

Protocol for Obtaining, Publishing and Reporting Internal Comments on Planning Applications

1. This protocol applies when specialist comments are sought by the application case officer from within the Council i.e. from other colleagues in Development Management (Conservation Officer); Planning & Housing Strategy (Development Plans, Transport Planning etc.); The Environment Service (e.g. Environmental Health, Structures & Flooding, Community Greenspace, etc.) plus any other sections or Services within the Council.
2. There should be a distinction (reflected in subsequent reports of handling) between internal and external consultations. A template should be used to allow internal consultation comments to be structured and focused, with it being returned to us as an email attachment. This is instead of the comments being contained within a formal memo.
3. Initially, all consultation responses should be uploaded to IDOX as 'sensitive', until the case officer has checked the contents of the comments for accuracy. The response should be identified as 'correspondence' (document type) when uploaded, with the 'document description' being 'internal consultee response' (for clarity in Public Access). If necessary, the case officer should contact the author of the comments to seek clarification of points made, challenge invalid conditions or to resolve any inaccuracies (including those which may come to light as a consequence of the case officer having visited the site). Direct dialogue with colleagues at an early stage in the process is recommended, to ensure submitted comments are relevant to the author's professional remit and are based on accurate and up to date information.
4. Once the case officer is satisfied that the comments accord with the guidance above (which may require the submission of amended comments), then the comments response should be changed in IDOX from 'sensitive' to 'public'. This should be carried out at the earliest opportunity.
5. The intention will always be to have the full consultation responses available for public viewing as early as possible and certainly prior to the Report of Handling being published.

6. An additional requirement has been added to the checklist for case officers to confirm all consultation responses have been made 'public'.
7. In drafting reports, case officers should summarise all consultee comments and make a clear distinction between internal (Council) comments and the views of external consultees (separate appropriately titled sections will achieve this). In both cases, a clear argument needs to be set out in the report detailing if the case officer disagrees with specialist advice, or where this has to be set aside because of competing interests, and it is decided that in a particular case other comments, or material considerations, carry greater weight.
8. The Service Manager may choose not to exercise delegated powers where there is an impasse between the commenting officer and the case officer and refer the application to the Planning & Development Management Committee for determination.

Service Manager: Development Management & Building Standards

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