



# Having Your Say!

**Planning Committee**

Revised July 2019

## **Introduction**

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The Council has a scheme which allows members of the public and parish and town councils to come to meetings and speak. The thoughts and views of local residents and business people are very valuable in helping the Council to reach informed decisions. So why not get involved?

This leaflet is one of a series which answers the questions which are asked most often by people who want to speak at meetings. You may also need to look at the leaflet called 'Having Your Say! At Meetings' which gives more general information. This leaflet deals specifically with the Planning Committee and concentrates on how the Council deals with planning applications.

This leaflet explains:

- How a planning application is considered and decided.
- How you can make comments on a planning application.
- About speaking on a specific planning application, or another agenda item, at a meeting.
- Some of the things you can and cannot do.

To help you to make the most effective use of this opportunity, please take a few moments to read this leaflet if you are thinking of coming along.

If you would like a copy of this document in braille, large print, or if you wish to have it in a language other than English, please telephone 023 8028 5345 or email [equalities@nfdc.gov.uk](mailto:equalities@nfdc.gov.uk)

## General Information

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**Q: What does the Planning Committee do?**

A: The Planning Committee has the power to decide a number of issues related to planning control. These include:

- planning applications
- lawful development certificates
- footpath diversion orders
- advertisement consents
- listed building consents
- hazardous substances consents
- enforcement action
- notices requiring the proper maintenance of land
- certificates of appropriate alternative development

**Q: What area does the District Council's Planning Committee cover?**

A: The District Council is the local planning authority for all of the New Forest District EXCEPT the New Forest National Park area. The National Park Authority deal with all planning matters in the New Forest National Park area.

**Q: How are planning applications decided?**

A: The Council operates an extensive scheme of delegation of powers to the professional officers. This is to make the decision making process as quick and efficient as possible. It means that only a small proportion of planning applications are reported to the Committee for a decision.

When the Council receives a planning application (or indeed any of the other types of development control applications) details of it may be published in the local paper, and it will be available on our website. A letter is sent to all the directly affected neighbours and a notice is put up on the site. The letters, notices and advertisements all give a date by which anyone wishing to comment should contact the Council. These comments must always be in writing. Throughout this consultation period, the planning application is available for members of the public to see. If you want to view a current planning application then please visit our website [www.newforest.gov.uk/planning](http://www.newforest.gov.uk/planning) and select planning applications on line. Alternatively, to find out where you can inspect a planning application please contact the Public Speaking Organiser on (023) 8028 5345 or email [DCAdministration@nfdc.gov.uk](mailto:DCAdministration@nfdc.gov.uk).

Once the consultation period has closed, the application is reviewed to see if the individual Councillors, the town or parish council and the professional officers are all of the same view about the decision which should be made. If any of them disagree, the application is referred to the Committee for the decision to be made. If all agree, and all other criteria are met, then the decision is made without reference to the Committee.

**Q: Why are the rules for speaking at the Planning Committee different from those at other meetings?**

A: The way in which the Council determines planning applications must, at all times, be fair and balanced, giving all parties an equal opportunity to make representations to the people who take the decision. For this reason, the rules which apply to the public speaking on planning applications must be stricter than those which apply to other issues. The people who may speak are therefore restricted to those who have already written to the Council about the application by the time the agenda is closed, 10 working days before the meeting. An invitation is sent to everyone who has written to the Council about the application at that time and that invitation includes the deadline for registration to speak – normally noon on the Monday before the meeting.

**Q: When are the meetings held?**

A: Meetings are held on the second Wednesday of every month, starting at 9:00 a.m.

**Q: Where are the meetings held?**

A: Normally in the Council Chamber at Appletree Court, Lyndhurst.

**Q: Can I speak during the meeting?**

A: Members of the public may speak at the start of the consideration of the planning application(s), or other agenda items, on which they have registered to speak. There is an assigned order of speakers. The public cannot speak during the general debate by the Councillors.

**Q: Who should I talk to if I want to speak at a meeting?**

A: Please speak to the Public Speaking Organiser, who can be contacted on Direct Line (023) 8028 5345 or e-mail [DCAdministration@nfdc.gov.uk](mailto:DCAdministration@nfdc.gov.uk)

### **Speaking on Agenda Items**

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**Q: Does everyone have the right to speak?**

A: For planning applications it is essential that the decision making process remains balanced and fair. For that reason we have to make sure that completely new information is not brought up at the last moment. Therefore, only those people who have already written to the Council about a planning application by the time the agenda is finalised, 10 working days before the meeting, will be invited to speak, and they must register in advance with the Public Speaking Organiser.

**Q: If I have not had the chance to write to the Council by the time the agenda is finalised, can I speak?**

A: Sorry, no. There are however still options available to you to make sure that the Councillors have access to your views (see below).

**Q: If I have not registered to speak by the deadline, can I still speak?**

A: Sorry, no. There are however still options available to you to make sure that the Councillors have access to your views (see below).

**Q: How long can I speak for?**

A: For the items which are on the agenda, the time is divided between three groups. For planning applications these are:

- The applicant/supporters of the application;
- Objectors to the application; and
- Parish/Town Councils;

Each of these groups will have up to three minutes at the start of the item. Up to three people can speak for each group, and the time is divided equally between them. The speakers will be the first three people from each group who register with the Public Speaking Organiser. Each group will also have a minute, at the end of the debate by Councillors, to respond to any issues that have been discussed.

**Q: How is the time divided up for public wanting to speak on other agenda items, such as the consideration of enforcement action?**

A: The division follows the same basic pattern. The Groups are:

- Supporters of the recommendation in the report;
- Objectors to the recommendation in the report; and
- Parish/Town Councils;

Again, speakers are selected on the basis of the first three people in each group who register with the Public Speaking Organiser.

**Q: How will I know when I should speak?**

A: When your item is about to start, the Public Speaking Organiser will direct you to some reserved seats in the Council Chamber. The Chairman will take the meeting through a set order of business, which is set out later in this leaflet. The Chairman will invite each person, in turn, to speak and allow opportunity for the Councillors to ask questions if they feel that they need additional information.

**Q: Is there anything that I can't say?**

A: This is your opportunity to emphasise the points that you, and your fellow supporters or objectors, have already made in writing. Please be aware that you will be speaking in public, and press reporters may be present. Please do not say anything that you would not wish to be reported. Also, particularly on sensitive or controversial items, please be aware of the need to be factually correct in what you say. Meetings of the Planning Committee are audio recorded and copies of the recording are provided, if requested.

The Chairman is in overall control of the meeting. He or she has the right to decide whether anyone (including Councillors) may speak at a meeting. He or she also has the right to say that any question or statement is not appropriate, and will not be accepted.

**Q: Can I speak about something that is going to be discussed by the Councillors in private?**

A: That is not possible, as the press and public will not be present for that item.

**Q: Can I record or film the debate in the Committee's meeting?**

A: Subject to some provisos, yes you can. Audio recording is not intrusive and, as the Council records the meeting and will already have warned everyone present that this is happening, this will not cause any problem. If you wish to film then you may do so from a static position in the Council Chamber, provided you are not impeding anyone else. Also, while you are entitled to film the Council's elected members and officers, if another member of the public requests that they are not filmed, then please respect that request. More details on our rules for recording at meetings can found by following the link below:

<http://www.newforest.gov.uk/CHttpHandler.ashx?id=26253&p=0>

**Q: What happens if I will not have a chance to speak?**

A: If you were going to make a particular point on an agenda item, there are other ways in which you can get your information to Councillors before the meeting.

**Q: How?**

A: Firstly, if you know someone else who has successfully booked a slot to speak on that item you can contact them to see if they would be willing to make any additional points that you have. Indeed, if a group of residents all share the same view, it can be very effective to nominate one spokesperson, who can speak for all.

The Public Speaking Organiser will make every attempt to put people in touch with each other, to make sure that everyone's view can be heard.

Alternatively, you can write a letter to each of the Councillors on the Planning Committee. If you hand these in at the Main Reception, at Appletree Court, Lyndhurst before 4.00 p.m. on the Friday before the meeting, they will be sent to the Councillors. After that time you will need to contact the Councillors directly yourself.

E-mail is also a very effective means of contacting the Councillors. If you go onto the Council's Website [www.newforest.gov.uk](http://www.newforest.gov.uk) and select Council and Democracy/Councillors and Democracy/Council, Cabinet, Committees and Panels/Committee Members, you will find all the contact details, including an e-mail link to each of its Members.

Please remember to allow enough time for the Councillors to receive and read the correspondence before the meeting. It is also helpful if you send a copy of your representation to [dev.control@nfdc.gov.uk](mailto:dev.control@nfdc.gov.uk) so that the planning file is complete.

**Q: Will the Council copy a letter to Councillors for me?**

A: I am afraid that we have to charge for this service – or the cumulative cost of copying everyone’s letters would be very expensive.

**Q: How will I know that a planning application is going to be considered by the Planning Committee?**

A: As soon as the agenda has been finalised, and it is known which planning applications will be going forward to the Planning Committee for determination, the Public Speaking Organiser will write to everyone who had made a written representation on those planning applications. A letter or e-mail will normally be sent out on the Monday, 7 working days before the meeting.

**Q: Must I always register in advance if I want to speak at a meeting?**

A: Yes, please. We need to know that you want to attend by noon on the Monday before the Wednesday meeting. As the practical limit is three speakers from each group, to avoid disappointment it is best to register your wish to speak with the Public Speaking Organiser as soon as possible. The direct line number is 023 8028 5345 or e-mail [dev.control@nfdc.gov.uk](mailto:dev.control@nfdc.gov.uk).

**Q: Can I ask someone else, for example a professional planning agent or a friend, to speak on my behalf?**

A: Yes, of course. Some people prefer not to speak in public, and we would not want them to be disadvantaged. While you may prefer to be represented by a professional agent, it can be very effective for a group of local residents to nominate a spokesperson. This may be the best way for you to make sure your viewpoint is heard. Alternatively, you can ask for one of the Council’s officers to read out a statement that you have prepared, if that would help, but please make sure that the statement can be completed within your time allocation.

**Q: Do I have to let anyone know when I arrive at the meeting?**

A: Yes, please. You will have to register as a visitor at the Main Reception. They will direct you to the Council Chamber. The Public Speaking Organiser will be sitting at the entrance to the Council Chamber. Please let them know that you have arrived.

**Q: If I will not be speaking at a meeting, can I still attend?**

A: Yes. Members of the public are always welcome to attend to listen to the debate on the majority of items that the Council considers. The press and public are only excluded when the Council must, for reasons which are defined and restricted by law, consider something in private.

**Q: Will I be at the meeting a long time?**

A: A timetable is worked out to try to minimise the amount of time that people have to spend at the meeting. The Public Speaking Organiser will advise you, on the Monday afternoon before the meeting, of the earliest time at which your item will be considered. We will not deal with your item before that time. We cannot, however, give any guarantees about how soon the application will be discussed.

**Q: Can I find out, before the meeting, what the officers' recommendation is?**

A: Yes, the agenda and reports are published 6 clear working days before the meeting and can be seen at the Council's Offices, libraries or on the Website.

**Q: Can I bring display materials, such as slides, photographs, or overheads, to help me to make my point.**

A: I am sorry but it is not practical within the time available. You can however ask for the Planning Officer's display materials to be shown during your presentation, if that would help you. The Planning Officer will normally have the key drawings submitted in support of the application and a selection of photographs of the site and its context. You can also e-mail or post such materials to Councillors individually before the meeting. If you do, please also send a copy to the Planning Officers for inclusion on the planning file. The e-mail address is [dev.control@nfdc.gov.uk](mailto:dev.control@nfdc.gov.uk)

**Q: Do the Councillors always debate every planning application?**

A: No. If the Councillors agree with the officers' recommendation set out in the report, and they do not have any questions, they will not ask to speak and the Chairman will go immediately to the vote on the officers' recommendation.

**Q: Can I give the Councillors photographs or a written statement during the meeting?**

A: Sorry, no. As the Council has to make sure that all parties have an equal right to respond to the points that others may be making, it is not possible to introduce completely new information at the meeting. This does not affect your right to lobby the Councillors who are on the Committee before the meeting.

**Q: What happens with information about a planning application which is received after the agenda has been published?**

A: A summary of any updates is published late afternoon on the day before the meeting. On the Council's website please select Council and democracy/ Councillors and democracy/Committee documents/Planning Committee. Any information that is received after the publication of the update will be reported orally at the meeting at the start of that item.

**Q: Who are the Councillors on the Planning Committee?**

A: You can also find a list on the Council's website. If you go onto the Council's Website [www.newforest.gov.uk](http://www.newforest.gov.uk) and select Council and Democracy/Councillors and Democracy/Council, Cabinet, Committees and Panels/Committees. The full details of the Councillors who sit on the Planning Committee can be seen by selecting "View contact details for the members of this Committee" from the top list.

**Q: Can I use this opportunity to ask questions of the Planning Officers or Councillors?**

A: You can ask a number of questions, which will all be answered together at the end of the public's time allocation. However, you will only be able to speak once and will not be able to hold a dialogue with either the Councillors or the Officers. Please remember that you only have a limited amount of time in which to make all your points.

## **PROCEDURE FOR PUBLIC PARTICIPATION ON AGENDA ITEMS**

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1. The Chairman will announce the Agenda item by reading out the application number, the address of the site and a brief description of the proposals.
2. The Chairman **may** ask the Planning Officer to introduce the item or provide information that has become available since the report was published.
3. If the Chairman invites the Planning Officer to do so, they will introduce the application, drawing attention to the planning issues to be considered and providing updated information.
4. The Chairman will then invite the public participants to speak in the following order:-
  - (a) the applicants/supporters (3 minutes total)
  - (b) the councillors may ask questions of fact of the applicants/supporters
  - (c) the objectors (3 minutes total)
  - (d) the councillors may ask questions of fact of the objectors
  - (e) Parish/Town Councils (3 minutes total)
  - (f) the councillors may ask questions of fact of the Parish/Town Council
5. The Chairman will invite the Planning Officer to respond to any points made, if they feel that it is necessary.
6. The Local Ward Councillor will speak if they are present, and wish to do so.
7. The Councillors, including any local ward members who are not on the Planning Committee but are present, will debate the application in the normal manner.
8. The Chairman will then invite the public participants to sum up and/or reply to the debate in the following order:-
  - (a) the applicants/supporters (1 minute total)
  - (b) the objectors (1 minute total)
  - (c) Parish/Town Councils (1 minute total)
9. The mover and seconder of any motion before the Committee will sum up and/or reply to the debate.
10. The Chairman will take the matter forward to the vote
11. The Committee will either:-
  - (a) approve the application
  - (b) refuse the application
  - (c) authorise the Chief Planning Officer to approve or refuse the application following a specified time period, specified actions, the completion negotiations, and/or of legal agreements
  - (d) defer the application for a site visit by the Committee
  - (e) defer a decision for further information or negotiations with the applicant.

## Contact Officers:

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Planning Technical Admin Team, Public Speaking Organiser;

Tel: (023) 8028 5345

e-mail: [DCAdministration@nfdc.gov.uk](mailto:DCAdministration@nfdc.gov.uk)

(To register to speak and to talk about arrangements for public speaking in the meeting)

Karen Wardle, Committee Administrator,

Tel: (023) 8028 5588

e-mail: [karen.wardle@nfdc.gov.uk](mailto:karen.wardle@nfdc.gov.uk)

(General information about public participation)

Development Control Section

e-mail: [dev.control@nfdc.gov.uk](mailto:dev.control@nfdc.gov.uk)

Contact details for Planning Committee Members:

<https://democracy.newforest.gov.uk/mgCommitteeMailingList.aspx?ID=504>

Planning Applications On-Line – applications search

<http://www.newforest.gov.uk/article/13702/How-do-I-view-and-comment-on-a-planning-application-or-appeal>