

PUBLIC SPEAKING AT PLANNING COMMITTEE



Advice Note

The Council gives publicity to planning applications, and anyone can make representations raising whatever issues they feel should be taken into account.

Representations from neighbours and other interested parties are very important in highlighting issues which need to be taken into account when applications are decided.

When the Council considers applications, the views of objectors and supporters are summarised in each report. In addition to this written report, in certain circumstances, the Council provides members of the public, parish/town councils and applicants/agents, the opportunity to speak at meetings of the Planning Committee.

Public speaking is important as those making representations have no subsequent right of appeal should the Council approve a development. It therefore allows an opportunity for a summary of the issues to be made directly to the Committee members before they determine the application before them.

Members will have read the officer report, possibly looked at the information on the website, and often discussed any particular issues with the case officer. Many also attend a site visit the day before the Committee meeting. They therefore come to the meeting to hear an introduction by the presenting officer, the objectors have the opportunity to put a summary of their case to the members in person and in the interests of balance the applicant has an equal opportunity to respond.

This Advice Note tries to answer some of the questions you may have about the scheme of public speaking and what will happen at the Committee meeting.

If you require any further information, please telephone the planning application case officer or a Planning Technician on (01494) 421473.

1. Does Public Speaking apply to all applications?

No. The scheme only applies to those applications considered by the Planning Committee which are being recommended for approval and where written objections have been received. **Objections must have been received before the time the Committee Agenda is prepared.** The scheme does not apply to a second or duplicate application where it is substantially the same as the first.

2. Are all applications considered by the Planning Committee?

No. Usually only the more complex or controversial applications are referred to the Planning Committee. You may wish to make your views known to your District Councillor as well as the Planning Department. Councillors names, addresses and email addresses can be obtained from our website: (www.wycombe.gov.uk).

3. How will I be told if I have an opportunity to speak at the Committee meeting?

When the planning committee agenda is finalised and we are certain that an application is to go to a particular meeting of the Committee, all objectors entitled to speak (including the parish/town council) will be sent a letter or email which will invite them to register their wish to speak at the meeting. We will also let the applicant or his agent know that public speaking may take place. Invitation letters (or emails) will be sent about a week before the date of the meeting.

4. What do I do if I decide I want to speak?

You must register your wish to speak by sending an email to (planning@wycombe.gov.uk). You must let us know at least 48 hours before the meeting starts if you wish to speak at the Committee (i.e. by 6.00 pm on the Monday before a normal Wednesday meeting). A voice mail service operates outside office hours.

5. Can I see the Officer's report before the meeting?

Yes. The agenda for the meeting and the Officer's report on the application will be available for inspection for at least the 5 working days prior to the meeting. The information can be viewed on the Council's website (www.wycombe.gov.uk), or can be made available for inspection at the Council Offices.

6. Can any member of the public speak about any application on the agenda?

No. You cannot speak unless you have been sent, and accepted, an invitation to do so (see 3 & 4).

7. For how long may I speak?

An overall total of 3 minutes is allowed for objections to be made to the Committee on an application. This time limit is for all objectors in total, not 3 minutes each. However, a further 3 minutes is allowed for a representative of the Parish/Town Council where it has objected.

8. What if there are a number of objectors wishing to speak on an application?

Since the overall time limit of 3 minutes is for all objectors in total, not 3 minutes each, objectors will be encouraged and helped to contact each other so that repetition can be avoided.

This means that you may be given the names and telephone numbers of other objectors and that they may be given your details. In many cases, it will be appropriate for a spokesperson to be appointed to represent a group of objectors. The Council will contact you before the meeting to confirm details of speakers. Where a number of speakers

cannot agree on a spokesperson, speakers will be heard in the order of their registering an intention to speak until the total of 3 minutes has elapsed.

In the event an application is identified as EXCEPTIONAL by the Committee Chairman a limit of three minutes per speaker would apply, but the overall time limit for all objectors on the application will be extended to 6 minutes. The period allowed for the applicant to respond would be extended to 6 minutes but the period of 3 minutes for the Parish Council would remain unchanged.

These exceptional arrangements will only apply very occasionally, generally on major applications. You will be advised on the day of the meeting if this is the case.

9. Can someone else speak on my behalf?

A group of objectors may be represented by a spokesperson as described above. Alternatively, you may ask someone to speak for you or you may use a professional advisor.

10. Can applicants speak to the Committee?

Where an objector has addressed the Committee, the applicant or their nominated agent will have an opportunity to comment on what has been said by objectors. Applicants will not be allowed to make full presentations of their proposals to the Committee. They will also not be able to speak where objectors have not spoken

The applicant or his agent will also be limited to 3 minutes (extended to 6 minutes where an application has been identified as EXCEPTIONAL by the Committee Chairman). The nominated agent is the person identified on the application forms, or as notified to the officers at least 48 hours before the meeting.

11. When and where are the meetings held?

The Planning Committee meets in the Council Chamber at Queen Victoria Road, High Wycombe. Car parking is available on site after 5.30 pm. Please ring 01494 461000 for information on dates of Planning Committee meetings or see the Council website (www.wycombe.gov.uk).

12. Who is on the Planning Committee and who else will be there?

The Committee is made up of 16 elected Councillors. A number of planning officers and other Council staff are also present to advise the Committee and to make a formal record of the meeting. Other Councillors may be present to speak on applications within their Ward, but are not allowed to vote. Any member of the public, including applicants, can attend to listen to the debate, and the Press is usually present.

A Council Officer will be in the Public Gallery at the rear of the Council Chamber to greet speakers and to deal with any queries they may have. If you will be speaking, please make yourself known to them when you arrive.

13. What is the order of business for each meeting?

The order printed on the agenda for the meeting will normally be followed. Applications where there is the possibility of public speaking will be included as early as possible on the agenda to ensure waiting time for speakers is kept to a minimum.

14. What is the order of speaking for each application?

The order of business on each application will be:

- the Chairman will announce the agenda item number.
- the Planning Officer will introduce the application with any relevant updates and show slides of the site.
- the Chairman will call on objectors to speak.
- the Chairman will call on the parish/town council representative to speak.
- the Chairman will call on the applicant or nominated agent to respond to the objector's comments.
- the Chairman will call on any Councillors who are not on the Committee but have come to speak on an application in their ward.
- the Chairman will call on the councillors who were on the Committee site visit to discuss the application.
- the entire Committee will then discuss the application.
- Councillors may seek clarification of particular points from officers regarding the application or on points raised by speakers in the main debate.
- officers will respond to issues and questions raised by Councillors.
- the Committee will then make a decision. This may be;
 - to approve the application
 - to refuse the application
 - to defer consideration.

15. How do I present my objections?

The Committee may only consider relevant planning issues. Please limit your comments to matters such as:

- **planning policies, including those in our Local Plan (which can be viewed on our website)**
- **appearance and character of development**
- **traffic generation, highway safety and parking**
- **overshadowing, overlooking and loss of privacy**
- **noise disturbance or other loss of amenities**
- **layout and density of buildings.**

Please avoid matters which cannot be considered by the Committee such as;

- **boundary disputes, covenants or other property rights**
- **personal remarks (e.g. the applicant's motives)**
- **reduction in property values**
- **loss of private views over the land.**

Visual aids such as plans or photographs, or the circulation of material at the meeting will not be permitted. You may not ask questions of others at the meeting, nor will Councillors, officers or others ask you questions.

If you would like to check what issues can be taken into account, please contact the application case officer.

16. How will I know how much time I have to speak?

There is a system of coloured lights (like traffic lights), which will guide you on how much time there is left. A council officer will explain the system to you before the meeting. The lights indicate:

- **Turns Green – start of 3 minutes.**
- **Turns Amber - 30 seconds to go.**
- **Red – Stop.**

17. What happens if the application is deferred?

When an item has been deferred and is brought back to a later Planning Committee meeting, objectors will not have an automatic right to speak again. They will however be invited to speak again if the proposal has been amended such that new issues could be raised, but **if you choose to speak again, you should limit your comments to the changes that have been made to the scheme.**

Sometimes, e.g. if amended plans are received, the application will be deferred before the meeting and so no discussion will take place. If you have registered an intention to speak we will let you know as soon as possible that this has happened.

18. Can an application be approved by the Committee if it is recommended for refusal?

The Committee can disagree with the officer recommendation but if it does so, the application would only be approved where no written objections have been received from the public or parish/town council. Otherwise, the application will be deferred to the next meeting so that objectors will have the opportunity to speak to the Committee to explain their concerns.

19. What happens after the decision is made?

The applicant/agent will be sent the notice of decision. The decision will also be published on the Council's website (www.wycombe.gov.uk).

Where an application has been refused, the applicant can appeal to the Planning Inspectorate (an independent Government Agency). An applicant can also appeal against a condition on a permitted application. Any original comments will be forwarded to the Planning Inspectorate.

Where an application has been granted, there is no opportunity for objectors to appeal to the Planning Inspectorate, other than by means of a judicial review.

All those who made written comments will be advised of any such appeal and will be asked if they wish to make any further comments. The original comments will be forwarded to the Planning Inspectorate.

Where an application has been granted, there is no opportunity for objectors to appeal to the Planning Inspectorate.

20. What should I do if I have any further queries about the scheme of public speaking?

Send an email to (planning@wycombe.gov.uk) , speak to a Planning Technical Officer on (01494) 421473, or the application case officer, whose contact details will be on correspondence from us.