

Other issues such as:

- Ownership
- Boundary disputes
- Loss of / impact on views
- Private rights of way, light or easements
- Damage to property
- Access for maintenance
- Applicant or neighbours behaviour
- Age, health, status or background of an individual
- Size of the applicants family
- How long the applicant has been living there
- The applicant's motive
- What may happen in the future
- Loss of Trade

For further information or advice contact:  
 Planning Support, Riverbank House, BIDEFORD, EX39 2QG

## Public Participation Code of Conduct

In seeking to speak at a Plans Committee.....

**You must:**

- Treat everyone with dignity and respect.
- Register your wish to speak no later than 2 pm two days before the scheduled Committee Meeting and agree to abide by this code
- Ensure what you say is factually correct

**You must not:**

- Speak when the Chair speaks
- Make personal or slanderous remarks
- Be abusive
- Interrupt speakers
- Go beyond the prescribed time allowed of 3 mins.

You are not entitled to take advantage of the defense of 'qualified privilege' and may be liable to legal proceedings for possible defamation.

The Chair has absolute discretion over this Public Participation Scheme and may temporarily suspend, vary or withdraw the Scheme at a particular meeting.

## Request to speak at Plans Committee

Please complete this form and send by post to-

Planning Support  
 TORRIDGE DISTRICT COUNCIL  
 Riverbank House,  
 BIDEFORD  
 EX39 2QG

- or complete the form online at

[www.torrige.gov.uk/speakplanning](http://www.torrige.gov.uk/speakplanning)

Requests to speak must arrive no later than 2pm two days before the scheduled Committee Meeting.

Application Number:
Site Address:
Full Name:
Address:
Day-time Tel. Number:
*I wish to speak <b>IN SUPPORT</b> of this application / I wish to speak <b>AGAINST</b> this application
<i>*Please delete as appropriate</i>
I AGREE TO ABIDE BY THE CODE OF CONDUCT
Signed:
Date:



## Guide to Public Participation at Plans Committee

This meeting may be recorded by the Council and possibly by a third party

Torrige – a great place to work, live and visit

# Public participation at Plans Committee

In a move to improve local democracy, the public now have the opportunity to speak at formal meetings of the Council's Plans Committee. This leaflet sets out the terms and conditions for that public representation.

## How many people can speak-and for how long?

In most cases, up to four members of the public can address the Committee on a specific application. Two would be objectors, and two either as applicant /agent or as a supporter. Each speaker will have up to three minutes to put his or her case.

A representative from the Town or Parish Council is also given 3 minutes to express the views of that council.

## To be eligible to speak ....

You must make a request in writing following publication of the Committee Agenda and it must arrive no later than 2 pm, two days before the scheduled Committee meeting, so if the meeting is on a Thursday, the request must be received by 2 pm on the previous Tuesday.

The written request must be sent via the form on the Council's website (see details in letter), by email to: [speak.planning@torridge.gov.uk](mailto:speak.planning@torridge.gov.uk), or by post to: Planning Support, Plans Committee, Riverbank House, Bideford, EX39 2QG

You must include the application number, site address, your full name, address and telephone number and whether you are in favour or against the application. A form is attached for your use.

*You must agree to abide by the Code of Conduct outlined in this leaflet.*

## What if more than two people wish to speak in support or to oppose a proposal?

The procedure allows for two people to speak in support of the application and two against. Requests to speak are dealt with through the process highlighted above, and where there are more than two people wishing to speak they will be required to organize spokespeople to represent the views on each side. After the deadline date of 2 pm on the Tuesday before Committee, a list of people requesting to speak will be posted on our website at [www.torridge.gov.uk/speakplanning](http://www.torridge.gov.uk/speakplanning)

## What happens at the Committee Meeting?

Those who have a valid request to speak will be required to report to the Committee Clerk 5 to 10 minutes before the meeting starts. The Committee Clerk will meet all the speakers, explain the procedure, and show you where you will be asked to sit and present your case.

Working through each application on the agenda, the Committee Chair will first invite the Planning Officer to introduce the application and advise the Committee of the main planning issues and the recommendation. The Chair will then invite the Parish / Town Council representative to speak on behalf of their local council. The nominated objectors to that specific item will then put their views, to be followed by the applicant/agent and/or supporters. The Ward Member will then be allowed the opportunity to speak.

The speakers will not have the right to question Members or the Planning Officers. The Committee will then discuss the application and will have the opportunity of further guidance from the Planning Officers before reaching their decision.

It is essential that there is no unnecessary repetition of points made and the Chair will strictly control the procedure exercising discretion when required in order to satisfy 'natural justice' and provide members with the required information upon which to make an informed and well-considered decision.

Each speaker will be allocated 3 minutes in which to make their views known. This time limit will be strictly applied by the Committee Chair. An application will not be deferred because a speaker is not present. Please bear in mind that by law the Council can only take into account certain matters when considering planning applications.

## What if a decision is deferred, perhaps for more information or a site visit?

The right to speak can only be exercised at the first meeting at which the planning application is considered. The only exception is if an application is on the agenda but the item is deferred prior to the Planning Officer presenting the case.

## Putting your case to the committee ..... a few pointers

When putting your case you must only talk about planning issues as the Committee can only make a decision on planning grounds.

If you address the Committee on other matters which are not planning issues, the Chair may interrupt you, or even withdraw your opportunity to speak further. This also applies if you act inappropriately.

It will be helpful if you are able to prepare your presentation in order to ensure that the key points are made and that you are able to keep within the time limit.

In all issues relating to public speaking at the Plans Committee, the Chair has the ultimate discretion.

## The Committee must consider

In reaching a decision the Plans Committee must consider all relevant planning policies in the Development Plan (i.e. Torridge District Local Plan and Devon Structure Plan), relevant Government Policies and all relevant material planning considerations.

## Some of the most common "material considerations" include:

- Loss of light or over-shadowing
- Overlooking /loss of privacy
- Overbearing
- Loss of trees
- Layout and density of development
- Design and appearance
- Nature conservations
- Landscape impact
- Tourism / employment
- Sustainability
- Previous planning history and appeal decisions
- Highway safety, parking and turning
- Traffic generation
- Effect on Listed Buildings and Conservation Areas
- Landscaping
- Archaeology
- Hazardous materials
- Disabled persons access
- Noise and disturbance resulting from a use
- Odour / Fumes

## The Committee cannot normally take into account:

Matters controlled by other legislation such as Building Regulations. Examples include -

- Encroachments of foundations, gutters, pipes, etc
- Structural stability of a property
- Terms of gaming or alcohol licenses'
- Control of rodents
- Noise and dust from construction works