC. We may have no comment to make, we may decide to feedback concerns raised by residents or we may feedback concerns that we have identified in our discussion. All residents can view and comment on planning applications via the CWaC website (<https://www.cheshirewestandchester.gov.uk/residents/planning-and-building-control/see-or-comment-on-planning-applications>).

With regards to Budgens, an appeal was made against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions, subject to which a previous planning permission was granted. The appeal was made against the refusal decision by CWaC on 22<sup>nd</sup> June 2023. The appeal was dismissed by the Planning Inspectorate on 31<sup>st</sup> January 2024. If residents wanted to support this appeal, they would have been able to do so via the Planning Inspectorate (<https://www.gov.uk/appeal-planning-inspectorate>).

As a PC we will not support non-compliance and a project (and specified conditions) which has not been delivered in accordance with a CWaC approved planning application. This is because most applicants do build/operate in accordance with their permission, and applicants have sometimes had to change their original application to “satisfy” the planners and thereby gain their permission. Most of our residents follow the required planning processes to make changes to their homes and businesses, and it would be wrong of us to support an individual or business that breaches conditions of an application, conditions which are decided by CWaC Planning Department, not the PC.

All planning applications can be viewed on the CWaC website. They are also included on our agendas and discussed at our meetings. If you wish to comment, positively or negatively, regarding a planning application then you can do this via the CWaC website. You can also write to the PC via the Clerk ([clerk@tarvinparishcouncil.org.uk](mailto:clerk@tarvinparishcouncil.org.uk) /01829 741075) or speak at our Open Form which takes place at the start of each meeting (19:15pm on the fourth Monday of each month in the Edna Rose Room at Tarvin Community Centre – a list of the dates for 2024 are available to view on our website).

- Tarvin Parish Council (March 2024)