



# Planning Committee

## Area Planning Committees and Strategic Sites Committee

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## Introduction

This guidance note tries to answer some of the questions you may have about Planning Committee, and what will happen at the Committee meeting.

## Background

The Council gives publicity to planning applications, and anyone can make representations on planning grounds that they feel are important. Such representations from neighbours and other interested parties are very important in highlighting issues, called material planning considerations, which need to be taken into account when applications are decided.

When the Council considers applications, the views of objectors and supporters are summarised in each report. In addition to this written report, in certain circumstances, the Council provides members of the public, parish/town councils and applicants/agents, the opportunity to speak at Planning Committee meetings.

When a planning decision is made an applicant has a subsequent right of appeal to the Planning Inspectorate if they disagree with the decision. Public speaking is therefore important as those making representations have no subsequent right of appeal. It therefore allows an opportunity for a summary of the issues to be made directly to the Committee members before they determine the application before them.

There are six Planning Committee meetings operated across Buckinghamshire Council.

Name of Committee	Venue
Strategic Sites	The Oculus, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF
Central Buckinghamshire Area Planning Committee	The Oculus, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF
East Buckinghamshire Area Planning Committee	Amersham Council Chamber, King George V House, King George V Road, Amersham, HP6 5AW
North Buckinghamshire Area Planning Committee	The Oculus, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF
South Buckinghamshire Area Planning Committee	Amersham Council Chamber, King George V House, King George V Road,

	Amersham, HP6 5AW
West Buckinghamshire Area Planning Committee	High Wycombe Council Chamber, Queen Victoria Road, High Wycombe, HP11 1BB

Details of forthcoming meetings can be accessed on the Council's website at <https://buckinghamshire.moderngov.co.uk/mgListCommittees.aspx?bcr=1>

## How are planning applications determined?

The power to determine Planning Applications rests with either a Committee (one of the Area Planning Committees, or the Strategic Sites Committee), or more usually is delegated to Planning Officers, in line with national best practice under delegated authority. This allows our Planning Committees to focus their resources more effectively on cases of local or strategic significance which would benefit from scrutiny.

So, the purpose of Planning Committee is to review recommendations where the weighing of the issues is considered to be finely balanced.

## Area Planning Committees

The [Council constitution](#) requires that some applications are only determined by an Area Planning Committee. These are applications submitted by;

- Buckinghamshire Council,
- a Councillor,
- a Chief Officer,
- a Corporate Director,
- a Service Director,
- any officer working in the Planning and Environment Service

It also allows a Buckinghamshire Council member to request a call-in of any "outline", "full" or "reserved matters" planning application. In such cases the Service Director would consider these requests, in consultation with the appropriate Planning Committee Chairman, and on the basis of the material planning considerations put forward they would decide whether the application would benefit from Planning Committee scrutiny.

Where a call-in has been requested by all members of a particular ward, the application will automatically be considered by the relevant Planning Committee as decided by the Service Director Planning and Environment.

## **Call in by Town and Parish Councils**

Within 28 days of being notified of a Planning Application, Town and Parish Councils must use Public Access or Consultee Access to notify the planning officer that they wish to call-in the Planning Application to the relevant Planning Committee; provide material planning reasons for a call in; and provide an undertaking that a representative will attend and speak at committee if the request for call-in is agreed.

The Service Director for Planning and Environment, in consultation with the Chairman of the relevant planning committee, will determine whether or not the matter called-in by the Town or Parish Council should be considered by Planning Committee, or whether the exercise of delegated powers is appropriate. Town or Parish Council and Ward members will be notified of the decision and the reasons behind it.

## **Strategic Sites Committee**

The scope of the committee is to deal with Planning Applications impacting wider strategic development, sites which have a significant impact beyond the specific local area and sites fundamental to the implementation of an adopted or emerging Local Plan, which have been called in or referred to committee for decision.

It has responsibility for:

- a. wider strategic development;
- b. sites which have a significant impact beyond the specific local area; and,
- c. sites fundamental to the implementation of an adopted or emerging Local Plan. This will include:
  - i. Major infrastructure;
  - ii. Large Scale Major Development comprising:
    - a. Housing (approx. 400 dwellings or more)
    - b. Employment (approx. 10,000 sq m or 2 hectares or more)
    - c. Retail (approx. 10,000 sq m or 2 hectares or more)

The Strategic Sites Committee will also determine all public rights of way, Common Land and Town or Village Green applications where the Service Director of Planning and Environment or the Service Director Highways and Technical Services elects not to exercise delegated authority and refers the application to committee.

## **How are the meetings run?**

Prior to the Planning Committee meeting members will have read the officer report, they have access to the application documentation on the [website](#), and can clarify any particular issues or concerns with the case officer. They may also have attended a site visit before the Committee meeting where the Planning Committee Chairman has requested this be arranged.

Members are expected to come to the Planning Committee with an open mind and not make their decision until they have seen and heard all the relevant information. Therefore, you should not expect Committee members to express a firm view on an application prior to its determination.

At the meeting they will hear an introduction by the presenting officer, the public speakers have the opportunity to put a summary of their case to the members in person and in the interests of balance the applicant has an equal opportunity to respond.

The order of business for each meeting of the Planning Committees:

- a. Opening matters;
- b. Apologies;
- c. Substitutes;
- d. Minutes;
- e. Declarations of interest;
- f. Planning Applications;
- g. Other matters requiring consideration by the committee.

Applications are considered in the order listed on the agenda. Where many people are interested in an application the Chairman may take it earlier. Each application is considered in the same way;

- The Chairman will announce the agenda item number.
- The planning officer will introduce the application with any relevant updates and provide a visual presentation to aid members' understanding of the context of the application.
- The Chairman will call on public speakers in accordance with the Public Speaking Arrangements.
- The Chairman will then ask members if they have any points of clarification on points raised by public speakers.
- The Chairman will then ask members if they have technical questions of officers.
- The entire committee will then discuss/debate the application.
- Members may seek further clarification on points raised by speakers in the main debate, through the chairman. Officers will respond to such issues and questions raised by the members.
- The Committee will then make a decision by vote.

Various officers may be in attendance at a Planning Committee meeting, such as;

Officer	Role
Public Speaking Officer	An officer welcomes members of the public. They will explain the process for public speaking for those who are registered to speak and advise them where to sit.

Officer	Role
Lead Planning Officer	The role of this officer is to give planning advice and guidance to the Chairman of the Planning Committee and the Members.
Legal Officer	To provide legal advice and guidance to the Chairman of the Planning Committee and the Members on either procedural matters relating to the constitution or on points of planning law.
Presenting Officer	A planning officer will present the planning application to members using photographs of the site, and other material as appropriate. They answer any specific questions raised.
Specialist Officer	Depending on the particular application it may be appropriate to have a “specialist” available to answer questions: e.g. Urban Design Officer, Tree Officer, Conservation Officer, Highway Officer, SuDS Officer, etc.
Democratic Services Officer	The Democratic Services Officer will take the minutes of the meeting and provide governance advice as required.

## Some questions about public speaking answered

### 1. Does Public Speaking apply to all applications?

No. The scheme only applies to those applications being considered at a Planning Committee meeting and where written representations have been received. Comments must have been received before the time the Committee Agenda is prepared.

### 2. Are all applications considered by the Planning Committee?

No. The majority of applications are dealt with by planning officers under delegated powers. Those that do go before a planning committee will have met the criteria as laid out in the Constitution.

You may wish to make your views known to your Local Councillor as well as the Planning Department. Councillor’s names and email addresses can be obtained from our [website: \(www.buckinghamshire.gov.uk\)](http://www.buckinghamshire.gov.uk).

### 3. How will I be told if I have an opportunity to speak at the Committee meeting?

If you have commented in writing on the application you will be contacted when the planning committee agenda is finalised and we are certain that an application is to go to a particular meeting of the Committee. At that stage all who have made representations and

are entitled to speak will be sent a letter or email which will invite them to register their wish to speak at the meeting.

Invitation letters (or emails) will be sent before the date of the meeting.

#### **4. What do I do if I decide I want to speak?**

Please notify us of your intention to speak. The invitation letter will explain how to do this, as the process varies slightly depending on the geographical area of the particular Committee.

The table below sets out the usual deadlines to register for the different planning committees.

<b>Name of Committee</b>	<b>Usual day and time Committee is held</b>	<b>Deadline for receipt of a request to speak</b>
Strategic Sites	Thursday afternoon at 2.00 pm	10.00 am on the Tuesday prior to the meeting date.
Central Buckinghamshire Area Planning Committee	Wednesday afternoon at 2.30 pm	10.00 am on the Monday prior to the meeting date.
East Buckinghamshire Area Planning Committee	Tuesday evening at 6.30 pm	10.00 am on the Friday prior to the meeting date.
North Buckinghamshire Area Planning Committee	Wednesday afternoon at 2.30 pm	10.00 am on the Monday prior to the meeting date.
South Buckinghamshire Area Planning Committee	Tuesday afternoon at 2.30 pm	10.00 am on the Friday prior to the meeting date.
West Buckinghamshire Area Planning Committee	Wednesday evening at 6.30 pm	10.00 am on the Monday prior to the meeting date.

#### **5. Can I see the Officer's report before the meeting?**

Yes. The agenda for the meeting and the Officer's report on the application will be available for inspection for at least the 5 working days prior to the meeting. The information can be viewed on the Council's website ([www.buckinghamshire.gov.uk](http://www.buckinghamshire.gov.uk)).

#### **6. Can any member of the public speak about any application on the agenda?**

No. You cannot speak unless you have commented on an application before the committee agenda has been published and been sent an invitation to do so. You will need to register your intention to speak by the deadline.

## 7. How long will I have to speak?

A time limit of three minutes will apply to each of the five categories of speakers as follows:

Councillor/Local Member(s)	Parish/Town Council(s)	Objector(s)	Supporter(s)	Agent/Applicant
3 minutes each	3 minutes shared	3 minutes shared	3 minutes shared	3 minutes shared

Where speaking times are shared, there is an overall time limit of three minutes in total, not three minutes each.

Speaking arrangement for the Strategic Sites Committee will be the same as the area planning committees.

Speaking arrangements and time limits may be changed at the Chairman's discretion dependent upon the nature of the application and matter being considered.

## 8. Can someone else speak on my behalf?

A speaker may nominate a single spokesperson to speak on their behalf. If more than one person has registered to speak in a category, speakers will be encouraged to coordinate with each other so that repetition can be avoided. You will be encouraged to nominate a single speaker or failing that agree to divide the time between yourselves.

Where this is not possible speakers will be taken in the order of registering an intention to speak until the total time of three minutes has elapsed.

Alternatively, you may ask someone to speak for you, or you may use a professional advisor.

## 9. Can applicants speak to the Committee?

The applicant or their nominated agent will have an opportunity to speak. Applicants will not be allowed to make full presentations of their proposals to the Committee.

## 10. Who is on the Planning Committee and who else will be there?

The Area Planning Committees are made up of 12 elected Councillors (10 for South Buckinghamshire Area Planning Committee). The Strategic Sites Committee is also made up of 12 elected Councillors. Committees are made up of elected Councillors, where feasible these will be Councillors who represent the geographical area of the relevant committee.

A number of planning officers and other Council staff are also present to advise the Committee and to make a formal record of the meeting. Other Councillors may be present to speak on applications within their Ward, but are not allowed to vote. Any member of the

public, including applicants, can attend to listen to the debate, and the Press may be present.

Where possible these meetings will be webcast. You can view these on our [website](#).

### **11. How do I present my comments?**

Please use the opportunity to address the Committee to expand on your original comments or comment on the officer's report.

Please limit your comments to material planning considerations such as:-

- National policies e.g. National Planning Policy Framework
- Policies in the Development Plan e.g. compatibility of the development with Green Belt, Chilterns AONB, Green Space Policy etc.
- Appearance and character of the development.
- Traffic generation, highway safety and parking.
- Overshadowing, overlooking and loss of privacy.
- Noise nuisance, dust, odour, visual intrusion or other loss or amenity.
- Site layout.
- Restoration and landscape proposals.
- Presence or absence of any other overriding factors such as need which cannot be provided elsewhere.

Avoid comments which are not planning matters, such as:

- Boundary disputes, private property matters.
- Personal remarks (e.g. the applicant's motives, financial situation, etc.).
- reduction in property values
- loss of private views over the land.
- Service issues e.g. education policy.

Visual aids such as plans or photographs, or the circulation of material at the meeting will not be permitted.

Committee Members may ask you questions on points raised through the Chairman, but only by way of clarification. This is not an opportunity for you to question members or join the Committee debate. You may not ask questions of others at the meeting.

The Chairman may terminate your presentation if the content is slanderous, or not addressing a material planning consideration.

### **12. How will I know how much time I have to speak?**

There are different systems used to time your 3 minutes, depending on the venue. These will be explained to you before you speak.

**13. Can an application be approved by the Committee if it is recommended for refusal or vice versa?**

In considering the evidence before them the Planning Committee are entitled to weigh and balance the issues differently, and so reach a different conclusion to the officers. If this happens, the Planning Committee will give full reasons for making their decision.

**14. What happens after the decision is made?**

When the decision notice is produced it will be published on the Council website on Public Access for the relevant area. The minutes of the meeting will also be published on the website under the relevant committee page.

**15. What should I do if I have any further queries about the scheme of public speaking?**

Contact the officer indicated on your invitation letter. This will be a Democratic Services Officer or a Planning Technician depending on the venue.

Committee meetings are live streamed to the [Council's website](#) and recorded for subsequent viewing.

<b>Version</b>	<b>Date</b>	<b>Comment</b>	<b>Author</b>
1	03.05.20	Draft for review	AN
2	09/05/20	"Background" added.	AN
3	17/09/20	Suggested updates added	AN
4	16/09/20	Further updates added	
5	14/06/22	Speaking deadlines/links updated	DS