

SECTION 8 REGULATORY AND OTHER COMMITTEES

CHAPTER 8.1 - PLANNING COMMITTEE'S TERMS OF REFERENCE

8.1.1

The Planning Committee will carry out functions relating to town and country planning, highways and public rights of way as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations) save for those contained in Part III of the Wildlife and Countryside Act 1981 and those which have not been delegated to the Assistant Director ~~Place and Assistant Director Delivery and Infrastructure Planning~~. The Planning Committee will determine planning applications where the recommendation is to be as follows: -

- a) Approval of ~~new~~-full and outline applications for new dwellings falling into the 'major' category defined by Government with the exception of 1) minerals or waste proposals (see 'e' below For clarification, "full and outline applications" excludes variation (S73 and 73A) and reserved matters applications and, excludes applications where the number of dwellings is 9 or less but the site area is greater than 1 hectare.) ~~minerals and waste proposals (see 'e' below).~~
- b) Approval of any matter the Committee has resolved it wishes to consider.
- c) Approval of the total or substantial demolition of Listed Buildings.
- d) Raising no objection to consultations from other Authorities where such proposals would significantly affect the Borough.
- e) Approval of applications for the creation of new Minerals and or Waste sites.
- f) Approval of major departures from the Development Plan.
- g) Approval of applications where there is a legal agreement with a financial contribution which is contested by the applicant.
- h) Approval of applications submitted by or on behalf of a Borough Councillor.
- i) Approval of applications from, by or on behalf of (either solely or jointly with any other party) the Borough Council for schools which give rise to the employment of any more staff or pupils; or involves a net increase in development of more than 100 sq m. of floorspace at a school.
- j) Determination of any application not in the above categories at the discretion of the ~~Assistant Director Place and Growth or the Lead Specialist Development Delivery or the Lead Specialist Development Management and Enforcement~~Planning.
- k) Approval of applications by or on behalf of a member of staff that has a role or involvement in the planning process, eg anyone working in the Planning or Property sections or a member of the Corporate Leadership Team.

l) Applications where the Ward Member(s), or consultations where the affected Ward Member(s), wish(es) the item to be 'listed'. This is conditional in that the listing must: -

- i) Be in writing and within 21 days of the notification letter;
- ii) state whether it applies if the recommendation is to ~~permit~~ approve or refuse (not both); and
- iii) be accompanied by ~~provide~~ a material planning reason for ~~doing so~~ the request.

m) Applications by any person in respect of a decision to designate / de-designate a building as a Building of Traditional Local Character. This is conditional in that the application must be made within eight weeks beginning with the day on which written confirmation of the decision was issued to the relevant parties (unless a longer period is agreed be either the Chairman of the Planning Committee or the Director Customer and Localities Services).

n) Where an application is refused by the Planning Committee which is subject to reasons for refusal based on Affordable Housing and/or Infrastructure policies, but those reasons were omitted at the time of the decision, the addition of those reasons are delegated to the Director Place and Growth in consultation with the Chairman of the Planning Committee on condition that the delegation is exercised before the issue of the planning decision.

Note: In disputed cases the Chairman of the Planning Committee's decision will be final

Changes to terminology in Chapters 5 and 11 for clarification:

5.2.13.2 [Executive Member for Planning and the Local Plan]

To oversee the production of all documents included within the [Local Plan development plan and supporting plans and guidance](#)

Existing 5.2.13.14 [Executive Member for Planning and the Local Plan]

To ensure delivery of the [current adopted Local Plan development plan](#), including monitoring the [Five-Year Land Supply housing land supply](#).

11.3.9 Director of Place and Growth [delegations]

(g) Place shaping strategies such as planning policy, including [the Local Development Framework local plans](#); climate emergency and economic development;

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