

Planning Committee

1. Membership and Meetings

- 1.1 Fifteen Members (politically balanced) to be appointed by Full Council. Meetings to normally be held at intervals of at least every 3 weeks.
- 1.2 Members of the Executive will not be eligible to sit on the Planning Committee.
- 1.3 The Quorum for the Planning Committee shall be 4 voting members of the Committee.
- 1.4 Planning Committee meetings should be 4 hours maximum (with the Chair having discretion to conclude an agenda item if part way through).
- 1.5 The Planning Committee shall take regular breaks for 15 minutes every two hours (to be taken off the duration of the Planning Committee meeting).
- 1.6 Where there is a controversial planning application going before the Planning Committee that a single item agenda meeting is held.
- 1.7 Site visits for the Planning Committee will take place for specific reasons only, held prior to the Planning Committee meeting taking place, and will follow the guidance set out in the revised Planning Committee Member's Code of Good Practice (Chapter 21 of the Constitution).

2. Scope

2.1 Neither the Planning Committee nor the Service Lead – Development Management has delegated power to:

- a) approve or adopt Development Plan Documents or the Plans and alterations that comprise the Development Plan; or,
- b) approve or adopt Local Development Orders;

as these are Full Council functions as set out in Article 4 of this Constitution.

2.2 The Council has delegated its responsibility for the following functions:

- a) all functions relating to town and country planning and development control as specified in Section A of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000; and,

- b) functions relating to the stopping up or diversion of footpaths; the extinguishing of rights of way over land held for planning purposes; the preservation of trees; and complaints about high hedges as specified at items 31, 32, 47 and 47a of Section I Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000;

to the Planning Committee and the Service Lead – Development Management, and other officers, as set out below.

3. Terms of Reference – Planning Committee

3.1 Where a proposal meets any of the following criteria, it shall be reserved to the Planning Committee for determination:

Criterion 1: In the opinion of the Service Lead – Development Management or the Chair of the Planning Committee, the application is considered to be of a significant, controversial or sensitive nature.

Criterion 2: The application is from an elected Councillor (or partner thereof) or member of Council staff (or partner thereof) and is recommended for approval.

Criterion 3: The application is accompanied by an Environmental Impact Statement (EIA).

Criterion 4: The application is a significant departure from the Council's statutory Development Plan and is recommended for approval.

Criterion 5: Where there are conflicting views (giving clear planning reasons) from a Town/Parish Council or a Parish Meeting or a Ward Member as well as from not less than 4 individuals.

3.2 Any application which is not referred to Committee by virtue of the criteria listed above, but where conflicting representations have been received (including from statutory consultees), is referred to the Chair or Vice Chair of the Planning Committee before a

decision is made. The Chair or Vice Chair may decide to refer any such application to the Planning Committee.

3.3 In addition, the Planning Committee shall authorise all prosecutions for breach of planning control, except in cases of expediency where authority is delegated to the Chair of Planning Committee and the Service Lead – Development Management.

4. Delegation to Officers

4.1 The Director of Development and Place, or his/her representative is authorised to undertake all other decisions in relation to the above matters and functions that are not reserved to Full Council or Planning Committee. This includes matters relating to Local Development Orders.

4.2 The Director of Development and Place is authorised to delegate any of the above functions delegated to her/him in this Constitution to other officers. However, the Director of Development and Place must keep a register of any such delegations.

5. Delegation to Parish Council

5.1 Where the Council has delegated its powers to determine planning matters to a Parish Council, those matters so delegated shall not be dealt with by the Planning Committee whilst such arrangements remain in place.