

**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

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AND PUBLIC PROTECTION**

ENFORCEMENT MATTERS

ENF/2004/07

Gon Rite Bachymbyd, Llanrhaeadr Y.C.

**Residential use of portable Pre Fab unit and use
of land in the countryside for residential
purposes**

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**REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION
PUBLIC SPEAKING AT PLANNING COMMITTEE**

1. PURPOSE OF REPORT

1.1 To consider implementing public speaking at Planning Committee and to agree a protocol.

2. BACKGROUND

2.1 Members may recall that at the meeting of the Modernising Panel on 8th December 2003 a report by the Chief Executive set out the scope for public participation in public meetings. This included reference to the Planning Committee. At the Modernising Panel on 9th February 2004, the approach set out in this report and the suggested protocol was agreed. Reference was also made to this issue in a report to the County Council on 20th January 2004 by the Chief Executive. This report seeks to take the issue forward in respect of public speaking at Planning Committee.

2.2 The theme of the modernising agenda to encourage people to be more involved in the decisions which affect them is reflected in a trend amongst Welsh local planning authorities to adopt public speaking at planning committee. Although in June 2003 only 6 out of the 22 authorities had implemented a scheme a number of other Councils were considering the idea and recently Wrexham have adopted such a procedure. Officers visited Wrexham Planning Committee on 9th February to observe public speaking in practice. It worked well.

2.3 Authorities which have introduced public speaking at Planning Committee have received praise from Best Value and Wales Programme for Improvement Inspectors. The principle is supported by the Local Government Association, the matter being referred to in their document on probity and planning.

2.4 The clear benefits are that people feel more involved in the decision making process and that public confidence is generally enhanced and that direct lobbying may be as a result reduced.

2.5 However, to ensure that planning committee meetings are not made unwieldy and difficult to manage, it is important that a clear protocol is established as to who is allowed to speak, including provisions for town and community councils, third party objectors and applicants or their agents. In addition, in the interest of equity, the time allowed for presentations should be identical.

2.6 As an **appendix** to this report is a suggested protocol to be used for public speaking. This is based on the protocol adopted by Wrexham County Borough Council. A leaflet will be produced containing the protocol.

3. RECOMMENDATION

3.1 That Members recommend to the County Council that public speaking be adopted at Planning Committee for a trial period before the June County Council elections, commencing on 21st April 2004.

3.2 That the protocol for public speaking be based on the attached proposal.

HAVE YOUR SAY ABOUT A PLANNING APPLICATION

INTRODUCTION

1. You can have your say about a planning application by:
 - sending a letter or e.mail to the Planning Department. It is important that you send the letter or e.mail before the deadline for comments, which will be set out in the notice about the application.
 - asking your local County Councillor to write or speak on your behalf. (You can find out who your local Councillor is from our offices, libraries or web-site www.denbighshire.gov.uk or by telephoning 01824 708111). 30 of our 47 Councillors are members of the Planning Committee. Please remember that members of the Planning Committee must not show publicly that they have made up their mind on a planning application before it is considered by the Committee, because they would not then be allowed to speak or vote on the application.
2. We are now piloting a scheme to allow those with an interest in an application, including objectors, supporters, town and community councils, applicants and agents, to speak at the Planning Committee, following the guidelines set out below.

WHAT TO DO IF YOU WANT TO SPEAK AT THE PLANNING COMMITTEE?

3. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below.
4. You may speak only if the planning application is on the Committee agenda. Many applications are decided by Officers under delegated powers although any comments made on the application will be taken into account in reaching the decision. Applications are normally referred to Committee only when someone has written with views which are likely to be contrary to the Officers' recommendation.
5. Only one member of the public may speak for or against an application. The Chair of the Committee may exercise discretion to allow a second speaker but only in exceptional circumstances when, for example, a major application generates many different views. In such exceptional circumstances, the chair would be likely to give preference to a representative of the town or community council (if it has expressed views in support of or against the application and if a town or community councillor has not already spoken as a member of the public).
6. You must notify the planning section of your request to speak by faxing, writing to or e-mailing the Administration Officer Gwen Butler (Tel No. 01824 708036, Fax 01824 708039, e-mail gwen.butler@denbighshire.gov.uk). You should do this as soon as possible before the committee meeting but in any event by no later than 4.30 p.m. on the Monday before the Wednesday when the Planning Committee will be held. Please leave a daytime telephone number.

7. If several people wish to speak against an application they should decide in advance who the spokesperson will be and inform the Council. To assist, it would help if you were to agree to allow the Council to give your contact details to others (of the same view) who request to speak, to help you nominate a spokesperson. Should this not lead to an agreement only the first person to notify the County Council as described above will be allowed to speak.
8. If several people wish to speak for an application, including the applicant, then only the applicant will be allowed to speak. However if the applicant does not wish to speak, then a spokesperson should be chosen as in paragraph 7.
9. We will inform those who request to speak to confirm that the application will be considered at the particular Committee by telephone, in writing or by e-mail before the meeting.
10. You must attend the Planning Committee meeting (normally held either in the Council Offices, Russell House, Churton Road, Rhyl or Ruthin Council Offices) and introduce yourself to the Officers at the meeting prior to 10.00 a.m. The meetings start at 10.00 a.m. on Wednesdays on a four weekly cycle. Details of the dates and locations of the Planning Committee are available on the County Council web site (www.denbighshire.gov.uk, under A-Z, see C or P). You can also check on the dates and locations of Planning Committee meetings by contacting the Planning Office or visiting our reception areas.
11. When invited by the Chair of the Committee, you may speak only once and for up to three minutes on the particular item of interest to you. You are advised to focus on the key points of concern to you as all points in correspondence will already have been summarised in the Committee report. You should concentrate on relevant planning issues. The Planning Committee cannot consider irrelevant matters such as disputes about access to land or the personal circumstances of the applicant. The Chair may require you to stop speaking if you say anything that is or may be considered to be slanderous or in contravention of legislation on equal opportunities.
12. Once you have spoken you must leave the matters to be debated by the Planning Committee and must not join in the debate. However, you may be asked by the Chair of the Committee to clarify any points.

A REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

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 County Clerk's Department, it has been decided that the **Tuesday 2nd March 2004** (in the afternoon) 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 **Tuesday 2nd March 2004**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance (3 Independent Group representatives including the Chair and Vice Chair of the Committee, 2 Labour, 2 Plaid Cymru and 1 Democratic Alliance of Wales) together with the relevant Local Member(s)

4. RECOMMENDATION

- 4.1 **That Members agree to the Site Visits being held on Tuesday 2nd March 2004 (in the afternoon)**

**Decisions Made by the Head of Planning and Public Protection
under Delegated Powers
1st - 31st January 2004**

Item For Information

This is a list of applications where the decision has already been made under delegated powers. If you wish to discuss the application/decision please contact the Case Officer.

DECISION TYPES

- | | |
|-----------------|--|
| GRANT | - grant planning permission |
| REFUSE | - refuse all types of application |
| APPROVE | - approve reserved matters or condition |
| CONSENT | - grant listed building, conservation area, or advert consent |
| DEEMED | - does not require advert consent |
| NO OBJ | - no objection to works to tree(s) in conservation area |
| NOT REQ | - proposal does not require permission/consent |
| DETERMIN | - determine that prior approval is not required or is granted on determination application (certain telecom or agricultural works) |
| P DEV | - proposal found to be permitted development after receipt |
| WDN | - application withdrawn by applicant |
| INVALID | - application found to be invalid |
| CERTIFY | - Certificate of lawful use issued |
| RCERTIFY | - refuse to issue certificate of lawful use |

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