



Members must make a decision on a planning application in a manner that is :

- **informed**
- **authoritative**
- **transparent**
- **fair**
- **efficient**



Members must make a decision on a planning application in a manner that is :

- **informed – *about what?***
- **authoritative – *know the law?***
- ✓ **transparent – in public**
- **fair – *to whom, applicant, public?***
- **efficient – *quickly, cheaply?***



Issues to discuss:

- Pre-application discussions
- Site visits
- Briefings on progress
- Member briefings on section 106 content
- Involving the Public in pre-application discussions
- Role of Members in design issues



Pre-application Discussions:

- Need for protocol
- What can and can't be discussed
- Development Forum approach
- Presentations to Committee and Public
- Applicant and local community
- Involving the Public in pre-application discussions
- Councillor as Community Representative



Questions and Responses:

‘I could not vote for this scheme, even though it is in accordance with the local plan, as in my view..... although you have met our open space standards there is not enough play space for families in the development. If you increase the open space provision I will support the scheme at Committee.’



Questions and Responses:

‘I could not vote for this scheme, even though it is in accordance with the local plan, as in my view.....the visual amenities of the residents of the adjoining houses have not been adequately protected. . If you increase the landscaping provision I will reconsider my view and depending on what is submitted I may change my opinion.’



Involving the public:

- Applicant's responsibility
- Design weekends
- Involvement within Development Forum
- Street Representatives
- Public meetings
- Meetings open to the public
- Public speaking



Site Visits:

- There are rules, they must be followed
- What can and can't be discussed
- Who should be present
- Who may speak
- Who may ask questions
- What are you looking for
- Voting and Reporting



Site Visits:

Needs strong chairmanship as things can get a bit out of hand. Nobody, including the local ward member, Parish Council, Applicant must be allowed to act as an advocate or opponent to the scheme. This is just about looking and asking questions of fact. The looking may extend well beyond the site boundaries.



Section 106 Negotiations:

- It is not a free for all. There are strict rules.
- Who considers priorities between competing financial demands
- Not to be used as a means of refusing an application that you don't like
- Not to be used as 'blackmail'
- Presented to Members early on
- What if there is a shortfall



Section 106 Negotiations:

- help to make otherwise unacceptable developments acceptable
- only be sought where relevant to planning
- be directly related to proposed development
- be fairly and reasonably related in scale and kind to the development
- be reasonable in all other respects
- financial viability



Design issues:

- Sustainable Design is a legal requirement
- Do you understand the terminology
- Not about good taste but practical issues
- Density – what do the figures mean
- Tenure split
- Affordable Housing
- SUDs
- Flooding, role of Environment Agency



Sustainable Design:

Section 39 requires that regional planning bodies and local planning authorities (LPAs) 'have a **statutory duty** when preparing the regional spatial strategy and local development documents to exercise their functions with the objective of contributing to the achievement of sustainable development'



Sustainable Design:

- ensure full consideration is given to creating and securing opportunities for sustainable transport in line with PPG13 including through:
 - the preparation and submission of travel plans
 - providing for safe walking and cycling, including where appropriate secure cycle
 - parking and changing facilities
 - an appropriate approach to the provision and management of car parking



Special Cases :

- Application called in by SoS
- Applicant goes to appeal over non-determination
- Application being determined by County Council



SUMMARY :

- Transparency requires Protocols
- Member not to stand back but be fully involved
- Be involved early on
- Should not take negative attitude in discussions with Developers
- Intended to help you make an informed decision