

**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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**ENFORCEMENT MATTERS**

**ENF/2004/00039                      Dyserth, Rhyl**

**ENF/2004/00040                      Rhewl, Ruthin**

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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 review the protocol for public speaking at Planning Committee.

**2. BACKGROUND**

2.1 Members will recall that the County Council agreed to adopt public speaking for a trial period from 21 April 2004 up to the County Council elections in June at the meeting on 16 March 2004.

2.2 Public speaking was successfully introduced at the Planning Committee on 21 April and has been operated again today. In order to maintain continuity the County Council, at its meeting yesterday, were due to consider the issue. The recommendation was that public speaking be operated at Planning Committee after the elections but that the details of any changes to the protocol in the light of experience, be discussed and agreed at this meeting of the Planning Committee. This report is prepared on the assumption that the recommendation to the County Council was agreed.

2.3 As an **appendix** to this report is the protocol for public speaking with suggested amendments. The amendments are highlighted by **bold** and ~~strike through~~ text. Further amendments may be needed arising from the workings of the Planning Committee today.

**3. RECOMMENDATION**

3.1 That the protocol for public speaking be revised 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](http://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~~ **have now introduced** 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 and only one 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, **providing we have prior notice in accordance with this protocol.** ~~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](mailto:gwen.butler@denbighshire.gov.uk)) or the Assistant Administration Officer Avril Hughes (Tel No. 01824 708038, e-mail [avril.hughes@denbighshire.gov.uk](mailto:avril.hughes@denbighshire.gov.uk)) or by contacting another member of staff in the Planning Section. 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 **for or** 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. **This may be a representative of the town or community council, who may be best able to put**

**forward the views of those interested.**

Should this **process** not lead to an agreement only the first person to notify the County Council as described above will be allowed to speak.

8. It should be remembered that many town and community councilors are also County Councilors and they already have the right to speak at Planning Committee. County Councilors will not be eligible to speak under this scheme.
9. 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.
10. 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.
11. 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](http://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.
12. 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. **The three minute period will be strictly followed although you will be allowed a few moments to round up if you have not already finished.** 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.
13. Once you have spoken **you will be asked to leave the seat designated for public speaking.** You must then 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.~~
14. **Where an application has been deferred and is then reported back to a subsequent meeting, you will not have an opportunity to speak again unless, in our view, the substance of the application has changed.**

## 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 **Wednesday, 26th May, 2004** (in the morning) 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 **Wednesday, 26th May, 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 Wednesday, 26th May (in the morning)**

**Decisions Made by the Head of Planning and Public Protection  
under  
Delegated Powers  
1st - 30th April 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**

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

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