



Local Government for Langton Green, Speldhurst, Ashurst and Old Groombridge

PLANNING COMMITTEE

TERMS OF REFERENCE

1. The role of the committee is to consider local planning applications and other planning related matters on behalf of Speldhurst Parish Council (SPC) and, where appropriate, to comment on them to the relevant Planning Authority (Tunbridge Wells Borough Council (TWBC)) and other stakeholders.
2. In developing its conclusions and comments, the committee will consider various factors including comments from local residents pertaining to a planning application.
3. The committee will appoint a Chair and Vice Chair at their first meeting following the annual meeting of the parish council in May each year. In the event of the Chair's absence from a meeting the Vice-Chair will chair the meeting.
4. A Chair shall serve no more than three consecutive years.
5. In the event of the Chair's and Vice-Chair's absence the members of the Committee present will appoint a Chair, at the beginning of the meeting, for that meeting.
6. The committee will consist of a minimum of 6 councillors.
7. A quorum of 3 members is required for each meeting.
8. The Clerk* will attend all meetings.
9. The committee will meet as necessary to ensure compliance with TWBC's planning response target date. Extensions to these dates may, on occasion, be required and the Clerk will endeavour to secure such.
10. Under the terms of the revised Tunbridge Wells Agreement, where TWBC intends to make a decision at variance with the SPC recommendation on a planning application that SPC has indicated is either a Category X or Category Y item, TWBC will notify SPC of its views and provide a period of three working days for SPC to respond before determination. SPC, by approval of these Terms of Reference, delegates authority to this committee to respond to TWBC within the three working day period. In order to formulate a response a minimum of 3 councillors who are members of the Planning Committee shall meet to discuss and agree a response which shall be submitted to TWBC by the Clerk.

When responding to a planning application on behalf of SPC, the Planning Committee should, in all cases note in its response whether it considers the application to be category, X, Y or Z.

Tunbridge Wells Agreement definitions of Categories X, Y, Z:

Category	Priority	Notes
X	Highest Priority: likely that the Local Council will request the Borough Council Member to “Call-In” to Planning Committee if not automatically determined by Planning Committee as required by the Borough’s constitution.	Very limited in annual number to significant major issues affecting the community, economy, environment, infrastructure, etc. (c. 2-5% per year)
Y	Higher Priority: Local Council considers that if Planning Services’ view on whether permission be granted or refused differs to Local Council, it warrants further discussion.	Limited in annual number to major issues affecting the community, economy, environment, infrastructure, etc. (c. 5-10% per year)
Z	Medium Priority: Proposal is clearly acceptable or unacceptable and, if there is a difference in view between the Local Council and the Borough Council, it is not considered necessary to discuss further.	Majority of proposals. (c. 85-93% per year)

11. If amendments are submitted to an application late and the Planning Committee has not had a chance to view them ahead of the meeting, the committee may choose to review the amendments during the meeting and agree comments. If, however the committee does not feel comfortable reviewing the amendments with so little notice, councillors may ask the Clerk to request an extension for comments from the TWBC Planning Officer until the next meeting. An extraordinary meeting can be convened to comment on the application but will only be considered if TWBC does not grant an extension.
12. From time-to-time members of the public may approach Members informally to discuss proposals that are likely to become the subject of an application. This need not cause any problems for Planning Committee Members, provided that such Members simply listen to the views being put forward and provide only general advice about the planning process or matters of principle, such as the importance of Areas of Outstanding Natural Beauty or Conservation Areas. Planning Committee Members should make it clear that they neither support nor object to any specific proposal at this stage. If members of the public have specific queries about the need for planning permission, they should be referred to TWBC’s Planning Services Department. If they are asking about the likelihood of an application being approved, or the best way to present an application, they should be advised to seek independent professional advice.
13. A minimum of two Members will attend any on-site visits. Access onto any property must have the prior permission of their owner or their authorised representative, such permission being arranged by the Clerk. Where an applicant has to be present to allow access to the site, the visiting Members should introduce themselves but should not engage in any discussions.
14. Committee Members should avoid any discussion of the merits of the application with each other prior to a meeting.
15. The Chair will invite members of the public present at the Planning Meeting to make their representations on any planning application and may request the name, address and/or organisation for parish council records. Councillors can pose questions to the applicant or members of the public but should not engage in discussions with them.
16. Where there is public representation, the time allocated to the public will normally be limited to 3 minutes per person or 20 minutes per application, both of which may be extended at the Chair’s discretion. Members of the public are welcome to stay during the committee’s debate and decision but will not be able to comment further.

17. For major issues the Chair may request the recommendation of the committee is put to Full Council for decision.
18. At the end of each application the decision of the committee will be read out in full by the Clerk and once agreed cannot be amended. Should clarification on the comments be required outside of the meeting this would only be carried out by the Chair (or in the absence of the Chair by the Vice-Chair) and Clerk.
19. Where SPC has an interest in a planning application this will be recorded in the minutes of the meeting and on the planning comments form submitted to TWBC.
20. The Chair will report to the parish council at the monthly Parish Council Meetings.
21. These Terms of Reference will be reviewed in accordance with the schedule of council policies.

***All references to the Clerk herein include the Assistant Clerk.**

These Terms of Reference were adopted by Full Council at its meeting held on **20th October 2008**

Sections 2, 7, 9, 10 & 12 were amended and sections 4, 6 & 8 added and adopted by Full Council at its meeting held on **10th May 2010**

Sections 7, 11 & 13 were amended and section 15 added and adopted by Full Council at its meeting held on **4th July 2011**

Section 14 was amended and adopted by Full Council at its meeting held on **2nd July 2012**

Sections 3, 6, 7, 9 & 15 were amended and sections 12 & 13 renumbered and adopted by Full Council at its meeting held on **1st July 2013**

Section 14 which stated 'The Committee should formally raise with TWBC, Section 106 contributions on developments of 2 or more houses' was deleted and this deletion was adopted by Full Council at its meeting held on **4th August 2014**

Section 9 was amended to allow visiting members to introduce themselves but not engage in discussion on **3rd August 2016**

New section 8 inserted regarding late amendments on **2nd December 2019**

Section 7 amended **1st February 2021** regarding the Clerk obtaining an extension for councillors' comments as well as a section added on the Tunbridge Wells Agreement.

Paragraphs 1 and 2 were agreed by the Planning Committee on **13th February 2023** and approved by Full Council on **6th March 2023** as follows:

1. The role of the Committee is to consider local planning applications and other planning related matters on behalf of Speldhurst Parish Council and, where appropriate, to comment on them to the relevant Planning Authority (Tunbridge Wells Borough Council) and other stakeholders.
2. In developing its conclusions and comments, the Committee will consider various factors including comments from local residents pertaining to a planning application.