

## **Planning Control Committee Terms of Reference**

The committee comprises 11 councillors

The committee determines applications for planning and listed building consents which are not decided by an officer

When the committee carries out the planning functions it will follow the Probity in Planning Code of Conduct (part 5 section 6 of the Council's constitution).

The frequency of meetings is around every four weeks.

The committee functions are:

Planning and Conservation: All functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, (the Functions Regulations).

### Delegations

The committee's delegations are:

To deal with any applications for planning permission under the Town and Country Planning Act 1990 and related legislation or for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990, subject to the inclusion of adequate detailed information relating to the application which is to the satisfaction of the Director for Business, Growth and Infrastructure as follows: (i) Any application recommended for approval where there are three or more objections received from third parties from different households, with the exception of any domestic householder planning application which falls within the approved supplementary planning guidance note 6 or otherwise would be accepted under Prior notification procedures in relation to enhanced permitted development rights; and (ii) Any application which has raised a novel planning issue.

Any application in respect of which at least one Member of the Planning Control Committee has given prior written notice to the Assistant Director (Localities) / Resource and Regulation that he/she wishes the application to be determined by the Planning Control Committee, which must state clear planning reasons for the call in request and be authorised by the Chair of the Planning Control Committee.

Any application relating to a development which would constitute a substantial departure from the provisions of any approved plan or policies, in particular the Unitary Development Plan or subsequent adopted Local Plan, which is recommended for approval and/or is not a repeat or duplicate application of one previously refused.

Any application submitted by or on behalf of a Member of the Council or his/her spouse.

The application is submitted by a council officer who is employed in the planning service or works closely with it, or is a senior manager as defined in the council's pay policy statement, or by a close family member such that the council officer has a material interest in the application

Any application over and above the levels defined in (i) and (ii) detailed below, subject to the application not being a repeat or duplicate of an application previously refused: (i) 50 or more dwellings or, if it is known, where the site is 2.5 hectares or more; (ii) for all other uses, where

the floor space to be created is 5,000 square metres or more or the site is 0.5 hectares or more.

(Any other application which, in the opinion of the Director for Business, Growth and Infrastructure merits consideration by the Planning Control Committee.

The decision to enter land in Part 2 of the Council's Brownfield Land Register thereby triggering a grant of Permission in Principle where the criteria above are met and any application for Technical Details Consent where the criteria above are met.

Any application submitted on behalf of the Council where there is at least one objection received from third parties.

#### Street Naming

To deal with the naming and re-naming of streets and the numbering and renumbering of properties, where objections have been received to proposals.

#### Tree Preservation Orders

To deal with the making or confirmation of tree preservation orders, in accordance with Sections 197 to 214D of the Town and Country Planning Act 1990 (or as subsequently amended) and the Tree Regulations 2012 (or as subsequently amended) where objections have been received to proposals.

#### Listed Buildings and Conservation Areas

To determine applications for grants for repair/maintenance works in respect of listed buildings where the amount of grant requested exceeds £5,000. m) To designate a conservation area under Section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (or as subsequently amended).

#### General

To give directions restricting permitted development under Article 4 of the Town and Country Planning (Development Procedure) (England) Order 2015 (or as subsequently amended). o) To deal with any functions relating to town and country planning and development control (development management) referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers.

#### Commons Registration

To deal with any functions relating to the registration of common land or Town and Village Greens and to register the variation of the rights of common as set out in Schedule 1 to the Functions Regulations, as amended, where the appropriate officer does not wish to exercise his/her delegated powers.

#### Public Rights of Way

To deal with any functions relating to public rights of way referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers.