

NORTH NORFOLK DISTRICT COUNCIL

Have your say on Planning Applications and Tree Preservation Orders

Introduction

As part of its commitment to the community, North Norfolk District Council (NNDC) aims to inform, consult with and listen to local people. The Council is therefore inviting members of the public to speak at meetings of its Development Committee.

Anyone who wishes to object to or support a planning application has the right to ask to speak at the meeting at which the application is being considered. But first, please read this leaflet which describes exactly how you can have your say.

These rights also apply to decisions by the Committee as to whether or not to confirm a Tree Preservation Order (TPO).

(Please note that this scheme does not apply to sites within the Broads Authority area)

How are planning applications decided?

When the Council receives a planning application, a notice is posted on or close to the site to which the application relates. Local Town and Parish Councils are consulted on all applications. Written comments are welcomed on all applications. From being told about a **planning application**, you will normally have **21 days** to make your views known in writing.

The Head of Planning and Building Control can determine straightforward applications but applications which are more complicated are considered by the Development Committee. If the application has to go to Committee any views given in writing will be summarised as part of the officer's report to Committee.

When and where are the Committee Meetings held?

Meetings are normally held every four weeks in the Council Chamber of the NNDC offices in Cromer, on a Thursday morning, commencing at 9.30am.

How can I find out when an application will be considered?

Telephone the Development Management Technical Support Team on 01263 516150 or 516151 for the likely date of the meeting when the application is to be considered.

NOTE: Always ring a few days before the meeting to check that the application is still on the agenda.

You can see agendas for at least five days before each meeting at the Council Offices, Cromer, or by visiting our website www.northnorfolk.org

You are welcome to come to any of these meetings to hear the debates, and, if you wish, to make a comment about any planning application that is being considered at the meeting.

How can I have my say?

In order to ensure that your views are heard, you must arrive at least 15 minutes before the start of the meeting. This is to allow time for the Chairman to rearrange the order of items on the agenda to prevent people having to wait for a long time. **If you arrive later than 15 minutes before the start you will not be allowed to speak.**

If you wish to speak, a member of staff will ask you for your name, the item on which you wish to speak and whether you are for or against the application. In order to keep the meetings to a manageable length we allow one objector and one supporter to speak on each application. (Different rules apply for 'major' applications – see below).

If several people have attended to speak on a single application, you must agree among yourselves before the meeting that one person will speak against or in support of the application on your behalf. If this does not happen (or you cannot agree) then we may not be able to let you speak. **You will be allowed to speak for up to three minutes only, so aim to make your view very concise.**

What happens when my item is considered?

- the officer makes his or her report, adding to, updating and illustrating the written report already circulated to Committee members
- the Chairman will invite the Town or Parish Council representative to speak for up to three minutes
- the Chairman will invite one objector to sit at a place at the front of the chamber. They will be asked for their name and whom they represent and then to speak for up to three minutes
- the applicant (or a representative or supporter, if present) will then be invited to speak – also for up to three minutes
- in the case of 'major' applications, or those in which the Council has legal interest or is the landowner, up to four objectors will be allowed to speak for up to three minutes each; in these cases up to four supporters will be allowed to speak for an equivalent time in total to that allowed for the objectors
- the local District Councillor(s), if present, will be invited to speak
- the Councillors who make up the Committee will then debate the matter (and may ask for further information from the officer or from the public speakers) before coming to a decision

NOTES

- speakers will not be allowed to ask questions, but Committee members may ask questions of the speaker with the express permission of the Committee Chairman
- consideration of an application will not be delayed simply because someone who wishes to speak is unable to attend the meeting, or is not called on to address the meeting

What can I say at the meeting?

Please make your comments on the application itself and the relevant planning issues which may be taken into consideration in reaching a decision. These include:

- planning policy including the Local Development Framework, Government guidance, case law, previous decisions of the Council
- design, appearance and layout
- impact on visual or residential amenity including potential loss of light or overshadowing, loss of privacy, noise disturbance, smell or nuisance
- impact on trees, listed buildings or a conservation area, public rights(s) of way, highway safety and traffic

The following are not 'relevant planning issues' and we cannot take them into account in reaching a decision:

- private property rights, boundary or access disputes, restrictive covenants, private rights of way, ancient rights to light
- effect on property values
- loss of a private view
- personality, or a developer's motives

- anything covered by other types of legislation

The Chairman will disallow any comment if it is inappropriate, abusive, indecent, discriminatory, frivolous, irrelevant or otherwise unacceptable. You will not be allowed to distribute photographs or illustrations at the meeting, nor play audio or video recordings.

Will the decision be made at the meeting?

Most planning applications considered by Councillors are decided at their first hearing at the Development Committee. However, some decisions may be:

- deferred for a site inspection by Councillors
- deferred for more information to be obtained, or for negotiations to take place

You can attend and ask to speak again when the issue is reconsidered at the next Committee meeting but please note that public speaking is not allowed at site inspections.

Confirmation of Tree Preservation Orders

A Tree Preservation Order is an Order made by a Local Planning Authority which makes it an offence to cut down, top, lop, uproot, wilfully damage or destroy a tree without the Authority's permission.

The purpose of a TPO is to protect trees which make a significant impact on their local surroundings. This is particularly important where trees are in immediate danger. In general all types of tree can be covered by a TPO, including hedgerow trees, but not hedges, bushes or shrubs. A TPO can cover anything from a single tree to woodland.

When a TPO is made the Council may make an Order which comes into effect immediately but it must then be confirmed within six months. The Council has delegated the making of TPOs to its officers but if an objection is made the decision on whether or not a TPO should be confirmed has to be made by the Development Committee.

If you wish to object to or express support for a TPO, please write to the Council within 28 days of the Order being made, saying why and giving details of the relevant tree(s). All written comments will be summarised in the report to the Committee and taken into account when the Committee decides whether or not the Order should be confirmed.

The Council has decided to allow public speaking at the Development Committee when making decisions on TPOs. The following rules apply:

- an officer will present the report, adding to, updating and illustrating the written report already circulated to Committee members
- the Chairman will invite the Town or Parish Council representative (if any) to speak for up to three minutes
- the Chairman will invite one person who supports the confirmation of the TPO to speak for up to three minutes
- an objector will then be invited to speak – also for up to three minutes
- the local District Councillor(s), if present, will be invited to speak and the Committee will then debate the matter (and may ask for further information from the public speakers)
- the decision of the Committee may be to confirm the TPO without modifications, to confirm subject to any necessary modifications or not to confirm the TPO

Further information about TPOs can be found in the Department for Communities and Local Government leaflet, *Protected Trees – A Guide to Tree Preservation*.