

## **PLANNING AND THE PLANNING COMMITTEE**

### **I. FUNCTIONS**

**The relevant functions of the Council are:**

#### **I.1 Planning and Conservation**

- A** All the Council's functions in relation 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.

#### **Commons registration**

- B** All the Council's functions in relation to common land or town and village greens or unclaimed common land, or unlawful works on common land and to register the variation of rights of common as set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

#### **Highways Use and Regulation**

- C** All the Council's functions in relation to the regulation of the use of highways set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

#### **High Hedges**

- D** All the Council's functions in relation to applications and complaints about high hedges under Part 8 of the Anti-Social Behaviour Act 2003.

#### **Trees**

- E** The powers to preserve trees under Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 and to protect important hedgerows under the Hedgerows Regulations 1997.

#### **I.2 Policy**

The Council decides whether to adopt the Local Development Framework, on the recommendation of Cabinet.

## **2 MATTERS SPECIFICALLY DELEGATED TO THE PLANNING COMMITTEE**

### **2.1 In relation to policies and strategies the Committee will:**

Advise the Cabinet on the implementation of the Development Plan, Local Development Framework and other planning policies and strategies.

### **2.2 Within the policies laid down by the Council, the Committee will**

2.2.1. Determine applications relating to town and country planning, commons registration, village greens, the making or confirmation of Tree Preservation Orders where there are objections that cannot be resolved and the use or regulation of highways that would have a significant impact on two or more wards of the Council.

2.2.2 Determine individual applications for planning permission and any other application made under planning legislation where:

- a) it is an application for 10 or more dwellings or non-residential floor space of 1000 sq m or more and more than 5 written representations raising valid planning considerations have been received during the statutory consultation period; or
- b) the application is substantively contrary to a Local Development Framework proposal and the officer recommendation is to approve;
- c) the application is submitted by an employee or Member of the Council, or a close relative of an employee or Member of the Council living in the same property (see paragraph 4.3 for definition of a close relative).
- d) a Member of Council has, within 3 weeks of being sent notification of an application, written to the Assistant Director for Planning directing its determination by the Committee and given reasons for this ;
- e) the matter is referred to the Committee by the Assistant Director for Planning under one of the following criteria:
  - there are finely balanced policy or precedent issues;
  - there are probity issues or public interest reasons for the matter to be determined by the Committee;

- the matter is an unusual response to a particular set of issues that warrants debate by the Committee.

2.2.3 Approve the principal terms of major planning agreements; or any substantive changes to the terms of major planning agreements that have been specifically agreed by the Planning Committee on a previous occasion.

**In relation to Highways Matters the Committee will:**

2.3.6. Determine the confirmation of Orders to create divert or stop up footpaths or bridleways.

2.3.7. Determine applications to modify the definitive map.

2.3.8. Determine applications that are referred by either the Assistant Director **for** Planning or the Assistant Director **for** Transport.

**3. MATTERS DELEGATED TO OFFICERS**

3.1 All other non executive functions in respect of planning highways and transport have been specifically delegated to the Director for Place

**4. GENERAL**

**4.1. Substitute Members**

Any member of Council may act as substitute provided they have undergone the Council's prescribed Member planning training course.

4.2 Planning Committee Procedures are found in the Planning Committee's Code of Good Practice.

4.3 For the purposes of the Planning Committee functions a close relative is defined as: a husband or wife (or civil partner), a son or daughter, a father or mother; or a brother or sister.