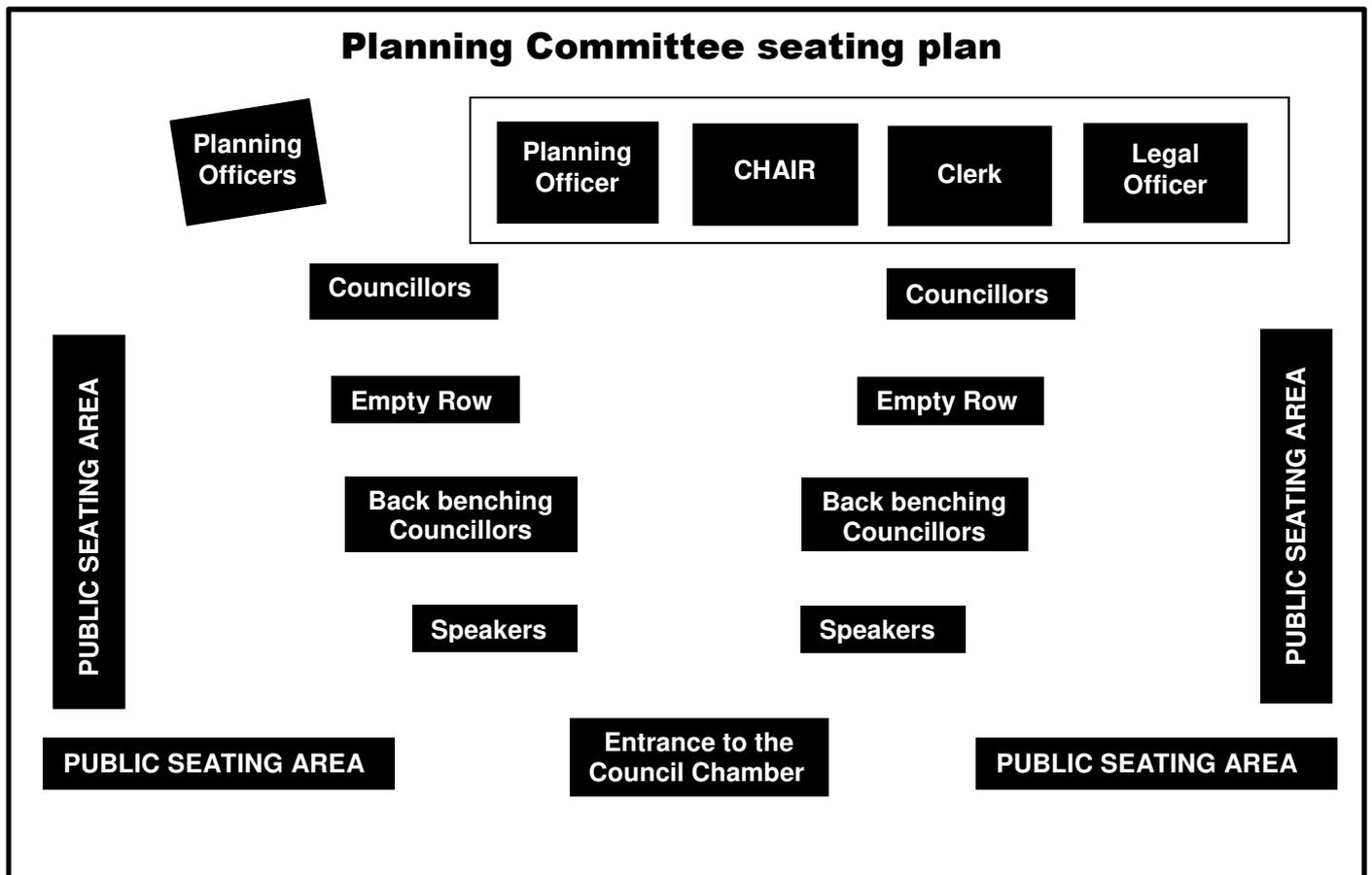




Planning Committee Guide

**Produced by the Democratic Services Section
Legal and Governance Services Department
Website: www.harrow.gov.uk**



This guide is aimed at helping the public to understand Planning Committee Procedures. It is not an authoritative statement of the law. The Committee may vary the procedures.

Meetings of the Planning Committee

Meetings of the Council's Planning Committee are held in the Council Chamber at the Civic Centre, Harrow, starting at 6.30 pm and are open to the press and public to attend. Dates of forthcoming Planning Committees are publicised by the Council and further details are available on the Council's committee are of its website:

<https://www2.harrow.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

There are 100 seats for the public in the public gallery overlooking the Chamber. Seats are taken on a first-come, first-served basis and availability therefore cannot be guaranteed. Exceptionally, when there is an item of significant interest, tickets may be issued.

The doors to the Civic Centre are automatic and there are ramps between the car park and the building. Once inside the Civic Centre there are wheelchair accessible lifts to all floors. If you have any questions, please contact the Democratic Services Officer.

Membership of the Planning Committee

There are 7 Members of the Planning Committee and 7 Reserve Members, all of whom are elected Councillors. Full details of the Committee membership are available on the Council's website and are listed on the front page of the agenda.

In the event that a Member of the Committee is unable to attend a meeting, his or her place will normally be taken by a formally appointed Reserve Member. Other Councillors who are not Members of the Committee often attend where an application affecting their ward is under discussion. With the permission of the Committee they may speak, but have no voting rights at the meeting. In the event of a tied vote, the Chair has, if he wishes to exercise it, a casting vote. Planning Officers attending the meeting usually sit to the Chair's right-hand side. The Legal Officer and Democratic Services Officer sit to the Chair's left-hand side.

Planning Committee agendas

Copies of agendas are available for inspection at the ground floor Reception of the Civic Centre, at least 5 working days before the meeting. Copies of agendas are made available at the meetings of the Committee. All agendas and reports are also available to view on the Committee area of the Council's website:

<https://www2.harrow.gov.uk/ieListMeetings.aspx?CId=1001&Year=0>

The agenda for Planning Committee consists of written reports by the Council's Divisional Director of Planning, recommending a particular type of decision for each application. The Committee may decide not to follow the officer's recommendation.

What happens at the Committee Meeting

It is usual practice for the Committee to bring forward to the early part of the meeting those applications where notice has been given that objectors wish to speak, or where there are items for which large numbers of the public have come to hear the debate. The Committee will then try to deal with the applications which they are interested in as soon as possible.

The Democratic Services Officer will ask those members of the public, who are seated before the meeting begins, which planning application they are interested in.

Please note however that often the agendas are quite long, and the Committee may want to raise questions of officers and enter into detailed deliberations over particular applications. This means that there may be a long wait.

Members of the Committee will come to the meeting having received the agenda and reports at least five clear working days before the meeting. The Members live in the area and are likely to have a considerable amount of local knowledge of the sites in question. They may have also visited some of the sites before the Committee meeting and will have attended a briefing meeting with officers several days before the Committee meeting.

At the meeting, the Chair will take each item listed on the agenda sheet. When determining planning applications, the Chair will:

- introduce the planning application
- invite the planning officer to report on the planning application
- invite Members of the Committee to make comments and/or ask questions on the planning application
- invite the objector, who has given notice, to speak for a maximum of 3 minutes
- invite the applicant/agent to respond for a maximum of 3 minutes
- the Committee may question the objector and/or the applicant, and usually hear all the submissions before deliberations
- the Committee will then debate the application and will not hear any additional representations from members of the public
- having debated the application, the Committee will take a decision and the Chair will announce the decision at the meeting.

Other business on Planning Committee agendas

There are a number of standard/procedural items:

Reserve Members: This item is dealt with at the start of the meeting where any Reserve Member(s) attending in place of Committee Member(s) is noted. Reserve Members have voting rights.

Declarations of Interest: Members advise the meeting of items where they have interests and, if appropriate give notice that they will be withdrawing from the meeting for that item.

Public Questions: Members of the public are given the right to ask questions on any matter directly relating to Planning (except about planning applications on the agenda, as alternative procedures exist).

Questions should be received in writing by the Director of Legal and Governance Services no later than 3.00 pm at least two clear working days before the day of the meeting. Answers may be provided either by an oral answer at the meeting or in the form of a written response after the meeting. There will be a total of 15 minutes for the asking and answering of public questions.

Petitions: Any member of the public or the Committee has the right to present a petition to the Planning Committee. Objectors who are making formal representations and who also wish to present a petition may include the petition as part of their representations.

Deputations: A request to make a deputation must be signed by 10 residents or representatives of local organisations or businesses in Harrow, and received by the Director of Legal and Governance Services at least two clear working days before the meeting, unless urgent. The deputation should comprise of no more than four people who have signed the deputation and all may speak for a total time not exceeding 10 minutes. This procedure does not apply to consideration of planning applications.

Representations on Planning Applications: The Committee formally confirms those items where representations on planning applications are to be made and agrees the order in which the planning applications will be dealt with.

Planning Applications Received: The Committee also formally receives the addendum sheet under this item. This updates the Committee on any additional information received since the agenda was published, and also identifies where officers are recommending deferral of any applications, or where the applicant has withdrawn an application. Copies of the addendum sheet are made available to the public at the meeting.

Exclusion of the Press and Public: On occasions there may be reports which contain exempt information under the provisions of the Local Government Act 1972. For the Committee's deliberations of any such items, the press and public will be required to leave the room. These items are normally dealt with at the end of the meeting.

Rights of Objectors/Applicants to speak at Planning Committees

The Council has agreed a procedure for allowing representations to be made by members of the public at meetings of the Planning Committee. The Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of interested parties to speak.

- The procedure applies only to applications for planning permission which are to be determined by the Committee.
- The procedure does **not** apply to planning applications recommended for Refusal, i.e. it only applies to applications recommended for Grant.
- No later than 5.00 pm on the working day before the meeting, objectors should give the Democratic Services Officer notice of their wish to speak.

The following criteria will be applied:

- (1) Normally only one objector on each relevant planning application will be permitted to address the Committee although in exceptional circumstances 2 objectors may be permitted to speak. A group of objectors should therefore nominate a spokesperson.
- (2) The applicant or agent may only make representations after any objector has addressed the Committee (i.e. if no objector makes representations, neither can the applicant nor the agent).
- (3) Any person making representations may speak for a maximum of 3 minutes. Only in exceptional circumstances will 5 minutes be allowed, but this will be at the discretion of the Committee.

If an objector has given the appropriate 24 hours notice to address the Committee, the Chair will call his / her name. The objector should come forward to the microphone and speak. The applicant will then be invited to respond.

Where an application is recommended for refusal but the Committee is minded to grant permission, the application will automatically be deferred to the next meeting to enable re-notification to take place and to give an opportunity for any objectors / the applicant to make representations at the subsequent meeting.

Please note that the identity of objectors and applicants becomes a matter of public record.

On items other than planning applications, members of the public are entitled to make deputations, submit petitions or ask questions.

Decisions taken by the Planning Committee

The more common types of decision taken by the Committee are:

Refuse Permission: Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where permission is refused contrary to the officer's recommendation, clear reasons will be specified by the Committee at the meeting.

Grant Permission as Recommended: Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant planning permission. Conditions are normally imposed on the grant of permission.

Minded to Grant Permission contrary to Officer's Recommendation: On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Re-notification will be carried out, advising that the Committee is minded to grant the application. This will give any objectors and the applicant the opportunity to make representations. The Committee is not bound to grant permission at the subsequent meeting and may adopt the original recommendation for refusal.

Defer for a Site Visit: If the Committee decides that a formal site visit is required before making a decision, the application may be deferred until the next meeting for an organised Member site visit to take place. The purpose of the visit is not to provide an opportunity for objectors/applicants to lobby the Members, but for Members to visit the site accompanied by a Planning Officer who will explain the submitted plans and discuss the proposals in relation to the site and neighbouring land.

Defer for further information/to seek amendments: If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting. The Committee may also, on occasions, decide that an application should be deferred for re-notification to take place.

Grant Permission subject to a Legal Agreement: Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the applicant / land owner to ensure these requirements are met. An example of this would be where the Council is seeking to secure affordable housing or improvements to the highway for safer access.

Minutes

Democratic Services produce minutes of the Planning Committee. We aim to publish the minutes within 5 working days of the meeting on the Council's website. The minutes are not a verbatim record of the Committee's deliberations, but record the decisions and key points arising from the meeting. The minutes usually record how the Members of the Committee voted on each application. They include the reasons for refusal of permission and conditions imposed on grants of permission. Minutes of the Planning Committee appear on the agenda for the subsequent meeting of the Committee and are signed by the Chair.

For more information, please contact Democratic Services.

Email: democratic.services@harrow.gov.uk