

Planning Committee Procedure

This document sets out the detailed procedures of the Planning Committee that are in addition to the council's procedure rules within the Constitution, as well as giving answers to some frequently asked questions from the public regarding planning procedure.

The Planning Committee consists of 15 Councillors, drawn from each of the political groups within the Council. Members of the Executive are not eligible to sit on the Planning Committee

Prior to the Meeting

How do I know the application I am interested in is going to committee?

If an application is to be submitted to committee for consideration, you will be notified of this about a week before the meeting, if you are an applicant or their agent, or have commented on the application.

Where a proposal meets any of the following criteria, it shall be reserved to the Planning Committee for determination:

- Criterion 1: In the opinion of the Service Lead – Development Management or the Chair of the Planning Committee, the application is considered to be of a significant, controversial or sensitive nature.
- Criterion 2: The application is from an elected Councillor (or partner thereof) or member of Council staff (or partner thereof) and is recommended for approval.
- Criterion 3: The application is accompanied by an Environmental Impact Statement (EIA).
- Criterion 4: The application is a significant departure from the Council's statutory Development Plan and is recommended for approval.
- Criterion 5: Where there are conflicting views (giving clear planning reasons) from a Town/Parish Council or a Parish Meeting or a Ward Member as well as from not less than 4 individuals.

Any application which is not referred to Committee by virtue of the criteria listed above, but where conflicting representations have been received (including from statutory consultees), is referred to the Chair or Vice Chair of the Planning Committee before a decision is made. The Chair or Vice Chair may decide to refer any such application to the Planning Committee.

Can I see a copy of the committee agenda/officer's report?

Copies of the agendas for Planning Committee are published at least five clear working days before the meeting. Agendas can be accessed via the Council's website via the following link:

<https://democracy.somersetwestandtaunton.gov.uk/ieDocHome.aspx>

Registering to Speak at Planning Committee

If you would like to speak at a planning meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting.

You can request to speak at a meeting by telephoning [01823 219735](tel:01823219735) or emailing your full name, application number and whether you are in support for or against the application along with your statement to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Thursday, requests need to be received by 4pm on the Monday prior to the meeting.

Please note that only written representations received by this date and time can be published and taken into consideration.

The Governance and Democracy Case Manager will take the details of your statement and will distribute them to the Committee prior to the meeting.

What can I include in my public statement?

Speakers should restrict their comments to material planning considerations only, examples are listed below:

- Government guidance and Local Plan Policies
- The Local Plan
- Highway safety and impact of traffic in the environment
- Design, appearance and layout – visual impact
- Residential amenity – privacy, loss of light, overbearing, noise, smells
- Conservation of buildings, trees and open land
- Need to safeguard the countryside or protected species of plant or animal
- The need for development
- Previous planning history of the site
- Case Law
- Appeal decisions

The following are examples of matters which are not material planning considerations:

- Private property rights such as covenants
- The applicant/developer's identity, morals, motives or past record

- Effect on the value of your property
- The fact that development has commenced without the benefit of planning permission
- Loss of a private view
- Private neighbour disputes.

The Meeting

Are members of the public allowed to attend and/or speak at Planning Committee meetings?

All meetings of the Planning Committee are open to the public.

Public Question Time is available at the beginning of the meeting for those present to ask questions about any item of the agenda, or to speak briefly by way of background or introduction to those questions, including planning applications.

Members of the public, Town/Parish Councils and Ward Members also have a right to speak at meetings of the committee during the consideration of planning applications.

How is each application considered at Committee?

Each application will be considered as follows:

- A report will be included on the agenda for all parties to have read prior to the meeting.
- The Chair will announce the item to be considered, reading out the application number and description of the application.
- The Planning Officer will make a presentation on each application. This will be a summary of main points only as full details will be incorporated in the written report. A presentation will be used for visual presentations of plans, drawings, layouts, elevations and other illustrative material which was not included in the report (this could also include any late or updated information).
- The officer recommendation on each application along with any conditions will be stated within the report
- The Chairman will then call on the registered speakers to speak for a maximum of 3 minutes each, in the following order:
 - Objector(s);
 - Supporter(s), including the Applicant/agent;
 - Town or Parish Council representative;
 - Ward Member(s).
- Through the Chairman, Members of the Planning Committee may ask questions of any person who has spoken. Further, a Ward Member who has spoken may raise through the Chairman a point of order in order to correct a statement or error of fact which has been made during the course of the debate.
- At the conclusion of the public speakers, the Chairman will invite questions of

fact/clarification from members of the committee to officers but no submission of views will be given at this stage. Officers will respond to queries with factual information.

- When all information has been received, the members of the committee will discuss and debate the application.
- The Committee will then take a decision on the application. This will be made by a councillor making a proposal which will need to be seconded before it can be voted on
- Once a proposal has been proposed and seconded the Chairman will make it clear upon which motion/amendment the vote is to be taken and ask for members to vote either in favour or against the application (individual votes will not be recorded unless specifically requested by Members of the committee). The Committee Clerk will count the votes so that everyone is aware of the result.
- The Chairman or Committee Clerk will state the decision of the committee on the application following the vote.

Is the meeting recorded?

All meetings of the committee are webcast meaning that members of the public can watch the meeting live or watch the recording at a time convenient to them, following the meeting.

You can find the link to the webcasting on the Council website and under each Planning Committee agenda. Any problems please contact governance@somersetwestandtaunton.gov.uk

The recordings will be available on the website for a period of 6 months.

What will be the order of items at the committee meeting?

The applications will normally be considered in agenda order. However, the Chairman may however at his/her discretion alter the running order.