

PLANNING COMMITTEE PROCEDURE RULES

The Planning Committee follows the same Committee procedure rules as any other Committee in relation to its conduct. In addition there are a number of Protocols which are relevant including:

- Protocol on Addressing the Planning Committee - Speaking by the Public (see below).
- Protocol on Presentations of Planning Development Proposals by Prospective Developers (Part 5 Section 9 of the Constitution).

PROTOCOL ON ADDRESSING THE PLANNING COMMITTEE (SPEAKING BY THE PUBLIC)

Blaby District Council has adopted the following protocol to enable applicants, objectors, supporters and Town/Parish Councils to speak on planning applications brought forward to the Planning Committee for determination:

WRITTEN COMMENTS

It is important to appreciate that any written comments on planning applications received up to 48 hours prior to a committee meeting are copied to the Members of the committee in advance of the meeting. It cannot be guaranteed that any comments received later than this timescale will be considered by Members.

SPEAKING TO THE COMMITTEE

The applicant, the Parish Council or persons wishing to address the meeting of the Planning Committee on a planning application are able to do so subject to the following criteria:

- 1 There is a right to address the Planning Committee on any planning application on which it will make a determination.
- 2 A written request must be received by the Planning Department no later than 2 working days prior to the date of the meeting requesting to speak.

Where other objectors/supporters have also expressed a wish to address the meeting too they will be asked to choose a person to speak for all objectors and, if relevant, a person to speak for all supporters.

It should be noted that when a group of objectors/supporters cannot decide on someone to speak the author of the first letter received will be offered the opportunity to speak in the first instance.

Where objectors wish to address the Committee the applicant will be informed unless they have already indicated that they wish to address the meeting.

3 In speaking to the Planning Committee, any comments made must relate to the relevant planning issues such as:

- Relevant planning policies
- Layout and density of buildings
- Overshadowing, overlooking and loss of privacy
- Appearance and character of development
- Traffic generation, highway safety, parking provisions
- Noise disturbance or other loss of amenities
- Other material planning considerations

Comments must not relate to irrelevant planning issues such as:

- Boundary Disputes, covenants or other property rights
- Personal remarks (e.g. applicant's motives)
- Reduction in property values
- Loss of private views over land
- Matters dealt with under other statutes (e.g. Licensing)

4 The oral presentation will be restricted to five minutes maximum.

It is not an opportunity for any party to turn the procedure into a hearing by entering into discussion or a question and answer session.

5 There will be no further opportunity to address the Planning Committee at that meeting. There may be opportunity to speak again if consideration of the application is deferred to a future meeting (subject to the Chairman's discretion to refuse a request to speak if the opportunity to do so was abused when first exercised).

6 Applications will not be deferred because of the absence of the applicant, a member of the public, or Town/Parish Council representative, to make an oral presentation to the Planning Committee.

7 Written submissions or other evidence to be referred to by speakers at the meeting will not be circulated at the meeting. Such material must be sent to the Planning Department preferably well in advance of the meeting but in any event not later than the morning on the day of the meeting to enable its evaluation by Officers before presentation to the meeting.

-
- 8 The above protocol will not apply in cases where an Officer's report to the Planning Committee on a planning application is marked 'Not for Publication' and is exempt as defined by the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972.

ATTENDANCE AT THE MEETING

- 1 The meetings of the Planning Committee normally are held every four weeks on a Thursday commencing at 4.30pm.
- 2 The meetings are held in the Council Chamber, Council Offices, Narborough and the public agenda containing the planning application report is published five clear working days before the date of the meeting and can be inspected at the Council Offices, Narborough.
- 3 Members of the public are requested to arrive a little earlier and then take a seat in the area reserved in the Council Chamber for the public.
- 4 The Development Services Manager report on planning applications is normally the first main item on the agenda to be dealt with at Planning Committee meetings.
- 5 The Chairman will announce the Planning Applications. The Planning Officer presenting the case will make any introductory comments.
- 6 Speakers will be allowed to address the Planning Committee for a maximum of five minutes each, starting with the ward member, parish council, objector, supporter and applicant/agent. Once the oral representations have been made there will be no further opportunity to speak at the meeting. There will be no question and answer session with speakers.
- 7 If the Local Ward Member(s) is/are present at the Planning Committee and not serving as a Member(s) of that Committee, he/she will be allowed to speak to the Committee but cannot vote on the application.

CODE OF PRACTICE ON SITE VISITS BY THE PLANNING COMMITTEE

During every site inspection, Members of the Committee will bear in mind that the visit is an extension of their role as a Member of the Planning Committee and the following guidelines must be noted and observed:

- Before every meeting of the Planning Committee, where appropriate, a site visit for each application will be made. It is mandatory for any Members of the Committee wishing to vote on the applications, to attend the site visits;
- An Officer will take charge of the proceedings with support from the

Chairman as necessary;

- Members should group around the Officer at the site and receive a factual presentation and explanation, with a chance to ask relevant questions;
- At no time should the merits of the planning proposal be discussed. Members need to avoid any appearance of bias or having predetermined their views before taking a decision;
- Furthermore such comments could prove damaging to the Council's case in the event of an appeal or reference of it to the Ombudsman;
- Individual Members should not engage in direct discussion with the applicant or agent at any time during a site visit except by questions direct through the Officer;
- Members are aware that any debate and determination will take place in the Council Chamber at the official meeting of the Planning Committee;
- In exceptional circumstances if a Member is unable to attend the site visit, they should immediately contact the Development Services Manager, who may be able to make alternative arrangements to visit the site.