

Appendix 1

Part 3 – Responsibility for Functions

2.11 Planning Committee (Membership: 108. A further 840 Memberscouncillors shall form a pool of reserve Mmembers for the committee.)

1. To determine applications for planning permission, where the recommendation is for approval by the Director of Planning & Sustainable Regeneration, and the development is for:

a. a residential development containing 200 or more new dwellings or, where the number of dwellings is not given, the site area is 4 hectares or more; or

b. the erection of a building or buildings with a gross floor space of 10,000 square metres or more or, where the floorspace is not given, the site area is 2 hectares or more.

2. To determine applications for planning permission where the recommendation is for approval and the application exceeds the Sub Committee thresholds (see 2.10 below) and the development is for:

a. a residential development containing less than 200 new dwellings or, where the number of dwellings is not given, the site area is less than 4 hectares; or

b. the erection of a building or buildings with a gross floor space of less than 10,000 square metres or, where the floor space is not given, the site area is less than 2 hectares ~~or more~~:

where the Committee Consideration Criteria (part 4K of this Constitution) are met.

3. The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 – as amended.

4. Any other application or planning matter referred to the Planning Committee by the Director of Planning & Sustainable Regeneration acting in his or her discretion.

5. Planning Committee will only deal with reserved matters pursuant to outline planning permission where the Planning Committee have expressly requested ~~(when determining applications for outline planning permission)~~ that, if recommended for approval, the subsequent reserved matters should be referred to Planning Committee for determination.

This request should be included in the minutes and specified by way of an informative attached to the outline planning permission.

6. Applications for minor material amendments, variations of planning conditions and non-material amendments submitted under S.73 and S.96A and permissions in principle submitted under S.70(1A) of the Town and Country Planning Act 1990 will be determined by officers under delegated authority ~~in all instances~~ unless they fall within the remit of Planning Sub Committee (see 2.10 below).

7. Where the Planning Committee determines an item on an agenda:

a. In the event of changes being made to an officer recommendation by the committee, the task of formalising the wording of those changes, in accordance with the substantive nature of the committee's decision, is delegated to the Director of Planning & Sustainable Regeneration;

b. The Director of Planning & Sustainable Regeneration has delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being issued/acted on, provided that the Director of Planning & Sustainable Regeneration is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

8. Meetings of the Planning Committee shall ordinarily conclude by 10pm. In the event that there is remaining business by 9.55pm the Chair shall interrupt the meeting and call for a vote of Members present on whether the meeting shall continue for a further 30 minutes. If Members decide that the meeting shall not continue, or if there is remaining business after the additional period of 30 minutes, any item on the agenda that has not started to be considered by the Committee is delegated to the Director of Planning & Sustainable Regeneration to determine along the lines set out in the Committee report unless the meeting has already voted ~~(on a two thirds majority)~~ to defer or adjourn the non-determined item earlier in the meeting. If at 10.30pm an item which has been started is, in the opinion of the Director of Planning & Sustainable Regeneration (or their representative) at least substantially complete and that, in all the circumstances, it would not be in the public interest to consider

the item afresh at a subsequent meeting, Members may decide that the meeting shall continue until 10.45pm.

2.12 Planning Sub-Committee (Membership: 6. A further 6 Members shall form a pool of reserve Members for the Sub-Committee. each meeting, 6Both regular and reserve Members shall be drawn from the Membership of the Planning Committee ~~and constituted as and when necessary, by the Monitoring Officer~~).

1. To determine the following application types where the recommendation is for approval:

~~a.~~ a. Applications for Planning Permission made under the Town & Country Planning Act 1990 for the construction of or a development in relation to building(s) with an existing -

~~b.a.~~ b.a. floorspace of no greater than 500 square metres or building(s) or extension(s) between 20 square metres and 500 square metres within the curtilage of such qualifying building(s);

~~c.~~ b. Applications for planning permission made under the Town & Country Planning Act 1990 for development providing up to 5 units of residential accommodation;

~~d.~~ c. Applications for listed building consent made under the Planning and Conservation Areas Act 1990;

~~e.~~ e. ~~Variations of planning conditions (covering issues such as variations in hours of use or other related changes in how a use operates pursuant to previous grants of planning permission)~~

where the Committee Consideration Criteria (~~P~~part 4K of this Constitution) are met.

2. All applications submitted for permissions in principle pursuant to S.70(1A) of the Town and Country Planning Act 1990 and all applications submitted pursuant to the Town and Country Planning (General Permitted Development) Order 2015, applications for advertisement consent, minor alterations and fences, variations of planning conditions material amendments and non-material amendments submitted under S.73 and 96A of the Town and Country Planning Act 1990, and use of S.73A (Town and Country Planning Act 1990) powers for applications ~~to without complying with a discharge planning conditions subject to which planning permission was granted and notwithstanding the above, minor extensions and alterations (including boundaries and rear outbuildings) involving less than 20 square metres of additional internal accommodation (gross~~

~~internal~~) will be determined by officers under delegated authority.
~~in all instances~~

~~3.~~ Any other application or planning matter referred to the Planning Sub-Committee by the Director of Planning & Sustainable Regeneration acting in his or her discretion.

~~3.4.~~ Planning Sub-Committee will only deal with reserved matters pursuant to outline planning permission where the Planning Sub-Committee have expressly requested that, if recommended for approval, the subsequent reserved matters should be referred to Planning Sub-Committee for determination. This request should be included in the minutes and specified by way of an informative attached to the outline planning permission.

~~4.5.~~ The Planning Sub-Committee may refer agenda items to Planning Committee for consideration and determination if they consider it necessary or appropriate to do so.

~~5.6.~~ Where the Planning Sub-Committee determine an item on an agenda:

a. In the event of changes being made to an officer recommendation by the committee, the task of formalising the wording of those changes in accordance with the substantive nature of the committee's decision, is delegated to the Director of Planning & Sustainable Regeneration;

b. The Director of Planning & Sustainable Regeneration has delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being ~~issued~~~~actioned~~, provided that the Director of Planning & Sustainable Regeneration is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

~~6.~~~~7.~~ Meetings of the Planning Sub-Committee shall ordinarily conclude by 10pm. In the event that there is remaining business by 9.55pm the Chair shall interrupt the meeting and call for a vote of Members present on whether the meeting shall continue for a further 30 minutes. If Members decide that the meeting shall not continue, or if there is remaining business after the additional period of 30 minutes, any item of

the agenda that has not started to be considered by the Sub-Committee is delegated to the Director of Planning & Sustainable Regeneration to determine along the lines set out in the Committee report unless the meeting has already voted to defer or adjourn the non-determined item earlier in the meeting. -If at 10.30pm an item which has been started is, in the opinion of the Director of Planning & Sustainable Regeneration (or their nominee) at least substantially complete and that, in all the circumstances, it would not be in the public interest to consider the item afresh at a subsequent meeting, Members may decide that the meeting shall continue until 10.45pm.