

MEMBERS OF THE PUBLIC ADDRESSING THE DEVELOPMENT CONTROL COMMITTEE – OPERATIONAL PROCEDURES

OPERATIONAL PROCEDURES

The Council has decided to give third parties the right to speak at Development Control Committee (“the Committee”).

This document explains the procedures which the Development Control Committee will adopt when a member of the public makes a written request to address the Committee

1. WHICH MATTERS CAN BE DRAWN TO THE COMMITTEE’S ATTENTION?

A wide range of issues may be drawn to the Committee’s attention, however under the relevant Planning Acts, decisions regarding planning applications must be in accordance with the law, development plans and national guidelines, unless other planning considerations are important enough to justify a decision which is to the contrary. The Council cannot refuse planning permission for the sole reason that objections have been presented, and cannot approve an application for the sole reason that a number of people support it or because there are no objections.

The matters you raise must pertain to relevant planning considerations, e.g.

- Relevant legislation and the policies in the relevant development plans and national planning guidelines
- Relevant case-law and decisions on previous planning appeals before an Inspector
- The impact on the character and appearance of the area, e.g. site, scale, size, height and design
- The impact on the amenities of neighbouring residents, e.g. hours of use, overlooking, excessive impairment and traffic noise

- The impact on highway safety, e.g. poor visibility, the safety of pedestrians, parking, density of use.

Little or no attention may be given to matters which are not material planning considerations and which are private matters, e.g.

- Land stability, drainage, fire precautions, hygiene and the layout internal areas (these are mainly dealt with under legislation which is separate from Planning, e.g. Building Regulations)
- The applicant's personal characteristics, including age, race and language
- Disagreement regarding the ownership of the affected land
- Private rights of way and drainage and private easements and covenants
- The impact of the proposal on property value
- Commercial competition, e.g. between shops, restaurants, garages etc
- Loss of views

2. HOW TO MAKE A REQUEST TO SPEAK AT THE COMMITTEE?

The procedure to be followed in making a request is the same for everyone who wishes to speak at Committee. It is your responsibility to find out whether the particular application on which you wish to speak is to be submitted to the Committee or considered under delegated powers. You can discover this by contacting the Planning Section on 01545 572135 or through the Council's website planning@ceredigion.gov.uk; info@ceredigion.gov.uk;

You must submit a written request to speak to the Clerk to the Committee as soon as possible and no later than midday on the Tuesday before the Committee (which usually meets on a Wednesday). The contact details for the Clerk are Administration Section, Chief Executive's Department, Penmorfa, Aberaeron, Ceredigion, SA46 0PA (e-mail address: democracy@ceredigion.gov.uk)

You should include in your request, your name and contact details, including a daytime telephone number, and e-mail if available, details of the particular planning application and reference number if possible.

You will only be permitted to speak if the application is on the Committee's agenda.

Everyone who makes it known to the Planning Section that they wish to speak, will be informed by telephone, in writing or e-mail of the details of the meeting, at least three working days before the meeting. Reports on the Committee agenda may be inspected at the meeting.

The applicant/agent will be informed, if s/he has not asked to speak at the Committee, should a notice be received from an objector expressing the desire to speak, so that s/he may also exercise his/her right to respond at the Committee.

It is only the applicant, his agent, or those who have already submitted written objections or observations within the 21 day consultation period who may make a request to address the committee.

Items will not be deferred simply because a person who has requested to speak cannot attend Committee on a particular date.

3 THE PROCEDURE AT THE COMMITTEE

Those who do speak will be allowed a maximum period of 5 minutes each to speak. If more than one objector wants to speak, objectors will be either encouraged to appoint one spokesperson or split the 5 minutes available. The Chairman of the Committee will have the absolute discretion to rule in such matters.

The appropriate order for speaking is as follows:- case introduced by officer, objector, applicant or agent, Town and Community Councils, Committee Members.

Unless the Chairman of the Committee states otherwise, the planning applications will be considered in the order in which they appear on the agenda, and it will not be possible to defer an application because you cannot attend or because you are not ready to speak when the Chairman presents the application. Information regarding the order on the agenda is available from the Planning Section.

You must be present at the Committee meeting between 9.45 and 10am and introduce yourself to the Clerk of the Committee. The Committee usually commences at 10.00 am. The Clerk will explain the arrangements and where you will be seated when you speak.

When invited by the Chairman of the Committee, you may speak once, for up to five minutes, and the importance of adhering to the time limit is emphasised. There is no need to repeat all the points made in any letters, as these will have already been sent to members before the Committee. You are advised to focus on the main points of concern, or the points which you support. You will not be allowed to circulate any written material or photographs unless these have been included with the written request to the Clerk, as above.

After speaking, you must allow the Committee to discuss the matter, and you should not join in this discussion. The Chairman may ask a question/questions if further explanation of the points raised will be required.

4 THE COMMITTEE'S DECISION

Decisions are usually made in the meeting, but sometimes the decision may be deferred until the following meeting, in order to arrange a site inspection by the Committee or for other reasons. There will be no opportunity for members of the public to speak on the deferred item at a second or further meeting.

The Section will inform the applicant/agent of the decision after the date of the Committee meeting and will inform everyone who has written to the Council of the outcome of the application.

5 ADDITIONAL INFORMATION

Should you wish to receive further information regarding what happens at the Development Control Committee or an explanation regarding the types of decisions the Committee is able to make, please contact the Planning Section on 01545 572135 or by e-mail to planning@ceredigion.gov.uk.