

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)
ACT 1990
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

CALL IN APPLICATION

PROPOSED 25 TURBINE WINDFARM AT TIR MOSTYN - FOEL GOCH, NANTGLYN, DENBIGHSHIRE PLANNING APPLICATION CODE NO 25/710/99/PF

REPORT BY THE HEAD OF PLANNING SERVICES

1. PURPOSE OF REPORT:

- 1.1 The report provides an update on developments in relation to the "Call in" Public Inquiry on the Tir Mostyn-Foel Goch windfarm application, and seeks Members' resolution in respect of possible planning conditions and terms of a Section 106 Obligation which will have to be presented to the Inquiry Inspector for consideration at the local Inquiry in December 2001.

2. BACKGROUND:

- 2.1 The planning application for 25 wind turbines at Tir Mostyn-Foel Goch was considered at the County Planning Committee on 1st November 2000. The Committee resolved to grant planning permission contrary to Officer recommendation subject to:
- (a) The Head of Planning Services negotiating suitable conditions and legal obligations with the applicants, and reporting these back to the Planning Committee for consideration.
 - (b) The consideration of and resolution on the conditions and obligations by the Planning Committee prior to the release of the Decision Certificate.
- 2.2 On the afternoon of the 1st November 2000 Planning Committee, the National Assembly for Wales confirmed it was "calling in" the application for determination, on grounds that it raised matters of more than local significance, i.e the Assembly removed responsibility for determination of the application from the Local Planning Authority.
- 2.3 The Assembly advised on the 12th July 2001 that it intended to hold a Local Inquiry to consider relevant aspects of the proposed development.
- 2.4 The appointed Inspector held a Pre- Inquiry meeting at Caledfryn, Denbigh on the 2nd August 2001, to agree procedural and administrative arrangements.
- 2.5 The Inquiry has been arranged to commence on the 4th December 2001 and is anticipated to last for 2 or 3 weeks. It will be held in the Town Hall, Denbigh.
- 2.6 The Committee resolved in July 2001 that the Council will be represented at the Inquiry by the Local Member and the Chairman of the Planning Committee.

- 2.7 A Statement of the Authority's Case has been forwarded to the Inspectorate by the deadline of the 23rd August 2001.
- 2.8 A 'pre Inquiry' site inspection has taken place on the 2nd October 2001, attended by the Inspector and interested parties. The purpose of this meeting was purely to 'walk' the application site and to observe the proposed position of the wind turbines in advance of the Inquiry, not to take evidence.
- 2.9 Formal Proofs of Evidence are being prepared by the Local Member and the Chairman of the Committee, for the deadline of 9th November 2001.
- 2.10 The Inquiry Inspector has drawn attention to advice in the relevant Circular on Good Practice at Planning Inquiries, relating to the formulation of planning conditions and Section 106 Obligations in advance of an Inquiry. It is expected that the main parties discuss planning conditions and seek a measure of agreement prior to an Inquiry, and where a Section 106 Obligation is considered appropriate in support of conditions, the completed document should normally be submitted to the Inspector well before the close of the Inquiry.
- 2.11 There has been dialogue between Officers of the Council and representatives of the applicant company Windjen and the RSPB on possible planning conditions and terms of a Section 106 Obligation, to establish the scope of this exercise.

3. NEXT STEP:

- 3.1 Members are asked to consider the appended list of planning Conditions (DCC1) and the basic heads of terms of a Section 106 Obligation (DCC2) in support of the Authority's case at the Inquiry in December.

4. RECOMMENDATION:

- 4.1 Members are asked to resolve on the following:-
- (i) that the planning conditions outlined in the list in Document DCC1 (as amended by the Committee) be presented to the Inquiry Inspector as acceptable to the Local Planning Authority in the event that planning permission is granted;
 - (ii) that the basic heads of terms of a Section 106 Obligation outlined in Document DCC2 (as amended by the Committee) are acceptable to the Local Planning Authority, that the Local Planning Authority agree to entering an obligation with relevant parties subject to the Legal Officer being satisfied at the details, and that the developers, interested parties and Inquiry Inspector be advised accordingly;
 - (iii) that the Legal Officer and Head of Planning Services be authorised to negotiate and agree suitable amendments and additions to the conditions and heads of terms of a Section 106 Obligation as necessary, prior to, during and after the Inquiry, so long as these remain within the basic scope of the Document DCC1 and DCC2.

DOCUMENT DCC1

TIR MOSTYN - FOEL GOCH WINDFARM APPLICATION CODE NO 25/710/991/PF

LIST OF ACCEPTABLE PLANNING CONDITIONS IN THE EVENT OF PERMISSION BEING GRANTED

The Conditions are not listed in any order of significance.

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
2. The development shall be carried out strictly in accordance with the details in the following plans and documents.
3. The centre of each of the wind turbines shall be located at the grid references Drawing No. [] with a maximum deviation of 10 metres from these locations, unless otherwise agreed in writing by the Local Planning Authority.
4. This permission relates solely to the erection of the [type of turbine/manufacturer's reference] with a tower height of metres from reinstated ground level at the base of each turbine, and a rota blade diameter of metres.
5. All the wind turbines shall be of tubular steel construction.
6. The turbine, tower, nacelle and blades shall have a non-reflective matt finish. The colour of the finish shall be as may be approved in writing by the Local Planning Authority before development commences on the site, and the approved colour shall be retained thereafter.
7. The blades of all the turbines shall rotate in the same direction.
8. None of the turbines, anemometer masts, associated buildings and above ground equipment or fixed plant shall be permitted to have any names, logos, signs or advertisements on external surfaces at any time.
9. None of the wind turbines shall be located within 60 metres of any part of Public Footpath 67 or any public highway.
10. All electricity and control cables within the application site shall be laid underground.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Schedule 2 Part 17 Class G no overhead lines or other above ground apparatus or fixed plant shall be permitted to be erected within the application site without the written permission of the Local Planning Authority.
12. No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to the detailing of the electricity connections between the separate parts of the application site and the connection to the electricity grid, including routing and design of poles.
13. If any wind turbine hereby permitted fails to operate (produce electricity) for a continuous period of six months, the wind turbine, tower and ancillary equipment shall be dismantled and removed from the site, and the foundations shall be removed down to a minimum of 300mm below surrounding ground level and the land shall be restored to its former profile and

conditions (to be agreed as part of the scheme of recording the existing site outlined in Condition () within a period of 3 months from the end of the 6 month period.

14. No development shall be permitted to take place on the substation building until the written approval of the Local Planning Authority has been obtained to the stone to be used on the external walls, the type of natural slate to be used on the roof, and the colour of any exposed transformers, housing, and rainwater goods.
15. No development shall be permitted to commence until details of the temporary site site compound have been submitted to and have been approved in writing by the Local Planning Authority. The details shall include the location of the compound fencing area for the parking and storage of plant, machinery and equipment, the parking and turning of contractor's vehicles, a scheme for the prevention of oils, fuels and chemicals from entering the soils or ground or surface water the means of disposal of foul sewage and the proposed reinstatement/restoration of the site compound following the completion of site works. The temporary site compound shall be developed in accordance with the approved details prior to any plant, machinery, equipment, oils, fuels or chemicals being brought to site.
16. The temporary site compound shall be removed in its entirety and the land reinstated in accordance with the details approved in accordance with Condition () no later than 3 months following the commissioning of the turbines.
17. No work shall be permitted to commence on the development until there has been submitted to and agreed in writing by the Local Planning Authority a detailed scheme showing the proposed details of the stripping of the site, the storage and proposed use of topsoil and subsoil and the after treatment of the disturbed land by construction or related works.
18. No excavation works shall be permitted to commence on any of the temporary borrow pits until full details of the location, extent and maximum depth of the borrow pits, the timing of excavations and after treatment of the borrow pits including final land profiles, soil mixes and planting proposals, following excavation and during the operation of the wind turbines have been submitted to and have been approved in writing by the Local Planning Authority.
19. No development shall be permitted to commence until details of measures to prevent material from excavation or construction activities or other activity on the application site resulting in disturbance to surface water drainage, entering watercourses within or outside the application site; to include silt traps and means of measuring, monitoring and remedying turbidity in watercourses; have been submitted to and have been approved in writing by the Local Planning Authority.
20. No development shall be permitted to commence until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme of reinstatement of the application site to take place immediately following the commissioning of the windfarm, such scheme to include the reinstatement of the land around the turbines, access and site roads, cable trenches, drainage ditches, temporary site compound, borrow pits and control building. The reinstatement shall be completed in accordance with the approved details within a period of 3 months of commissioning.
21. No development shall be permitted to commence until there has been submitted to and agreed in writing by the Local Planning Authority, a method for the measurement of noise emissions and tonal noise from the wind turbines. The approved method shall accord with The Assessment and Rating of Noise from Wind Farms (ETSU-R-97) and Tonal Noise Standards (BS 7135 Part 1 Annex D). All noise emissions and tonal noise from turbines shall be measured in accordance with the approved method.
22. When measured in accordance with Condition () the level of noise emissions from wind turbines shall not exceed 40dBLA90_{10min} at wind speeds of up to 9m/s at the edge of the curtilage to the dwelling known as Hafoty Las, nor at the edge of the curtilage of any other dwelling.

23. The Windfarm shall not be commissioned until it has been demonstrated to the satisfaction of the Local Planning Authority that the noise emissions and tonal noise from the turbines when fully operational, are in accordance with the limits in Condition (), and the Authority's written confirmation has been obtained to this effect. If, following monitoring of noise emissions and tonal noise, the limits identified in Condition () are exceeded, none of the wind turbines within the application site shall be permitted to operate other than in the course of testing and monitoring, until the Local Planning Authority has confirmed in writing that suitable measures have been taken to ensure compliance.
24. If tonal noise exceeds the threshold of audibility by 8dB, the level of permissible emission shall be reduced by 5dB.
25. In the event that the Local Planning Authority receives complaints over the occurrence of shadow flicker from any of the turbines, and following investigation it is established that such phenomenon is occasioning loss of amenity to residential property in the locality, the turbine in question shall cease to operate until such measures to prevent its occurrence have been submitted to and have been approved in writing by the Authority.
26. All site tracks, including the construction of the new point of access to the highway network shall be completed before the commencement of any construction works on the turbines on the application site.
27. All site accesses shall be surfaced with stone from the approved borrow pits.
28. No work shall be permitted to take place on the construction of any site access tracks until there has been submitted to and approved in writing by the Local Planning Authority details of the means of downgrading the tracks following commissioning of the windfarm. The downgrading shall be completed no later than 6 months after the commissioning of the windfarm.
29. No development shall be permitted to commence on the excavation of the borrow pit centred on Grid Reference _____ until there has been agreed with the Local Planning Authority a scheme of archaeological investigation of that site to be funded by the developer, and following the evaluation of the investigation it has been agreed by the Authority that excavation can proceed, and in what manner.
30. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow him/her to observe the excavations and record items of interest and finds.
31. All the turbines, buildings, anemometers, power lines and switch gear hereby or subsequently approved shall be removed in their entirety from the site no later than the [25 years from the date of grant of permission], and the application site shall be reinstated in accordance with such detailed scheme as is submitted to and approved in writing by the Local Planning Authority, indicating proposed site levels, soil profiles and planting, boundary treatment, drainage and timing of works; such scheme to be submitted no later than

DOCUMENT DCC2

TIR MOSTYN - FOEL GOCH WINDFARM APPLICATION CODE NO 25/710/99/PF

LIST OF ACCEPTABLE HEADS OF TERMS OF SECTION 106 OBLIGATION

The Obligation should ensure the following in relation to specific aspects of the development.

Noise:

The carrying out at the developer's expense -

- (a) prior to the commissioning of the windfarm, an agreed system of monitoring of noise emissions and tonal noise from the turbines to establish compliance with planning condition(s);
- (b) on receipt of complaints to the Local Planning Authority, and on the request of the Authority at annual intervals, the agreed system of monitoring of noise emissions and tonal noise from the turbines.

Highway works:

The submission by the developers of a detailed 'Highway Scheme' and agreement to its implementation at the developer's expense prior to the commencement of any development, including -

- (a) the management of all construction traffic associated with the construction of the windfarm (routes, timing of movements, signage);
- (b) the carrying out of works on the existing public highways to facilitate the passage of construction or other vehicles to and from the site, (The Construction Traffic routes) and to include recording of existing conditions, the construction of passing bays, strengthening of roads and verges;
- (c) the reinstatement of all highways in the course of construction works and on completion of construction works;
- (d) the provision of wheel washes to prevent the soiling of the highway;
- (e) a construction method statement.

Water Supply:

The carrying out at the developer's expense,

- (a) a detailed survey of the quality of private water supplies and natural watercourses in agreed locations near to the application site prior to the commencement of any development works;
- (b) monitoring of the quality of water and turbidity at agreed intervals during the construction and operational phases of development;

- (c) measures to remedy any turbidity or deterioration of private water supply or the quality of water in affected watercourses as a result of the development, during and after completion and decommissioning of the windfarm.

Television/radio reception:

The carrying out, at the developer's expense -

- (a) prior to the commencement of any development and at agreed intervals on commissioning of the windfarm, a survey of television and radio reception in an agreed area in the vicinity of the application site, the methodology to be agreed by the BBC, NTL, and the Local Planning Authority;
- (b) measures to rectify any problems which may arise as a direct result of the development, to ensure there is no deterioration in the quality of reception, including the provision of alternative signal sources, a re-broadcast link, and new receiving equipment at individual properties if necessary, within a period of 6 months after the completion of the development; or within 6 months of a problem arising thereafter.
- (c) the deposit of an agreed Bond to remedy any problems arising.

Upland Bird species:

The entering into an agreement at the developer's expense to manage the site and adjacent forestry in order to provide improved upland heath and forest edge habitats, including for Black Grouse, other birds and wildlife; including as necessary the establishment of a steering group funded by the developer to monitor and agree actions.

Ecology:

The formulation and carrying out, at the developers expense -

- (a) an agreed scheme for the protection and enhancement of unimproved wet grassland within the application site during and after construction works;
- (b) an agreed scheme to decrease grazing pressure on parts of the application site to allow regeneration of vegetation.

Archaeology:

An agreed contribution by the developer to an Archaeological Fund, for a 5 year period, to monitor the effect of development on archaeological interests to identify whether there is evidence of Bronze Age settlement within the area.

Footpaths:

The signposting at the developer's expense, of Public Footpath 67 and the provision of suitable stiles on site boundaries to allow public access to the path.

Decommissioning Bond:

The provision by the developer, of a financial guarantee to cover all decommissioning costs in the event of the windfarm ceasing to operate, or at the end of the life of the windfarm.

A REPORT BY THE HEAD OF PLANNING SERVICES

REVIEW OF DELEGATION SCHEME AND OTHER PROCEDURES

1. PURPOSE OF REPORT

- 1.1 This report reviews planning application, enforcement and appeal procedures taking into account recent experiences and feedback. The report is set out in a format to reflect the planning process from application receipt to determination through to possible appeal, including breaches of planning control.
- 1.2 The subject areas where review needs to be considered are set out below. Where I am recommending changes in procedure my recommendations are annotated separately for clarity in **bold** to allow formal resolution on the specific matters.

2. BACKGROUND

- 2.1 The last overall review of practices and procedures was reported to the Planning Committee in July 1998 although in December 1998 a separate report on enforcement policy and procedures was presented to Planning Committee. In October 1999 a Members Services Package and Revised Scheme of Delegation was approved by Denbighshire County Council. The scheme was implemented in February 2000. Over the last 3 years a number of specific procedural improvements have been adopted with the agreement of members e.g. members involvement in the appeal process.
- 2.2 In agreeing the Members Services Package and Revised Scheme of Delegation there was a commitment to review this scheme periodically. In reviewing delegation there is also the opportunity to consider related aspects of the planning process. This includes looking at how information is presented and picks up on points made by members over the last couple of years including comments made at the two Members Workshops in Llangollen.
- 2.3 The review must also be seen in the wider context of the need to constantly improve communication between members and officers and the way we operate and perform in the context of the best value regime and also to take into account emerging legislation such as the Human Rights Act. This review therefore runs alongside the following - a Best Value Inspection of Planning Services in April 2002; an internal Best Value Development Control Review being undertaken for the period April 2000 to March 2002; and potential for application for Charter Mark Status by Planning Services in 2002.

3. PUBLICITY AND CONSULTATIONS

- 3.1 There is a statutory requirement to give publicity to most planning applications by a combination of either letters to neighbouring occupiers, site notices, or press notices. In addition we carry out consultation with both statutory and non-statutory consultees. Generally the amount of publicity and consultation which we carry out exceeds the minimum statutory requirements. A report setting out how we publicise applications was presented to this committee in September 1998 and *a copy of this report* will be available at the meeting and can be provided on request. Members should note that we have recently simplified our publicity letters, letters of acknowledgement, and letters advising those who have sent in representations of our decision.
- 3.2 We are seeking to work more closely with some of our key consultees. We have recently written to all Town and Community Councils offering attendance at one of their meetings in the next year or so. We have also occasionally been available to attend Community Council Meetings where a major planning application is under discussion. A workshop has been held between Planning and Highway Officers to improve our working practices. We will be sending a questionnaire to consultees in the near future about the quality of our service.
- 3.3 As part of an enforcement investigation the anonymity of complainants will be respected.

4. KEEPING MEMBERS INFORMED.

- 4.1 As part of the agreed Members Services Package and Scheme of Delegation members receive lists of planning applications received together with a pro forma giving the opportunity to comment and/or request referral to Planning Committee for planning reasons. This system, together with increased informal contact between officers and members, appears to be working well judging from feedback from both members and officers. In addition we carry out briefings of local members on major proposals. Officers also make themselves available 30 minutes before the commencement of Planning Committee to answer committee related or more general questions which members wish to raised informally.
- 4.2 In advance of Committee, ward members are advised in writing of any enforcement issue to be presented to Committee affecting their ward. Ward members also receive copies of any enforcement notices served in their ward.

5. CODE OF BEST PRACTICE

- 5.1 The Code of Best Practice for Councillors and Officers dealing with planning matters was approved in January 1998. To take into account changes in procedure which has taken place or are recommended as part of this overall report, a revised code of practice is set out at **Appendix 1**.
- 5.2 Two areas which I would like to highlight are that Members should be wary of coming to a clear view on a proposal or enforcement matter before they have become aware of all the evidence and arguments (Section 2). In addition within this Section I have added a comment that Members should advise the Ward Councillor(s) out of courtesy where they are seeking to become involved in a development proposals or enforcement matters outside their own ward.
- 5.3 **It is recommended that the amendments to the Code of Best Practice set out at Appendix 1 be approved**

6. DELEGATION SCHEME

- 6.1 The current scheme of delegation was approved by the County Council on 5th October 1999 and operated from 1st February 2000. The scheme has been well received and appears to be working well in that opportunities for members involvement in the application process having increased and there has been an upward trend in performance in terms of the percentage of applications dealt with within the 8 weeks period. However, there is a need to review the detailed workings of the scheme taking into account everybody's experience of the scheme. We gave a commitment to review the scheme on an annual basis when it was initially approved. The scheme has been explained to consultees and the public where necessary and a leaflet is available entitled How We Deal with Planning Applications. *A copy will be available at the meeting.* The leaflet is also on the Council web site and forms part of the Planning Services Customer Charter. In addition the delegation scheme on enforcement appears to be working well.
- 6.2 Detailed amendments of the scheme are set out at Appendix 2, the main changes being as follows:
- i.. Allow officers to decide determinations and notifications even where material planning objections have been received. Determinations and notifications deal with some proposals relating to telecommunications, agriculture, and forestry. They are different to planning applications in that strict deadlines of 28 or 42 days apply, depending on the type of proposal, during which the Council must make a decision. Otherwise the applicant has a deemed approval. These strict time limits that have to be adhered to combined with the limited technical grounds that the Council can consider in determining the application support the need for delegation to officers. Further review of this aspect may be required depending on possible legislation changes.
 - ii. That application submitted by Councillors or their close relatives cannot be determined by the Head of Planning Services. This is to reflect the Councils wish to have a transparent planning process. Close relatives are defined as spouses/partner, parents or children. Similar limitations apply to Planning Services staff.
 - iii. Planning applications which are retrospective and are subject to a recommendation for refusal should be brought before Planning Committee to ensure consistency between the planning decision and the enforcement resolution. Otherwise there could be the situation where officers refuse an application under delegated powers but Members resolve not to take enforcement action.
 - iv. Applications involving land owned by Councillors or their close relatives, even where the Councillor or the close relative is not the applicant should be determined by the Planning Committee again to reflect a transparent and a critical process. Similar limitations apply to Planning Services staff.
 - v. Support for a planning application may raise material planning considerations which warrant Committee consideration. Such cases are likely to be where the issues are finally balanced.
 - vi. Planning Committee should consider applications to remove or vary a condition where that condition has been imposed by Members at Planning Committee.

- vii. Safeguards in Part 2 requiring applications by Councillors, Planning Services staff and close relatives to be reported to Planning Committee are considered sufficient and that it is recommended that such applications do not need to be reported to Full Council.

6.3 **It is recommended that the amendments to the delegation scheme set out at Appendix 2 and outlined above be approved.**

7. COMMITTEE PROCEDURES INCLUDING HUMAN RIGHTS ISSUES

- 7.1 A number of improvements have been made to the format of committee reports over the last year or so including a new report format for planning applications introduced with new software from January 2000; inclusion of expiry dates and reason for delay within the report; and space for members comments in the reasons for requesting a committee decision. Human Rights are addressed in reports where representations are made on specific articles of the Act.
- 7.2 Members requested that the order of applications considered ought to be varied so that applications in the north of the county are not always considered in the second part of the agenda. **It is recommended** that the order be alternated so at one committee applications from the south of the county be considered first and that next committee applications from the north of the county will be considered first, subject to the computer software being able to implement this enhancement. Enforcement matters will continue to be located after consideration of all applications.
- 7.3 It is current practice to report representations received after the completion of the written report, verbally at the meeting. In future where there are a significant number of representations on a particular application these will be reported via an addendum report not exceeding a single side of A4. Furthermore, to prevent officers and members receiving very late representations, sometimes a matter of minutes before the commencement of the committee, only received representations received upto 5pm on the day before the committee will be reported fully either verbally or in written form. Representations received after 5pm will be recorded as having been received and be placed on the table with the plan roll. **I recommend accordingly.**
- 7.4 The issue of public speaking at Planning Committee has again been raised partly in response to Human Rights Legislation. A trawl of other planning authorities in Wales has recently been carried out and only 4 out of 22 authorities in Wales (18%) currently allow public speaking at Planning Committee. Of those authorities that allow public speaking only one (Carmarthenshire) felt that that decision making is improved as a result. As it stands the planning process from receipt of application through to appeal allows ample opportunity for applicants, objectors and third parties to be involved and it is considered that the disbenefits (procedures, management, fairness and establishing a practical protocol) outweigh the benefits. Thus at the present **it is recommended that public speaking at Planning Committee is not supported.**
- 7.5 Members have occasionally raised the issue of other statutory consultees, such as Highways being present at committee. It is not considered appropriate to follow such practice as presence of a specific consultee may give undue weight to a particular issue when members must consider the planning issues in the round. There are also time and resource implications involved.
- 7.6 A leaflet explaining how the planning committee works has recently been produced mainly for the benefit of those attending committee, perhaps for the first time. A *copy of the leaflet* will be available at the Planning Committee.

8. SITE INSPECTION PANELS.

- 8.1 The guidelines for Site Inspection Panels were initially agreed in February 1996 and updated in September 1997. There is a need for some minor changes in the wording of the guidelines and these changes are set out at **Appendix 3. It is recommended that the amendments to the Guidelines for Site Inspection Panels set out at Appendix 3 be approved.**
- 8.2 It is important to emphasise that the reason for requesting a Site Inspection Panel must be made clear at the Planning Committee and this needs to be reinforced at the commencement of the Site Inspection Panel to ensure Members are clear as to what needs to be seen at the site and in the surrounding area. Officer reports following a Site Inspection Panel include the reasons for the Panel, what the Panel looked at and where they went, the matters considered, and conclusions on the points considered.

9. ENFORCEMENT

- 9.1 There continues to be a heavy work load based on the number of complaints raised on alleged infringements. Only a small percentage of these complaints require a committee resolution. Computer software is now available to allow complaints to be registered and this will enable lists of current enforcement cases to be produced on a regular basis in the near future, once resources allow the appropriate reports to be prepared.
- 9.2 Members have requested prior warning of enforcement cases that are to be reported to the Planning Committee. As stated at 4.2 we will now advise ward members as early as possible that an enforcement issue in their ward is to be reported to Committee.
- 9.3 The enforcement and mineral functions are undergoing a period of review including the introduction of a new software package. The review also includes specific policies and procedures for enforcement and minerals which will be reported to members in due course.

10. APPEALS

- 10.1 Members agreed a protocol for their involvement in the planning appeal process in December 1998 to improve liaison and involvement in the appeal process. This appears to be generally working well. *A copy of the protocol* is available on request and will be available at the meeting.
- 10.2 Following an appeal decision at Howell's School where the Inspector commented on the appropriateness of the Case Officer representing the Council where approval had been recommended by officers, the Planning Committee now need to consider very carefully who is best able to defend the refusal and any possible related enforcement action at appeal, be it planning officers, councillors, or consultants.
- 10.3 At present members get copies of appeal decisions sent to them direct but it has been suggested that a summary of appeal decisions is reported to the Planning Committee to emphasise any important issues arising from the decisions. **It is therefore recommended that a summary of appeal decisions is reported on a quarterly basis in the format set out at Appendix 4.**

11. ACCESS TO INFORMATION POLICY AND CHARGING SCHEME.

- 11.1 As part of the Revised Delegation Scheme and Members Services Package approved in October 1999 there is a commitment to greater access to information including all planning files from 1947 to the present. Staff have been operating this simpler and more open policy since the beginning of 2000. Training has taken place to ensure consistency of approach. The system is working well.
- 11.2 There are additional costs associated with allowing easy access to information. There has also been a need to update charges for certain documents. The charging scheme has therefore been reviewed in consultation with front line staff and taking into account comparisons with other local planning authorities. **It is recommended that the updated charging scheme set out at Appendix 5 be approved and implemented from January 2002.**
- 11.3 Access to information on enforcement issues is a delicate matter, not least as the anonymity of complainants is an important principle. Whilst there is a commitment to greater access to information on enforcement investigations this must be balanced with the need to make sure sensitive material is not made public. The advice of the County Clerk will be sought in such instances where necessary.

12. OMBUDSMAN

- 12.1 Since the inception of Denbighshire only one complaint that has reached the ombudsman on planning issues has been investigated out of 37 made. The complaint related to Pen Y Graig Farm, Froncysyllte and maladministration was found. Since this case in 1996 significant improvements have been made in the way we operate as set out elsewhere in this report and a comprehensive programme of Member training has taken place. The lack of maladministration cases reflects these factors and the general quality of our practice and procedures. However, there is still a need to review how we do things in the light of experience as reflected in this report.

13. RECOMMENDATIONS

- 13.1 **That the recommendations set out in bold in this report are approved by the Planning Committee.**
- 13.2 A final ratification of the decisions of the Planning Committee will be required by Full Council.

CODE OF BEST PRACTICE FOR COUNCILLORS AND OFFICERS DEALING WITH PLANNING MATTERS

1 DEVELOPMENT PLAN PROPOSALS AND PLANNING APPLICATIONS SUBMITTED BY MEMBERS AND OFFICERS, AND COUNCIL DEVELOPMENT PROPOSALS

- 1.1 Members submitting their own proposals or acting as agents for individuals or companies pursuing a planning matter will take no part in the decision-making process for that proposal.
- 1.2 Planning applications submitted by members **or close relatives** will be determined by the ~~Council~~ **Planning Committee**.
- 1.3 Planning applications submitted by Officers of Planning Services, or close relatives of officers, will not be dealt with by officers under delegated powers. Such proposals will be reported to the Planning ~~Sub-Committee~~.
- 1.4 Proposals for the Council's own development **except where on Council owned land related to the functions of the Council** will be determined by the ~~Sub~~ **Planning Committee** (or Council in the case of significant departures) and treated in the same way as those by private developers.

2 LOBBYING OF AND BY COUNCILLORS

- 2.1 Members will make the final decision at the ~~Sub~~ **Planning Committee** after receiving/hearing all the evidence and arguments on both sides and after duly considering the officer's report.
- 2.2 Members will not put pressure on officers for a particular recommendation.
- 2.3 Members who are unsure whether an interest should be declared will seek the advice of the Council's Monitoring Officer.
- 2.4 **Members should advise the Ward Councillor as a courtesy in cases where they are seeking to be involved in a development proposal or enforcement issue outside their own Ward.**

COMMENT

Lobbying is a part of the political process. Those who may be affected by a planning decision will often seek to influence it through an approach to their elected ward member or to a member of the ~~Sub-~~ Committee. The Nolan Committee accepts that it is essential for the proper operation of the planning system that local concerns are adequately ventilated. However, lobbying can lead to the impartiality and integrity of a member being called into question. When being lobbied, members should take care about expressing an opinion which may be taken as indicating that they have already made their mind up on the issues before they have been exposed to all the evidence and arguments. Members should be aware that the planning decision process involves rules of procedure, rights of appeal and an expectation that people will act reasonably and fairly, with the added possibility that an aggrieved party may seek Judicial Review of the way the decision was made, or complain to The Ombudsman on grounds of maladministration.

3 PRE-APPLICATION AND ENFORCEMENT DISCUSSIONS AND NEGOTIATIONS

- 3.1 Members should, wherever possible, refer requests for advice to officers.
- 3.2 Members and officers involved in pre-application **and/or enforcement related** discussions with potential applicants should make clear at the outset that the advice is not binding on the Council. Members will state that any views are personal and provisional.
- 3.3 Advice should be consistent and based upon the development plan and material planning considerations.
- 3.4 Members and Officers will keep notes of all pre-application **and enforcement related** discussions.
- 3.5 Application and **enforcement related** negotiations will be conducted by officers. Officers will brief members when appropriate.

4 OFFICER REPORTS TO SUB PLANNING COMMITTEE

- 4.1 Officers will produce written reports on all planning applications reported to the **Sub Planning** Committee.
- 4.2 Reports will cover, among other things:
 - description of the planning application
 - substance of objections
 - views of case officers
 - site or related history
 - relevant development plan policies
 - other material planning considerations
 - Recommendation
 - **the heads of agreement of any recommended Section 106 obligation**
- 4.3 **Officers will provide written reports on all enforcement matters reported to the Planning Committee. On occasions enforcement reports will need to be presented under Part 2 of the agenda when public and press need to be excluded because of the content of the item.**
- 4.4 Reports will be updated orally at the **Sub Planning** Committee meeting.
- 4.5 If the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify this will be clearly stated.
- 4.6 **Oral reports or written reports handed out at Committee should only take place in exceptional circumstances.**

5 LATE CORRESPONDENCE

- 5.1 The substance of correspondence received by officers after the committee report has been completed will be reported orally to Members at the **Sub Planning** Committee, provided the correspondence is received before **5pm on the day before** the Committee starts. **If correspondence is received after this**

deadline only the receipt of the item will be recorded but a copy will be made available at Committee.

6 PUBLIC SPEAKING AT SUB-COMMITTEE

- 6.1 Public speaking by applicants, objectors, **contravenors, complainants** or third parties is not allowed at ~~Sub~~ **Planning** Committee meetings.

COMMENT

The Council consults widely and currently gives more than the statutory minimum time for responses. It considers that the disbenefits (e.g. legislative meetings, difficulties in managing committee meetings, ensuring fairness and establishing a practical protocol) outweigh the benefits.

7 COMMITTEE SITE VISITS

- 7.1 Site inspection panels cause delay and additional costs and will only be used in exceptional cases where the expected benefit is substantial.
- 7.2 Site inspection panels will be carefully arranged and their composition, format and conduct will follow the 'Guidelines for Site Inspection Panels' approved by The Planning and Economic Development Committee on the 10th September, 1997. ~~(See Appendix 3)~~
- 7.3 Members proposing Site Inspection Panels will state clearly why an Inspection Panel should be appointed. The reasons should be planning reasons related to the development proposed or **enforcement issues reported** and should clearly state the physical features on sites or surroundings which requires detailed inspection.
- 7.4 A site visit is only likely to be necessary if the impact of the proposed **or unauthorised** development is difficult to visualise from the plans and any supporting material including photographs.
- 7.5 A record will be kept of the reason(s) why a Site Inspection Panel is called.
- 7.6 Site visits by the inspection panel and officer assistance is the most fair and equitable, as approved by The Planning and Economic Development Committee on the 10th September, 1997 ~~(See Appendix 4)~~.

8 SUB PLANNING COMMITTEE DECISIONS

- 8.1 **The Chair of the Planning Committee will make it clear for the benefit of members and the public the decision of the Committee following the vote.**
- 8.2 Where Members grant or refuse a planning application against officer recommendation, Members will provide the following particulars at the ~~Sub~~ **Planning** Committee meeting and the particulars minuted.
- The of **terms of conditions or heads** of the Section 106 Agreement to be attached to the grant .
 - The reason(s) for **granting or** refusing the planning application.
 - The reason(s) for not accepting the recommendation.

- 8.3 Where Members decide to take/not to take enforcement action against officer recommendation, Members will provide the following particulars at the ~~Sub~~ **Planning Committee** meeting and the particulars minuted.
- The reason(s) why it is / is not expedient to take enforcement action.
 - Where enforcement action is required, the steps to be taken to remedy the breach and the period for compliance.
 - Where enforcement action is not required, give instruction to officers as to what other (if any) action is required.

COMMENT

As part of the democratic process, Members will occasionally make decisions against officer recommendation. Officer reports to the ~~Sub~~ **Planning Committee** contain the planning justification for the recommendation. It is important when Members make decisions contrary to the recommendation that the reason(s) for the decision is/are full, clear and carefully minuted.

9 APPEALS

- 9.1 Officers will organise and **generally** appear as witnesses at public inquiry or informal hearing on behalf of the Council.
- 9.2 Officers giving evidence as witness will present the best possible case on behalf of the Council while complying with the RTPI Code of Professional Conduct. **The appeal will be conducted in accordance with the agreed procedure as set out in the report on Planning Appeals and Member Involvement approved at Planning Committee on 16th December 1998.**
- 9.3 Members will give evidence at inquiry or informal hearing in appeals where this would benefit the Council's case.
- 9.4 In exceptional cases it may be necessary to use ~~Senior/alternative Planning Officers,~~ Planning Consultants, and/or Members to present the Council's case. Committee approval will be sought in such cases.
- 9.5 Local members will receive, for comment, a copy of the Council's proposed Rule 6 statement in Inquiry cases

COMMENT

The professional responsibility of a Chartered Town Planner as a witness at a local inquiry or informal hearing are governed by The RTPI Code of Professional Conduct which requires member officers to conduct themselves in such a manner as to uphold the reputation of the RTPI and of the planning profession. In particular, it requires that officers do not undertake any duties or carry out any instructions of a public employee or other employee, or a client or supervisor which involves making statements purporting to be their own, but which are contrary to their bona fide professional opinion. Conflicts of interests is likely to occur at an inquiry arising from a decision taken by the Council contrary to a professional recommendation. The advice of the RTPI (PAN4 "*Chartered Town Planners at Inquiries*" and PAN9 "*Development Control - Handling Appeals*") is that officers as witness at an inquiry or hearing are there to give evidence and opinion. This must be true evidence, true to the best of his or her understanding and knowledge. The evidence can be the authority's stated opinion and local opinion. While officers should not volunteer giving information that the case made is at

variance with his/her own professional opinion if challenged the officer must give an opinion based on the report to Committee. The RTPI considers that where there are clear differences of opinion which would be detrimental to the Council's case, the planning case officer is unlikely to be the best witness and the Council must accept the consequences of such a revelation. The better alternative according to the RTPI is to call someone else, who is in a position to speak with conviction, e.g. member of the ~~Sub~~ **Planning** Committee. Members will, therefore, be given an opportunity to appear/present case on behalf of the Council.

10 TRAINING AND REVIEW OF DECISIONS

- 10.1 Officers will organise and present regular (annually) series of training events covering topical issues such as appeals, enforcement, planning considerations, **building regulations**.
- 10.2 Officers will arrange for members a visit to a sample of implemented planning permissions **and enforcement sites** to assess the quality of decisions. These will include examples from a broad range of categories, including delegated decisions. The results will be used to review planning policy guidelines or practices.

11 COMPLAINTS AND RECORD KEEPING

- 11.1 Officers will operate the Council's complaints system.
- 11.2 All reports of alleged unauthorised development and enquiries will be recorded.
- 11.3 All planning applications, including delegated applications, enforcement files, building regulations and development plan files, will contain a written account of events throughout its life.

12 INFORMATION

- 12.1 Planning Services will comply with the Access to Information Act **and the Data Protection Act**.
- 12.2 Members will receive weekly lists of planning applications received.
- 12.3 **Members (local ward members) will receive notification of enforcement cases to be reported to Committee and copies of enforcement notices served.**
- 12.4 Members (local ward members) will receive notification of appeals lodged and decisions.
- 12.5 Members will receive regular enforcement, appeal and planning application progress reports.
- 12.6 Members will receive full annual and interim half year performance reports.

SCHEME OF DELEGATION

This scheme was approved on 5 October 1999 and came into effect on 1 February 2001.

The scheme is in three parts. Part 1 sets out what the ~~Director of Planning and Economic Development and/or~~ Head of Planning Services can do subject to checks and balances in Parts 2 and 3. Part 2 sets out under what circumstances the ~~Director and/or~~ Head of Planning Services cannot exercise decisions. Part 3 sets out decisions which must be taken by Full Council.

PART 1

The scheme **shall** authorise the ~~Director of Planning and Economic Development and/or~~ Head of Planning Services to:-

- (1) determine all types of applications and notifications under the Planning Acts and allied legislation, **including in the case of notifications and determinations, where material planning objection(s) has/have been received.**
- (2) determine building plans, certificates and notices, service notices under the Building Act and Regulations and allied legislation
- (3) submit observations on development proposals for example from neighbouring authorities, exempted organisations, etc.
- (4) resolve all planning and building regulation enforcement related cases by serving statutory notices as necessary or by taking no further action in accordance with the Committee approved, "Enforcement Policies and Procedures" document and instigate prosecution proceedings
- (5) to determine the name and numbering of streets subject to prior consultation with local ward member(s) and no adverse views expressed. [Note : naming ~~proposed to be~~ delegated to Town and Community Councils **in some instances**]
- (6) instigate the Emergency Powers provisions in Enforcement related cases where extremely urgent formal action is deemed necessary. This will allow for the service of any Enforcement related statutory notice and seek an injunction subject to prior consultation with the local Ward Member(s) who agree on such action as recommended by Officers. The following signatures will be required in all cases - ~~Director of Planning and Economic Development, Head of Planning Services, Head of Legal and Administration~~ **County Clerk** and Chair or Vice Chair of the Planning Committee
- (7) take all necessary ancillary decision/action in exercising statutory planning and building control functions including determining the need for Environmental Impact Assessments and acting on Committee or Full Council resolutions
- (8) determine applications for grant aid under approved schemes
- (9) decide the type of appeal subject to Members being consulted and defend the Council's position at appeal or court of law
- (10) submit observations on consultations on draft documents

PART 2

The Scheme **shall not** authorise the ~~Director of Planning and Economic Development and/or~~ Head of Planning Services to:

A DETERMINE ALL TYPES OF PLANNING APPLICATIONS AND NOTIFICATIONS

- (i) on which a material planning objection(s) including those from Town/Community Councils and statutory consultees) has been received in the stipulated time span, which is recommended contrary to objections
- (ii) contrary to the provisions of an adopted development plan, and which is recommended for approval;
- (iii) contrary to approved Council policies, standards or guidance, and which is recommended for approval;
- (iv) which any Member requests in writing **or by e-mail** to the Head of Planning Services, within 21 days of the circulation of details of the application, should be the subject to consideration by the relevant Committee **(subject to planning reasons being given)**;
- (v) submitted by or on behalf of a Councillor of the authority (or their ~~spouse/partner~~ **close relative**) or by any member of the Planning Services' staff (or their ~~spouse/partner~~ **close relative**);
- (vi) submitted by or on behalf of the Council for development except where on Council owned land related to the functions exercised by the Council.
- (vii) **to refuse applications which are retrospective when enforcement action is also recommended;**
- (viii) **relating to land in the ownership of a Councillor or their close relative;**
- (ix) **where in the view of the Head of Planning Services material planning issues in support of the application has been raised by consultees or third parties which warrant consideration by the Planning Committee;**
- (x) **remove or vary a condition previously imposed through a resolution of the Planning Committee additional to those recommended by Officers;**

B RESOLVE ENFORCEMENT RELATED CASES

- (i) by instigating prosecution proceedings for failure to comply with an order or notice except in those cases involving large fly posting campaigns
- (ii) by serving the following enforcement related statutory notices unless the Emergency Power provisions have been instigated
 - Enforcement Notice **(other than enforcement notices related to breach of condition)**
 - Special Enforcement Notice

- Stop Notice
 - Section 215 (untidy land) Notice
 - Listed Building Enforcement Notice
 - Urgent Works Notice
 - Repairs Notice
 - Discontinuance Notice
 - Legal Injunction
- (iii) take no further action an enforcement related case that has generated 5 or more complaints from separate addresses in the locality

PART 3

DECISIONS RETAINED BY THE FULL COUNCIL

- (i) Planning applications or other applications which constitute significant departures from Adopted Development Plans where the Planning Committee have resolved to **grant** permission. Significant departures constitute:
 - (a) those proposals which have little or no justification under the terms of the adopted development plan e.g. new dwellings in the countryside unrelated to agricultural need, and
 - (b) other proposals which are clearly not allowed for by the adopted development plan but where other material considerations justify a departure e.g. economic benefits
- (ii) Final approval of policies and proposals to be included in the Unitary Development Plan or any modification thereof
- ~~(iii) Applications submitted by members of planning services staff, their close relatives, members of the Council~~
- (iii) Applications which if refused or approved with conditions attached **or a decision on an enforcement matter** that would be likely to result in a successful award of costs against the Council at appeal

GUIDELINES FOR SITE INSPECTION PANELS

A. THE APPOINTMENT OF SITE INSPECTION PANELS

- (i) To empower the Planning ~~Sub~~-Committee to appoint Site Inspection Panels to investigate and report back on any planning applications **or enforcement matter** reported for determination by the Head of Planning Services. Members shall give a clear indication of the planning grounds for appointing a Site Inspection Panel, in each instance.

B. THE COMPOSITION OF SITE INSPECTION PANELS

- (i) The membership shall consist of the Chairman and Vice-Chairman of the Planning ~~Sub~~-Committee together with six (6) other members (the whole politically balanced) selected on a rota basis and the local ward member(s).

C. PROCEDURES AT SITE INSPECTION PANEL MEETINGS

- (i) If the Committee Chairman is absent, Members shall agree on the acting Chairman (this shall be the elected Vice Chairman if present).
- (ii) The Chairman shall formally open the meeting and set out the reasons for appointing the Panel.
- (iii) The Planning Officer shall be requested to outline the proposal **or the breach of planning control** and main issues **and indicate what members should look at taking into account the reasons for appointing the panel. The Officer shall advise the panel of whether it is considered necessary to view the proposal from adjoining land / properties and of any requests from neighbouring occupants to view the relevant site from their land / properties.**
- (iv) The Site Inspection Panel shall view the site, relevant buildings and surroundings as necessary.
- (v) Members shall be offered the opportunity to raise questions or seek clarification of points of fact with the Planning Officer and/or local member(s).
- (vi) The Local Member(s) shall be offered the opportunity to comment on the proposal.
- (vii) Members of the Site Inspection Panel shall be offered the opportunity to comment on the proposal **or breach of planning control** and to debate issues.
- (viii) At the conclusion of the debate, the Chairman shall invite members to agree on matters of fact relating to circumstances on site and the reasons for appointing the Panel.
- (ix) The Planning Officer shall be responsible for taking notes and for preparing the notes of the Panel's meetings for the Planning ~~Sub~~ Committee to consider. **These notes shall include the reasons for appointing the panel, a record of those present, an outline of what was considered, and members conclusions on points considered.**

- (x) **Other Members** - Any Members other than those appointed onto the Site Inspection Panel, who wish to attend a site meeting, shall not take part, in any way, in the proceedings of that meeting, but merely observe the meeting.
- (xi) **The General Public/Applicants/Agents** - No members of the public, applicants or their agents, shall be permitted to take part, attend, address or to observe the proceedings of any Site Inspection Panel meeting. In exceptional circumstances, where it is necessary for the Site Inspection Panel to inspect / enter onto buildings or land in the presence of the owner/applicant/**neighbouring occupier** that person shall be advised at the outset of the meeting that he/she is not able to take part in any of the proceedings of the meeting, other than to answer any factual questions put through the Chairman. The owner/applicant/**neighbouring occupier** shall be asked to leave the presence of the Site Inspection Panel prior to any comment or debate on a proposal.
- (xii) **Hospitality** - Members of a Site Inspection Panel should not accept any form of hospitality which might be considered as having an influence on the decision making process.
- (xiii) **Confidentiality** - The comments made by Site Inspection Panel shall remain confidential until the notes of the meeting are published in the following Planning ~~Sub~~-Committee reports (i.e. when available for public inspection 3 working days before the date of the Planning ~~Sub~~-Committee).

DENBIGHSHIRE PLANNING APPEAL DECISIONS

LIST OF APPEAL DECISIONS FROM 1ST APRIL TO 30 JUNE 2001

Description	Location	Type	Decision	Decision Date	Costs	Key Issues
External finish to shopfront	Shooters Water Street Rhyl	W Reps	Dismissed	19/06/01	No	Out of character with traditional appearance of conservation area
Erection of 2 dwellings (outline)	Highfield Bishopswood Rd Prestatyn	W Reps	Dismissed	20/06/01	No	LPA supported on all reasons for refusal - highway safety, visual and residential amenity, effect on trees
20 signboards	Rhyl Golf Club	W Reps	Dismissed	20/06/01	No	Collective impact of signs results in prominent feature detrimental to visual amenity
Agricultural Workers Dwelling	Cae Gwyn Llanarman Yn Ial	W Reps	Allowed	28/06/01	No	Need for worker to be within sight and sound of buildings; existing dwelling/outbuilding too distant; meets functional and financial tests

PLANNING SERVICES

CHARGING SCHEME 2002

	SERVICE PROVIDED	PRICE INC. VAT	POSTAGE & PACKAGING
A	PHOTOCOPYING SERVICE		
1	GENERAL COPIES		
	A4 per sheet	50p	60p
	A3 per sheet	£1-00	60p
	A2 per sheet	£4-00	60p
	A1 per sheet	£5-00	60p
	A0 per sheet	£6-00	60p
2	DECISION NOTICES (A4 Size)		
	Planning permission/refusal	£10-00	60p
	Building regulation approval/rejection	£10-00	60p
	Appeal decision letter	£10-00	60p
	Any Enforcement notice held in Statutory Register	£10-00	60p
3	PUBLISHED REPORTS (A4 Size)		
	Glyndwr District or Rhuddlan Borough Local Plan	£10-00	£2.50
	Local Plan Maps (Glyndwr / Rhuddlan)	£5-00	£2.50
	Denbighshire UDP (Deposit Written Statement)	£15-00	£2-50
	Denbighshire UDP (Deposit Maps) (full set)	£25-00	£2.50
	Individual Maps - photocopy charge		
	Denbighshire UDP Proposed Changes document	£10.00	£2.50
	Supplementary Planning Guidance - Complete set of Topic Based Notes	£10-00	£2.50
	Supplementary Planning Guidance - Complete set of Site Planning Briefs	£10-00	£2.50
	SPG - Complete set of Conservation Area Appraisals	£10-00	£2.50
	SPG Individual Brief, Note or Appraisal	£2.00	60p
	Parking Strategy & Standards	£2.00	60p
4	MISCELLANEOUS		
	Tree Preservation Order	£10-00	60p
	Listed Building Description	£5-00	60p
	SSSI Descriptions and Map	£10-00	60p
5	O.S. MAP EXTRACTS		
	Mapping package for Planning and Building Control Note: This cost is in addition to O.S. charge.	£5-00	60p
B	OTHER SERVICE		
1	SITE HISTORY		
	Written requests for a search of land availability; or of the planning history, planning policy or site constraints of a specific site - including all copy certificates (minimum charge 1 hour)	£25 per hour (Or part hour)	N/A
2	COMPLETION SURVEY		
	Written requests for a check to be made as to whether development has been completed in accordance with approved plans (including a site visit)	£70-00 per site	N/A

	SERVICE PROVIDED	PRICE INC. VAT	POSTAGE & PACKAGING
3	PLANNING APPLICATION FILE		
	To inspect (have sight of) papers or other documents where there is no statutory right to access	£5-00	N/A
C	EXEMPTIONS		
	Public and charitable bodies Community Councils and other Local Planning Authorities Statutory Consultees, The Press Information intended for educational purposes Elected members of the County Council in connection with Council business Information required to enable an appeal to be lodged		

A REPORT BY THE HEAD OF PLANNING SERVICES

DATE OF SITE VISITS

1. PURPOSE OF REPORT

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

2. DATE OF THE SITE VISITS

- 2.1 In consultation with Legal and Administration, it has been decided that the **Monday 5th November 2001** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Monday 5th November 2001 (times to be advised).**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

4. RECOMMENDATION

- 4.1 **That Members agree to the Site Visits being held on Monday 5th November 2001**