



# Public Participation at Development Panel



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## 1 Who decides planning applications?

The decision will be taken by the Development Panel which is made up of 12 Councillors. The decision will be made on the basis of a majority vote. Should it not be possible to reach a majority decision the chairman has the casting vote.

The meeting will also be attended by council officers from Planning Services, Legal Services and Democratic Services who will advise and make recommendations to the Development Panel but do not vote on the application.

## 2 Where and when does the panel meet?

Meetings are usually held every four weeks at 1 pm on Tuesdays. They are usually held in the Council Chambers at Allerdale House, Workington.

On certain occasions meetings may be held elsewhere or at a different time. Details of these meetings will be published in advance, including on the Council's website [www.allerdale.gov.uk](http://www.allerdale.gov.uk).

## 3 The agenda

The agenda outlines how the meeting will progress.

Attached to the agenda will be a thorough written report on each application. This will be published five working days in advance of the meeting and is available via the Council's website. Supplementary information may be tabled at the meeting at the discretion of the planning officer. The report will include a recommendation from the planning officer.

Plans and photographs relevant to each application will be displayed at the meeting.

## 4 Procedure

Each application will be considered as follows:

1. The Chairman will introduce the item.
2. The Planning Officer will outline the main issues to be considered by the Panel.
3. Objectors who have registered to speak will be invited to present their statement. The Panel will have the opportunity to ask questions following the presentation.
4. Supporters who have registered to speak will be invited to present their statement. The Panel will have the opportunity to ask questions following the presentation.
5. If the Town or Parish Council has requested to address the Panel they will be invited to speak. The Panel will have the opportunity to ask questions following the presentation.
6. If the Ward Councillor has requested to address the Panel they will be invited to speak. The Panel will have the opportunity to ask questions following the presentation.
7. If the applicant or their representative has requested to address the Panel they will be invited to speak. The Panel will have the opportunity to ask questions following the presentation.
8. The Chairman will ask the Panel if they have any questions for officers.
9. The Panel will consider the application proposals.
10. The Panel will vote on the application.
11. The Chairman will confirm the Panel's decision

## 5 Who can speak at the meeting?

- Objectors (a maximum of six speakers)
- Supporters (a maximum of four speakers)
- The Applicant/Agent
- A representative of the Town or Parish Council
- The Ward Councillor

## 6 How long can I speak for?

Each speaker is permitted a maximum of five minutes to present their statement. Where more than one speaker objects to a planning application the applicant or their agent will be permitted a maximum of ten minutes to respond to any issues raised.

## 7 What do I need to do to register to speak at the meeting?

If you have submitted written representations about a planning application, either for or against, (or you are the applicant or agent) and it has been decided that the application will be considered at Development Panel, then you will receive notification of this and the date.

Please note that not all planning applications are considered by the Development Panel. They may be determined by planning officers in accordance with powers delegated to them by the Council. Details of the scheme of delegation are available on request.

If you wish to speak at the meeting you should email [planning.technicians@allerdale.gov.uk](mailto:planning.technicians@allerdale.gov.uk).

Requests to speak should be submitted no later than 12noon, three days before the meeting (normally the Friday before the meeting). No late requests will be accepted.

Requests to speak will be accepted in the order in which they are received.

If there is more than one person wishing to object to, or support, a planning application, you are encouraged to consult with each other before the meeting to avoid repetition of the same points and consider whether one or two people can speak on behalf of all.

Speakers names will be published in the minutes of the meeting.

## 8 Can I provide supporting information?

Any representations you have already submitted will have been considered in the assessment of the application. Further information can be displayed at the meeting to support your statement. This must be emailed to [planning.technicians@allerdale.gov.uk](mailto:planning.technicians@allerdale.gov.uk) in the form of an electronic Microsoft PowerPoint slideshow.

Your presentation should be submitted in advance of the meeting and no later than 12 noon the day before the meeting.

## 9 What can my statement include?

The Development Panel considers applications in accordance with the local Development Plan and national guidance. When considering the application they will take so called "material considerations" into account. Material issues can include: loss of light, overshadowing, overlooking, loss of privacy, highway safety, parking, loss of protected trees, design and appearance, layout and density, noise and disturbance, impact on listed buildings or conservation areas and flood risk.

In order to maximise the effectiveness of the statement, it is crucial that speakers keep to matters that are material considerations.

Matters which are not material planning considerations include loss of value to an individual property, loss of a view, boundary disputes, private covenants or agreements; the applicant's personal conduct or history, that an application is retrospective or the applicant's motives.

Views of local residents must be considered, but local opposition or support on its own is not a reason for refusing or granting planning permission.

You only have a short time in which to address the panel so you are asked to keep your representations to the material issues involved.

## 10 Conduct

It is the role of the chairman to maintain order at the meeting. Members of the public can observe the meeting from the public area, but cannot address it except in accordance with the procedure outlined above.

After the consideration of each application there will be an opportunity for members of the public to leave the room, although they are welcome to stay and listen to the discussions on other applications.

## 11 The decision

After debating the application one or more of the members of the panel will put forward a motion in relation to the decision to be made on that application. This motion must be seconded by another member before it can be voted on. A member may put forward an amendment, which must also be seconded before it is voted on.

In cases where an amendment is put forward and seconded the panel will vote on this amendment before, if necessary, considering the initial motion.

The vote will be recorded by the Democratic Services officer and the chairman will confirm the decision.

## 12 Site visits

In some cases the panel may defer consideration of an application to enable panel members to visit the site before making a decision. This will normally take place on the morning of the next meeting of the panel. No interested parties will be able to make any representations to the panel during the site visit.

Interested parties will be able to speak at the subsequent meeting in accordance with the procedures outlined above.

## 13 Appeals and Challenges

When making its decision the Development Panel must act reasonably at all times and be able to support any decisions it makes if those decisions are challenged. If the Development Panel refuses an application for planning permission the applicant can appeal against that decision to the Government's Planning Inspectorate. If, in making the decision, the Development Panel is found to have acted unreasonably then substantial costs can be awarded against the Council. Third parties, for example objectors, cannot appeal against the decision.

In some circumstances the decisions of the Development Panel are also open to challenge in the High Court. The Local Government Ombudsman can consider complaints about the way decisions are reached, but not the decisions themselves.

## 14 Complaints

If you have any complaints relating to the conduct of the Development Panel meeting please advise the Democratic Services Officer on 0303 123 1702 or email: [democratic.services@allerdale.gov.uk](mailto:democratic.services@allerdale.gov.uk).

## 15 Further information

We hope this will assist you in making representations at meetings of the Development Panel however if you are unsure about any aspect please contact a planning officer on 0303 123 1702 or email: [planning@allerdale.gov.uk](mailto:planning@allerdale.gov.uk)