

# THE PLANNING COMMITTEE PROCEDURE



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This document is submitted in order to provide guidance regarding the operational procedures of the Planning Committee meetings in relation to allowing third parties to speak. Its intention is to offer assistance to understand the Committee procedure.

### **THE PLANNING COMMITTEE**

The Planning Committee has 15 members. Meetings are held every three weeks rotating in the three areas according to the timetable available from the Council.

Members have a duty to consider each planning application according to its merit, in accordance with the Council's policies noted in the Development Plans, National and other Planning Guidelines, including the Supplementary Planning Guidance. They can consider other matters, which are material planning considerations, before reaching a decision on the application.

The Committee is led by the Chairman and he/she will be responsible for ensuring an effective procedure for the activities. The monitoring officer will also be present in order to ensure that the decisions made and the reasons for them are in accordance with the Code of Conduct for officers and members. A copy of this Code can be obtained from the Council or on the Council's website.

### **PUBLIC SPEAKING**

The public are entitled to sit at the rear of the meeting room and listen to the discussions. They are not permitted to interfere in the discussions or to voice an opinion.

The Council procedure, permits individual objectors and supporters to speak for up to 3 minutes at the Planning Committee. The arrangement is restricted to persons who have declared their intention to speak in accordance with the Council's public speaking procedure. Only one objector and one supporter to speak for every individual application. A copy of the procedure regarding public speaking can be obtained by contacting the Council or on the website.

Relevant speakers will be invited by the Chairman to sit at a specific location in order to submit their case to the Committee and the time will be rigidly restricted to 3 minutes. In accordance with the Council's public speaking procedure, speakers can submit a case on behalf of an individual or a number of objectors or supporters.

### **DISCUSSING THE AGENDA**

The Committee Agenda is published at least 5 working days before the date of the Committee and copies will also be available at the Committee. The agenda will include a list and reports on every application transferred to the Committee for consideration.

The minutes of the previous Committee will be presented for confirmation.

The remainder of the agenda will include the reports of the Planning Manager on the planning applications. The reports include a full assessment of applications referred to

the Committee along with observations submitted during the consultation period. The report clearly states the conclusions and recommendation of the planning officer. The individual applications will be considered in the order they are listed in the agenda.

See the chart below for the procedure regarding discussions.

1.	Report of the Planning Service on the planning application including a recommendation.	
2.	If an application has been received from a 3 <sup>rd</sup> party to speak the Chairman will invite the speaker to come forwards.	
3.	Objector, or a representative of the objectors to address the committee.	3 minutes
4.	Applicant or a representative of the applicant(s) to address the committee.	3 minutes
5.	Local Member(s) to address the committee	10 minutes
6.	Committee Chairman to ask for a proposer and seconder for the planning application.	
7.	The committee to discuss the planning application	

## **DECISIONS ON APPLICATIONS**

The Committee considers all the information submitted and decide the application either in accordance with the Officer's recommendation or contrary to the Officer's recommendation. If members wish to resolve an application contrary to the recommendation, material planning reasons for doing so will have to be provided. Where there is justification to do so, the Committee can defer the decision to enable the Planning Committee to visit the site to discover supportive planning information in order to discuss the application in the next reasonable meeting.

Only the applicant/agent is entitled to appeal against the Committee's decision. However in exceptional cases and on a legal basis only, an objector can challenge the planning ruling, within a specific period to the High Court, and a solicitor should be contacted before considering doing this.

Planning permission granted by the Committee does not overcome any legal rights, such as e.g. land ownership, and planning permission does not overcome the need to comply with other legislations either, e.g. Building Control.

Further information about specific matters and on the Council's procedures can be obtained on the Council's website or by contacting the planning office.