

HAVE YOUR SAY ON PLANNING APPLICATIONS

Darlington Borough Council recognises that persons with an interest in a planning application, such as the applicant or people who object strongly to what is being proposed, or indeed wish to support an application often value the chance to speak at the meeting directly to Councillors, and draw attention to the points which they feel the Committee should consider in reaching a decision. To be able to hear as much information as is practicable assists the Members in making informed judgments on proposed development. Public speaking is intended to aid this process. It should be noted however that to ensure a smooth and orderly process prior to Members arriving at a decision, this part of the proceedings is supervised closely by the Chair, to ensure that matters that are raised, are material to the decision to be taken.

Planning Applications Committee

Planning Applications Committee (PAC) consists of 14 Councillors, which deal with the more controversial applications. The Committee meets every 4 or 5 weeks to consider planning applications which cannot be decided by officers under the Council's delegated powers. The PAC will meet at 1.30 pm on a Wednesday. Interested parties, including applicants/agents, and people who have commented in writing on applications are sent a letter to inform them of the Committee and the procedures involved. The Committee is a formal meeting of the Council and has to be run both efficiently and according to legal requirements. In order to make sure that the meeting is properly run, one of the Councillors holds the position of 'Chair' and he or she is in charge of who may speak and in what order.

The Report

Every application is accompanied by a report prepared by a planning officer. This explains the details of the application and the site, comments received from neighbours and other consultees, the relevant policies from the Development Plan together with any other planning considerations relevant to the case. The report must give the Councillors who sit on the Committee a clear recommendation which the planning officer judges to be right for the application, having weighed up arguments for and against the proposal. The recommendation may be either to approve or refuse the application. In the case of approval, this may be recommended subject to conditions or legal agreements to control the exact form of development. The officer's report is available to the public for viewing 5 working days before the meeting. If you contact Planning Administration to request a copy of an individual report, photocopying charges apply and this can usually be sent by post, or collected from the Town Hall Customer Services Reception, alternatively a copy can be emailed to you free of charge. The reports are also made available on the Council's website at

www.darlington.gov.uk/planningcommittee

The Decision

The planning officer's report is not the only thing which the Committee Members will take into account. They will consider the merits of the application, and use their own local knowledge and judgment to reach a decision which they consider to be right for the application. They are under a legal requirement to take decisions in accordance with the Development Plan, unless there are clear planning reasons for not doing so. If Committee decides to refuse permission, specific reasons for this will be given, including reference to the key planning policies which are relevant to the decision. Persons who have commented in writing on applications are sent a letter to inform them of the decision.

How the Public Speaking Arrangements Work

The following details apply: -

1. You can tell officers in the Planning Team in advance of the meeting that you wish to speak on an application but this is not essential. It may also be helpful to officers, particularly if the matters you intend to raise are not considered within the report, to have advanced notification, to enable them to fully brief Members of the Committee on the day.
2. When you arrive at the meeting, you must report to the reception desk outside the Committee Room, so that your details can be noted and included on the Chair's list of persons who wish to speak on particular applications.
3. Arrive at the meeting 10-15 minutes before the start time, so that you can register
4. You may have to wait while other applications are considered before the one you are interested in comes up. The Chair will endeavor to make sure that applications where people have registered a wish to speak are considered as early as possible during a meeting, but this is not always possible. Speakers will be invited to sit at the table with Members and officers to address the meeting.
5. When the time comes for the application to be considered, the Chair will use the following running order: [This order may be varied at the Chair's discretion, depending on the nature/complexity of the application. The Chair will endeavour however to ensure that the opportunity to make representations are made in a fair and balanced way.]
 - Chair introduces agenda item;
 - Officer describes proposal;
 - Applicant or agent may speak;
 - Members may question applicant/agent;
 - Up to 3 objectors may speak;
 - Members may question objectors;
 - Up to 3 supporters may speak;
 - Members may question supporters;

- Parish Council representative may speak;
- Members may question Parish Council representative;
- Ward Councillor may speak;
- Officer summarises key planning issues;
- Members may question officers;
- Objectors have right to reply;
- Agent/Applicant has right to reply;
- Officer makes final comments;
- Members will debate the application before moving on to a decision;
- Chair announces the decision.

Frequently Asked Questions

Q How long will I be allowed to speak for?

A Maximum of 5 minutes is allowed per speaker, and you should aim to put forward your case clearly and succinctly.

Q Can I show the Committee my own plans or photographs?

A Yes, but you will need to leave a copy with the Council to go on the application file. You can make reference to any visual material which has been presented by officers. Any documentary or visual evidence which a speaker wishes to use within their presentation to Committee must be provided to the Director of Economic Growth no later than five working days prior to the date of the Committee meeting.

Q What are Material Planning Considerations?

A It is relevant to raise issues such as traffic impact and highway safety; effects on trees and the local ecology; concern about crime; privacy, visual impact and overshadowing; noise; and the relationship to local, regional and national planning policies. These matters, and many others, are termed material planning considerations. Some issues which are sometimes raised but are not normally planning considerations are: • personal morals or views about the applicant • possible effect on property values • ownership disputes over rights of way, fence lines, etc • restrictive covenants • property maintenance • loss of private views • business competition • conflict with other laws. The Committee cannot take such matters into account, and if you raise them you may be reminded of this by the Chair.

Q Will the Application always be decided at the meeting?

A No. The Committee will sometimes defer an application in order to visit the site or to enable further information to be supplied which is important to enable the right decision to be made. The Council is committed to meeting Government targets for the time taken to decide planning applications, and applications will only be deferred if there is a good reason.