

## **HART DISTRICT COUNCIL**

### **PUBLIC SPEAKING AT PLANNING COMMITTEE**

We have a scheme that allows people to address the Council's Planning Committee on particular applications but there are some rules that must be followed to make the process run smoothly

#### **Can I speak on all planning applications?**

No, you can only speak on a planning application where you have submitted comments in writing within the publicised date for comments and where that application is to be determined by the Planning Committee.

#### **Who can speak?**

Anyone who has made written comments can speak either in favour or against an application. We will write and tell you about a week to 10 days in advance of when the application you have commented on will be debated at Committee and that there will be an opportunity to speak. If you wish to address the Planning Committee it is important to let us know, by completing the form provided, and returning it to us by the deadline given in the letter/email. If this is not received, then you will not be allowed to address the Committee. Normally, you will be given the opportunity to speak only once unless the application is deferred prior to the Planning Committee meeting.

#### **There will be a maximum speaking time of three minutes per speaker allocated for each planning application site.**

The time being divided as follows:

- Parish Council (3 minutes)
- Objector (3 minutes)
- Applicant or agent (3 minutes)

Only one person will be able to speak against a planning application. Where more than one person wishes to speak against the application, normally the first person to apply will be allowed to do so, but one spokesperson can, by mutual agreement speak on behalf of all objectors. The time limit will be strictly followed and cannot be exceeded. All speakers must stop when requested to by the Chairman. You are strongly advised to keep your comments short and to the point to achieve maximum effectiveness. Councillors frequently observe that comments made in less than one minute are much more memorable, and thus effective.

#### **How will a spokesperson be appointed?**

If the objectors cannot reach agreement about who will speak, then the person who asked first will be the appointed spokesperson. Any other person who wishes to speak will be asked to co-ordinate their representations through the spokesperson. With their consent the Council will pass on the spokesperson's contact details to the others. When supporters of an application and the applicant also wish to speak the applicant will always be given priority.

#### **When and where are the meetings held?**

The Planning Committee normally meets on every second Wednesday of the month at 7.00 pm. The meeting is conducted in the Council Chamber on the 2nd floor of the Civic Offices, Harlington Way, Fleet.

#### **Who is on the Committee and who else will be there?**

The Planning Committee is made up of elected Councillors. Council staff attend to advise and to formally record the meeting. The applicant and any member of the public may attend to listen to the debate; also the media is often present.

## What is the order of business at the meeting?

The order of business at the meeting is normally as printed on the agenda.

## Can I see the officer's report?

Yes. The agenda and reports will be available on the internet at five working days before the meeting and at the Civic Offices. An additional paper (the Addendum Sheet), containing information received after the reports have been written, will be available at the meeting.

## Can I speak to the local Councillor before the meeting?

Yes. Contact details are available on the Council's website, [www.hart.gov.uk](http://www.hart.gov.uk). Please note there are rules that Councillors have to follow if they are to vote on an item at Committee, so please note they will not be able to commit themselves to vote in a particular way prior to the meeting. Details can be found on the Council's website. If you send any information direct to Councillors ahead of the meeting, you should also copy it to the Head of Regulatory Services at the Council Offices more than 24 hours in advance so that it can be placed on file and made available on the website. This is to ensure that in the interest of openness, fairness, and transparency, other people, including the applicant and objectors can see what you have said. New material will not be allowed to be taken into account if other people have not had a proper opportunity to consider it.

## How do I present my representations?

The Planning Committee may only consider relevant planning issues such as:

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| √ Local planning policies  | √ Traffic generation and overall highway safety   |
| √ Government advice  | √ Overlooking and loss of privacy.  |
| √ The effect on the street or area (but not loss of private view). | √ Drainage in relation to flooding  |
| √ Size, layout and density of buildings                            | √ Noise and disturbance from the proposed development (but not from construction work). |
| √ Design, appearance and materials                                 | √ Ground contamination  |
| √ Adequacy of parking  |   |

Matters that we **cannot** take into account include:

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| x Matters controlled under other legislation such as Building Regulations (e.g. structural stability, fire precautions.) | x Competition  |
| x Loss of property value   | x Moral issues   |
| x Other aspects of drainage  | x Need for development   |
| x Loss of view across adjoining land   | x Private issues between neighbours (such as land and boundary disputes, damage to property, private rights of way, deeds and covenants) |
| x Sunday trading   | <b>The issue of covenants has no role in decision making on planning applications.</b>   |
| x Disturbance from construction work   |  |
| x The identity or personal characteristics of the applicant  |  |

The laws of slander are very strict. If you say something defamatory in public about a person which is not true, even if you believe it to be true, you may be at risk of legal action. You should avoid defamatory comments of every sort when speaking at Committee.

## Can I display additional information in support of what I want to say?

Yes, provided the information is sent to the Council prior to 1200 hours on the day before Committee. It should be, wherever possible in electronic format (ie a Powerpoint presentation). This information will then be published on the Council's website. The Head of Regulatory Services reserves the right to disallow

any information if it is considered to be inappropriate or the result of image manipulation. No additional time will be given for Members to view the information; this has to be included within the 3 minutes public speaking.

### **Can I ask any questions?**

No, there will not be an opportunity to ask any questions at the meeting.

### **Will I be asked any questions?**

The opportunity exists for those addressing the Committee to be asked questions of clarification or fact by Members of the Committee after they have addressed the Committee. Responses should be limited to the question and are not an opportunity to make further detailed representations.

### **What is the order of speaking for each application?**

At the start of the meeting the Chairman will explain the rules of the public speaking scheme. The Chairman will announce the application to be considered. A planning officer will give a short introduction. The Chairman will invite anybody representing the Parish Council to make any comments it feels fit. The Chairman will then invite those objecting to the application and finally give the applicant, or their agent, the opportunity to speak. The Committee will discuss the application and make a decision. This may be to: - approve the application - refuse the application - defer consideration for further information or amendments - defer consideration for a site visit by a panel of Councillors (the Viewing Panel).

### **How will my representations be recorded?**

Minutes will be taken but will only record the names of speakers and which applications they addressed. The Minutes are available for inspection and will be published on the Council's web site.

### **What happens if an application is deferred?**

Applications are seldom deferred for site visits as these are normally held before the meeting. However, if the application is deferred before being presented at the meeting, objectors who have already expressed a wish to speak will be invited to speak at the subsequent meeting when the deferred item will be discussed. If the Committee decides to defer the application after hearing the speakers, you will not be invited to speak again.

### **Can objectors speak at a Site Visit?**

No. The Viewing Panel visit is private and its purpose is to observe the characteristics of a site and its relationship to the surroundings. Representations on the merits of the application will not be heard. However, if you wish the Viewing Panel to view the site from your land this may be possible. You will need to contact your Councillor to arrange this. As well as the Members of the Viewing Panel, in the interests of fairness, you will be required to allow the applicant, any representative of the Parish Council and a Council Officer to go onto your land. If you will not allow this then the visit to your land will not take place.

### **What happens after the decision is made?**

Once the Councillors have voted then the decision is made. When an application has been refused, the applicant may appeal to the Planning Inspectorate. Objectors will be advised of any such appeal, their original comments will be forwarded to the Inspectorate and, if the proposal is for something other than a householder application, they will be asked for any further comments. Where an application has been granted, there is no opportunity for objectors to appeal.