

Council

17 January 2012

Name of Cabinet Member:

Councillor Townshend

Directors Approving Submission of the report:

Martin Yardley (Director of City Services & Development)

Ward(s) affected:

Citywide

Title:

Planning Committee Procedures on Public Speaking

Is this a key decision?

No

Executive Summary:

The purpose of this report is to update Members on the impact of the changes to public speaking at Planning Committee and the extended delegated powers given to Officers for determining planning applications. The changes came into place in January 2011 on a temporary trial period of 12 months. It is considered that the changes have achieved the objectives they intended to, therefore, they should be confirmed on a permanent basis.

Recommendations:

Council is requested to confirm the changes to Planning Committee Procedures Rules on Public Speaking in the Constitution on a permanent basis.

List of Appendices included:

Extracts from the Constitution

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

Yes - Constitution Working Group - 7 December 2011.

Will this report go to Council?

Yes - 17 January 2012

Report title: Planning Committee Procedure on Public Speaking

1. Context (or background)

- 1.1 The Constitution was amended on a trial period of 12 months by Full Council on 7 December 2010. The principal change limited the numbers of speakers (other than a Member) at Planning Committee to 2 in support and 2 against each planning application. The Chair of Planning Committee then has discretion to allow more speakers on Major applications. Members speaking at Committee were limited to 5 minutes (with a further 2 minutes summarising at the end of any speaking). Greater flexibility was given for anyone wishing to register to speak for or against an item in that it could be done up to 48 hours before the time of the Committee meeting. Other minor procedural matters with public speaking and presenting of information were clarified. The changes to the Constitution occurred at the same time as Planning Committee agreeing extended delegated powers for dealing with applications and enforcement matters.
- 1.2 The aims of the changes were that, by reducing the number of less-contentious applications and enforcement matters that are reported to the Committee, these changes will improve the quality of decision and level of scrutiny given to larger, complex and significant planning applications by Planning Committee whilst still allowing Members and public representations to be fully covered in a succinct and timely manner that avoids unnecessary duplication or repetition of comments.
- 1.3 Coupled with the changes to public speaking, the delegated agreement has also been changed and has resulted in fewer planning applications and enforcement matters being reported to Planning Committee since January 2011. In the 14 meetings since the changes were made, 75 applications have been reported to Planning Committee (an average of 5.35 per meeting). It is estimated that a further 92 applications would have been reported to Planning Committee had the changes not been made. This includes approximately 25 householder applications. This equates to an average of 6.5 fewer applications per meeting.
- 1.4 Furthermore, 11 Enforcement Notices, 1 Temporary Stop Notice, 23 Section 215 Notices and 2 Breach of Condition Notices have been served following clearance by the Chair of Planning Committee (an average of 2.6 enforcement items per meeting). However, 1 item which was seen as being potentially sensitive was reported to Planning Committee.
- 1.5 Constitution Working Group considered the matter on 7 December 2011 and recommended that Council confirms the changes.

2. Options considered and recommended proposal

- 2.1 In order to assist Members make an informed decision, the changes to public speaking at Planning Committee have been set out below and the impact of the changes to date is then evaluated.
- 2.2 The changes to the Constitution were as follows:-
 1. Members addressing Planning Committee in whatever capacity (other than as a private resident) will be limited to a maximum of 5 minutes, with a further maximum of 2 minutes to summarise after all public speakers have spoken. All speakers addressing the Committee (including petition spokespersons and applicants or their nominee) will be limited to a maximum of 3 minutes and;

2. No more than 2 nominated speakers (apart from a Member) can speak in support of an application and no more than 2 nominated speakers (apart from a Member) can speak against an application. But in the case of a planning application that is defined as a Major Application, the Chair of Planning Committee would have discretion to allow that 3 speakers (apart from a Member) can speak either in support of or against an application. A major application is defined as:-

- For dwellings – where 10 or more dwellings are proposed, or if the number of dwellings is not given, the site area is more than 0.5 hectares.
- For all other development – where the floor area to be built is over 1,000 sq.m or the site area is more than 1 hectare;

3. Speakers will be advised to avoid repetition of comments made by other speakers and will only be allowed to speak in respect of comments that have already been submitted in writing in respect of the application. For the purposes of good order, the Chair will be entitled to curtail public speaking where he or she deems necessary;

4. A registered speaker wishing to have supporting information displayed to the Planning Committee during the meeting will be required to submit this to Officers 24 hours before the start of Planning Committee, and the content of the information to be displayed will be with the agreement of the Development Manager or nominee, and;

5. Speakers will only be allowed one opportunity to address the Committee, irrespective of whether the application is deferred to a later Planning Committee. However, if material changes arise following the deferment, or there are exceptional reasons submitted by the speakers to allow them to address the Committee again, the Chair of Planning Committee has discretionary power to allow registered speakers an opportunity to address the committee on the new issues and;

6. No written additional information shall be circulated to Members of the Planning Committee on the day of committee.

7. To amend Section 5.5.11 of the Constitution (Public Speaking at Planning Committee) and the accompanying Annex (Guide to Public Speaking at Planning Committee) in recognition of comments and concerns that had been raised in respect of suggested limitations on the number of public speakers at Planning Committee. It is, therefore, suggested that greater opportunity be given for those persons wishing to register to speak. Before the changes, anyone wishing to register to speak must do so only within the 21 day notification period on a planning application. As an alternative it is suggested that anyone wishing to register to speak for or against an item that is required to be reported to Planning Committee can now do so up to 48 hours before the Committee meeting (subject to limitations on the number of speakers suggested above). As the Committee schedule is normally compiled up to 2 weeks before the date of the meeting, writing to all persons who have commented on a planning application; the applicant or their agent; and Members can then inform them of their opportunity to register to speak. 48 hours would allow for sufficient notice for the applicant or their representative to be contacted and to organise having their right to reply.

8. In the event of elected Members requesting that an application be reported to Planning Committee, that they give material planning reasons for this in writing.

The relevant pages from the Constitution are attached as an appendix to this report.

- 2.3 The changes to the Constitution first came into effect in January 2011 and, at the time of writing this report; there have been 15 Planning Committee meetings held since then. There have been 45 registered speakers on 29 applications (although 2 of those applications were then withdrawn before the meeting took place). 7 of these applications were Major applications. In each of the 4 cases where more than 2 speakers registered, the Chair has used his discretion and allowed additional speakers. The maximum number of registered speakers on any one application so far has been 5. The 3 other Major applications referred to only had one or two registered speakers.
- 2.4 In the case of minor and other applications there have only been two cases where more than 2 speakers registered to speak. In each case a third speaker was not allowed to speak. However, one application was then withdrawn before the meeting took place. In cases where more than 2 speakers register, contact details of other speakers are given so that members of the public can liaise with each other as to how to represent themselves.
- 2.5 Since the changes have been made there has been an average of 3 registered speakers on 2 applications at each Planning Committee meeting. In the 12 months preceding the changes there were 17 Planning Committee meetings with an average of 3.7 registered speakers on 2.5 applications.
- 2.6 A 6 month update was given to Constitution Working Group on 15 June 2011, with a further update on 6 December 2011 and no problems were identified then.
- 2.7 It is considered that the changes have been successfully implemented and no problems have been identified. The changes are fair and transparent and have been consistently applied and, as a result, meetings have been conducted more efficiently and have finished earlier. The changes have still allowed members of the public to make their representations effectively. The Chair of Planning Committee has shown flexibility in allowing more public speakers on the more complex Major applications when requested. Officers have not received any complaints to date.
- 2.8 The options available would be to revert to the previous arrangements; to extend the changes for a further temporary period to allow further monitoring of their impact; or to confirm the changes to constitution on permanent basis. However, given the positive effects that the changes have had, it is recommended to go for the latter option.

3. Results of consultation undertaken

- 3.1 The Chair of Planning Committee supports the changes to public speaking on a permanent basis.

4. Timetable for implementing this decision

- 4.1 The scheme is already in operation, so it can be continued with immediate effect.

5. Comments from Director of Finance and Legal Services

5.1 Financial implications

There are no direct financial benefits or costs to the decision in this report. The changes to public speaking at the meetings do make more efficient use of staff and Members time.

5.2 Legal implications

It is important that any agreed alterations are reflected within the constitution so that the procedure and process is transparent.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Determining planning applications and making the right things happen in the right locations contributes to the council's core aims – a prosperous Coventry; making Coventry an attractive and enjoyable place to be; achieve and make a positive contribution; providing a good choice of housing; making places and services easily accessible; encouraging a creative, active and vibrant city; developing a more equal city with cohesive communities and neighbourhoods; improving the environment and tackling climate change. However, the proposals are about making efficient use of Planning Committee's time and improving the quality of decision and level of scrutiny given to larger, complex and significant planning applications whilst also ensuring that public representations can be made and that effective engagement with the local communities and neighbourhoods can be made in the decision making process.

6.2 How is risk being managed?

Applications still need to be dealt with in accordance with the planning legislation and the relevant material considerations. Appropriate measures are incorporated into the scheme of delegation to ensure that where a reasoned justification is given, Members may call matters to Committee which would otherwise be delegated to officers. The regular reports of delegated decisions will ensure that appropriate scrutiny is maintained.

6.3 What is the impact on the organisation?

The whole Planning Committee service has become more effective and efficient and has also reduced the administrative process involved in Committee preparation for planning and Governance Service staff. Concern was previously expressed regarding the length of time of the whole Planning Committee meeting. It is now considered to have been streamlined and meetings are a more manageable length.

6.4 Equalities / EIA

The proposed changes will affect all people's opportunities for making representations on planning applications, but it is considered that the changes will be fair and transparent. There will be a greater opportunity for people to register their interest in speaking on applications by allowing them to do so up to 48 hours before the committee and the Chair of Planning has the discretion to allow additional public speakers on Major applications. General facilities such as hearing loops, signers and translators for speakers will continue to remain available for people wishing to attend or speak at Planning Committee. The Chair of Planning, in liaison with Officers, will be responsible for continuing to ensure that there is equality of access to the Planning Committee for people from different backgrounds including groups protected under the Equality Act 2010

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None

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Helen Abraham	Assistant Director Democratic Service	Customer & Workforce Services	28/11/11	28/11/11
Members: Councillor Maton	Chair of Planning Committee		24/11/11	28/11/11
Jenni Venn	Assistant Director Policy Partnership and Performance	Chief Executive's	28/11/11	28/11/11
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Councillor Townshend	Cabinet Member		6/1/12	6/1/12

This report is published on the council's website:

www.coventry.gov.uk/councilmeetings

Appendix – Extracts from Constitution Relating to Public Speaking at Planning Committee

4.10.1.4 Consideration of Business on the Public Agenda and Public Speaking Scheme

The Committee will determine all applications for permissions, approvals and consents made to and consultations with the Council under the terms of reference of the Committee (all of which matters are referred to in these rules as ‘applications’). All applications to be decided by the Committee will be dealt with as follows:

The Planning Officer will present the written report on the Agenda in respect of each item as called by the Chair. The Planning Officer may refer to photographs, plans, diagrams and such other aids as are necessary whilst presenting the written report. All these aids will be displayed at the meeting. The Planning Officer will update the written report verbally in respect of matters occurring after publication of the Agenda and which have subsequently been communicated to the Planning Officer.

Where the matter is one to which the Council’s Planning Public Speaking Scheme at the Planning Committee applies (Part 5, Annex 1), the Chair will then call speakers who have been registered to speak on that application.

- (i) A ‘registered speaker’ will be a person (other than the applicant or their representative) who has made written representations on the application to planning employees and have registered to speak with the Customer and Workforce Services Directorate.
- (ii) Any registered speaker may request a ward Councillor for the ward containing the application site to speak on their behalf. No member of the Committee may speak under the Public Speaking Scheme and participate in consideration of that application as a Committee member.
- (iii) Members addressing the Planning Committee in whatever capacity will be limited to 5 minutes (other than as a private resident), with a further 2 minutes to summarise after all speakers have spoken. All other speakers addressing Planning Committee under the Public Speaking Scheme will be allowed up to 3 minutes to address the Committee. Speakers will address the Committee in the following sequence:
 - objectors,
 - supporters, and
 - the applicant (or their representative).
- (iv) Speakers will only be allowed one opportunity to address the Committee, irrespective of whether the application is deferred to

a later Planning Committee. However, if material changes arise following deferment, or there are exceptional reasons submitted by the speakers to address the Committee again, the Chair of Planning Committee has discretionary power to allow registered speakers an opportunity to address the Committee on new issues.

- (i) There shall be no more than 2 nominated speakers (apart from a Member) speaking in support of an application and no more than 2 nominated speakers (apart from a Member) speaking against an application. But in the case of a planning application that is defined as a Major Application, the limit on the number of speakers would be at the discretion of the Chair of Planning Committee. A major application is defined as:-
 - for dwellings - where 10 or more dwellings are proposed, or if the number of dwellings is not given, the site area is more than 0.5 hectares;
 - for all other development where the floor area to be built is over 1,000 sq.m or the site area is more than 1 hectare and
 - For any other development that the Chair determines is a major application
- (ii) No written additional information shall be circulated to Members of the Planning Committee on the day of Committee. A registered speaker wishing to have supporting information displayed to the Planning Committee during the meeting will be required to submit this to Officers 24 hours before the start of Planning Committee, and the content of the information to be displayed will be with the agreement of the Development Manager or nominee.
- (iii) For the purposes of good order in the meeting and to avoid repetition, the Chair will be entitled to curtail public speaking where he or she deems this necessary.

Following any speakers under the Public Speaking Scheme, Committee members (including the Chair) may speak on the application as called by the Chair and, where needs be, may question Employees on matters arising out of the application.

Employees may be required at any time after public speakers have been heard to address the Committee to answer questions asked or to comment or clarify any points that have been raised during consideration of the application or to advise the Committee.

Following consideration of the application the Chair will request the Committee to decide upon the application. Where the Committee are unanimous as to its decision on the application a vote will not be required. Where there is a difference of opinion as to its decision amongst Committee members, the Committee will move to a vote on the application.

Any dispute or question as to procedure at the Committee, including the operation of the Public Speaking Scheme, will be determined by the Chair, whose decision on all matters will be final.

5.5.11 Public Speaking at Planning Committee

5.5.11.1 The Planning Committee is to allow public speaking on planning applications which are decided by the Committee itself. The public speaking scheme does not apply to applications decided under officer's delegated authority. In those cases members of the public are still entitled to submit their comments and views on the application for employees to consider.

5.5.11.2 The rules of the Public Speaking Scheme are set out in the Council's Constitution at Annex 1 of this section. The aim of the scheme is to elicit a broad range of opinions on the application in order to increase public participation and to help the Committee in its decision making.

5.5.11.3 A Guide to Public Speaking at Planning Committee has been produced and forms part of this code (Annex 1)

Annex 1

Planning Public Speaking Scheme: A Guide

1. Introduction

The City Council operates a scheme for public speaking at its Planning Committee. You have registered as wishing to speak on a planning application to be decided by the Committee. The scheme provides the opportunity for no more than two speakers supporting and two speakers opposing an application to address the Committee if it were to be determined by the Committee, unless it is a major development, when it may be possible for more than two speakers to address the Committee. That application is now ready to be considered by the Committee and this leaflet explains how you can take part before the Committee makes a decision.

2. The Date, Time and Place of the Committee Meeting

With this leaflet is a letter which gives the date, time and place for the Planning Committee's meeting. Also there should be a copy of the written report on the application which will be before the Committee at its meeting

3. 'Do I Have to Speak?'

No. Even though you've registered to speak this doesn't mean that you have to if you've changed your mind. If the application details have changed or the written report adequately summarises your views then you can choose not to speak. If you no longer want to speak, please telephone the direct line number on the

enclosed letter to confirm this as it may be that other people have registered and may be able to speak to the Committee instead. Please have the letter to hand as we may need some details from it when you call.

You will have been asked at the point of registration whether you are happy for your contact details to be passed on to any other registered speakers. This will only be done if you have agreed to it. If you know that others have registered to speak and they share your views, you may want to choose one of your number to speak for you all. You can request that a Ward Councillor speaks on your behalf. You can find out who your local Councillors are by 'phoning the Council on 024 7683 3333.

If you still want to speak this is what will happen at the meeting

4. What will Happen at Planning Committee

- When the application is called, the Planning Officer will present the written report and refer to plans and photographs which will be on display.
- Objectors to the application will then be called to speak.
- Supporters of the application will then be called to speak.
- The applicant (or their representative) will be called to speak.
- Members of the Committee will then consider the application and then vote.
- Officers may need to answer questions, respond and clarify points raised and advise the Committee on procedure.

Rules You Should Know About

All objectors, supporters and applicants (or their representative) who choose to speak will be bound by the following rules:

- You may only speak once and for a maximum of up to 3 minutes only and should only raise issues which were included within your written response. Please make all your points in the one 'go'- you won't be allowed a second chance. Where there is a major development and more than one objector has spoken, the applicant or their representative may, at the Chair's discretion, be allowed longer than 3 minutes to speak to respond to the points raised by objectors
- Objectors, supporters and applicant (or their representative) will always speak in that order. Second and, for major developments, subsequent speakers will be expected to raise new issues which were included within their written response.
- If you believe there are additional issues that should be considered which did not form part of your written response, these should be made in writing to the Planning Officers by no later than 12.00 noon on the day before the

Committee meeting. This is also the case should you wish to have any photographs, plans etc., submitted to the Committee. Submission of additional information at the meeting will not ordinarily be permitted. The Committee will not be able to comment on any new matters raised verbally at the meeting.

- The Chair of the Committee will rule on any dispute as to the procedure to be followed and his/her ruling on all issue will be final. The Chair has the right to intervene and curtail public speaking to ensure orderly conduct and avoid repetition.
- You may only speak on 'planning matters'.
- Planning Committee Members have the right to ask questions of fact of public speakers, petitioners and applicants.

Planning matters include:

- Compliance with the development plan
- Design and use of the proposal in its surroundings
- The effect of sunlight and daylight on adjoining properties
- Loss of privacy to adjoining properties
- Effect on parking, traffic and road safety
- Noise and general disturbance to adjoining properties

Planning matters do **not** include:

- Spoiling your view
- Rights to light
- Devaluing your property
- Covenants affecting properties
- Nuisance caused by building work
- Land ownership disputes
- Personal character of the applicant
- Moral issues

If you have any questions, please telephone the person named on the covering letter enclosed on the direct line number given there.



HOW TO COMMENT ON PLANNING APPLICATIONS & PUBLIC SPEAKING AT PLANNING COMMITTEE

AN ADVISORY LEAFLET FOR GUIDANCE TO HELP YOU MAKE YOUR VIEWS KNOWN AT THE RIGHT TIME

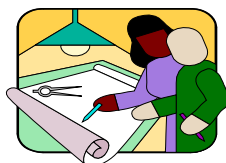
- **Introduction**

Public comments on development proposals are encouraged and welcomed by the Government and the City Council whether for small scale developments e.g. house extensions, or for large scale proposals affecting a whole locality. This leaflet explains how you can best put your views forward on planning applications so that they can be considered before a formal decision on the proposals is made.

- **Consultation Process**

You have received this notification letter as you either adjoin the application site, have shown interest in the proposal/site previously or it has been assessed that the proposal has potentially wider local interest. In certain circumstances notification is also undertaken through site notices displayed close to or on an application site and through statutory notices in the local newspaper.

Before making your observations you are advised to visit the Planning Advisory Desk (which is situated in the ground floor of Civic Centre 4) to inspect the plans and application documentation, as this will enable you to make an informed assessment of the proposal. If you are unsure about any aspect of the proposal then staff on the Advisory Desk will be able to help you.



However if you need to speak with the officer dealing with the application (the Case Officer), possibly about progress on the application, then they can be contacted by telephone. The name of the Case Officer and their direct dial number is given on the covering letter. If you wish to meet the Case Officer then it is advisable to make an appointment beforehand as they may be out of the office or otherwise unavailable.

If you would like to receive any independent advice on this or other planning matters then you can contact the West Midlands Planning Aid Service at Unit 319, The Custard Factory, Gibb Street, Birmingham B9 4AA (telephone – 0121 766 8044). Advice is available free of charge to community groups and individuals that cannot afford to pay for help.

- **Putting your comments in writing**

Although you may make your comments/objections known to the Case Officer or any other member of staff by telephone or face-to-face these cannot be given as much weight as written representations. You are strongly advised to formally place your observations in writing, which should be sent or e-mailed to the address given on the covering letter.

The City Council is expected to make a decision on an application within a set timescale – normally eight weeks but this is extended for certain major proposals to 13 weeks. Therefore there is a time limit for making your views known and the date before which your representation should be received is given in the covering letter. Any representation made that is made contrary to the view of officers will be referred to in the written officer report that will be presented to Committee. The officer report and agenda will be available five working days before the Committee is held and will be placed on the Council's website. Alternatively copies can be requested from the Governance Services Officer on 024 76833166.

Any written representations for an application received after the publication of the officers report will be summarised and made available at the Committee, provided that the late representations are received no later than three working days before the Committee is held.

It is helpful if you give some reasons why you support or oppose the proposal. However those comments must be relevant and based on planning matters. These include :-

- the proposal's compliance with the adopted Development Plan;
- how the proposal fits in terms of design and use with the surroundings;
- the effect on sunlight and daylight on adjoining properties;
- the loss of privacy to adjoining properties;
- the effect on parking, traffic and road safety;
- noise and general disturbance to adjoining residents.

Planning matters DO NOT INCLUDE

- spoiling your view;
- rights to light;
- devaluing your property;
- covenants affecting properties;
- nuisance caused by building work;
- land ownership disputes;
- personal circumstances or character of the applicant;
- moral issues.

Anybody can comment. You do not need to have a direct interest in the application site or be an adjacent owner or occupier. You can support as well as object to a proposal. Remember that all comments received are open to public inspection and may be repeated in public documents.

- **HAVING YOUR SAY AT PLANNING COMMITTEE**

Most applications are determined under delegated powers by officers. However in certain instances, for example, major applications which depart from the Development Plan (and officers are recommending that permission be granted) or those where there are written representations which conflict with the officers recommendation, applications are considered by the Planning Committee. Their meetings are held normally every three weeks on a Thursday afternoon in the Council House and are open to the public.

Public speaking at the Committee is possible, although people making the same or similar points will be asked to choose someone to represent them or alternatively, you may ask one of your Ward Councillors to speak on your behalf.

If you have made written representations on a planning application (sent to the Development Management Team) and wish to speak at the Committee then you must also contact the Governance Services Officer on 024 7683 3237. Although you may register your intention to speak up to 48 hours before the Committee meeting, if you prefer, you may register to speak at the time you submit your written representations. Please note, you must contact the Governance Services Officer even if you have indicated in your written response that you wish to speak.

You will be notified when the Committee Schedule is compiled (normally 2 weeks before the date of the meeting). If you have not already registered to speak, and wish to do so, you must do this by no later than 48 hours before the start of the Committee meeting. Failure to comply with this timescale will mean you will not be able to speak at Committee. You will then be contacted by the Council to confirm the arrangements for the meeting and will be provided with access to a copy of the officer's report. (Please remember that if your representation accords with the officer's recommendation then the matter will be determined under delegated powers and you will be notified accordingly).

Upon reading the Committee report, should you believe that there are additional planning matters that the Planning Committee should consider which have not previously been included in your written submissions and you wish to raise them at the meeting, you should first ensure that these issues are forwarded in writing to the Planning Officer by no later than 12.00 noon on the day before the Committee meeting.

At the meeting the Chair will announce each item and the planning officer will report on the proposals and the main considerations displaying photos of the site and selected plans. The Chair will then invite speakers to address the meeting for a maximum of 3 minutes each (although where this is a major development, the applicant or their representative may, at the Chair's discretion, be allowed longer where more than two objectors speak). Any objectors will go first, followed by those in support and finally the applicant or their representative. Each public speaker has only the right to

be heard once so it is important that you make your points in the time available. Representations should only be made on planning matters which have been included within your written submissions.

Councillors may ask the Planning Officer (or speaker on the issue of facts only) to clarify certain points raised before reaching their decision.

- **HOW ARE DECISIONS MADE**

Every decision will be made taking into account the following factors –

- whether the proposal complies with the development plan;
- the individual merits of the proposals;
- any relevant comments from consultees.

Your views are therefore only one aspect that is considered and may not override other factors. In law the decision must be made in accordance with the development plan unless material considerations indicate otherwise. Government advice is that there should be a general presumption in favour of development unless there are overriding planning objections to it.

- **AFTER THE DECISION**

If you have written to the City Council then you will be notified of the decision in writing which will set out the reason for refusal or conditions attached to any permission granted. Once a decision is made only the person making the application has the right to appeal either against a refusal or any condition imposed on a permission. Neighbours and other interested parties cannot appeal against the decision.

If an appeal is made then an inspector nominated by the Planning Inspectorate will consider the matter. If you commented on the original planning application then you will be informed of the appeal and be invited to make representations to the Planning Inspectorate. Any comments you made on the original application will have already been forwarded to the Inspector. Further information about the appeal process is available from the Planning Advisory Desk.

- **COMMENCEMENT OF WORKS**

Once the development has commenced or completed if you believe it is not in accordance with the approved plans or conditions then please telephone or visit the Planning Advisory Desk or call the Planning Enforcement Team (Direct Dial [024] 7683 1226) and an officer will check the situation. This may require a visit to the site. Your request for us to investigate will be kept confidential and we will get back to you advising you of the action the Council propose to take.

- **OMBUDSMAN**

If you feel the proper procedures have not been followed by the City Council in making the decision then you can ask the Local Government Commissioner (the Ombudsman) to investigate whether maladministration has occurred. The Ombudsman however cannot consider the planning merits of the proposal.

Further details about the Ombudsman are also available from the Planning Advisory Desk.

- **FINALLY**

We are here to help you. You can inspect the application and any relevant policy documents at the Planning Advisory Desk and if you do not understand any aspect of the proposals then please ask the reception staff or talk to the Case Officer. Our address and opening times are given on the covering letter.

Note – Any advice given in this leaflet is not intended to be an authoritative statement of the law. It is intended for guidance only.