

## **Part D - Planning Committee Procedure Rules**

### Terms of Reference of Planning Committees

#### **1. The Planning Committees**

- 1.1 The Full Council will appoint one Strategic Planning Committee and four area-based Planning Committees<sup>1</sup> to exercise functions and responsibilities relating to:

Town and Country Planning and Development Control (excluding the preparation of plans and policies) as specified in Schedule 1 of the Local Authorities Functions and responsibilities (England) 2000 as amended by subsequent regulations.

The functions of the Planning Committees does not include:

- matters reserved to full council
- matters where functions are exercised under delegated powers in the officer scheme of delegation save where an officer declines the delegation and the matter would otherwise fall within the terms of reference of the Planning Committees.

These functions will be exercised over the whole geographical area of the Somerset Council on the basis set out below.

#### **2. The remit of the Strategic Planning Committee**

- 2.1 The Strategic Planning Committee has the following additional functions:

1. The determination of applications to modify the definitive map or register a town or village green where the Executive Director (Climate and Place) in consultation with the Chair of the Strategic Planning Committee, consider that that the application should be determined by the Strategic Planning Committee

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<sup>1</sup> In law these are Sub-Committees under the provision of Section 101 of the Local Government Act 1972.

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taking into consideration the magnitude, nature, and impact of the decision; and

requests from applicants for definitive map modification order applications to be taken out of turn from the adopted Statement of Priorities.

2. To achieve nutrient neutral development in the Somerset Levels and Moors catchment area in compliance with the Habitats Regulations, the Strategic Planning Committee will have the following responsibilities:
  - a. To have oversight of the programme and delivery of nutrient mitigation projects to support a series of interim measures to offset additional phosphates resulting from affected new developments within the River catchment areas (i.e., Rivers Tone, Parrett, and Brue) affecting the Somerset Levels and Moors Ramsar site and River Axe Special Area of Conservation.
  - b. To have oversight of the monitoring of the performance of the above interim projects once delivered;
  - c. Noting that there is an operational phosphate credit scheme for the River Tone catchment, agree the rollout of criteria to be used for the allocation of any phosphate credits generated from further Council led interim projects and the creation of a legally robust and transparent process for such allocation (including the terms of any S106 obligations with developers/landowners);
  - d. To receive technical reports and updates on the strategic solution to the nutrient enrichment issue.

Note: for the avoidance of doubt the role of the Strategic Planning Committee does not include the determination of any planning applications that include Phosphate mitigation measures, that would ordinarily fall to one of the area-based Planning Committees.

3. Consideration of quarterly officer reports from area based Committees to monitor decision making and workload levels of the Committee.

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### **3. Delegation to the area-based Planning Committee(s)**

3.1 All of the functions set out in Para 1.1 above, will be delegated to the relevant area based (these will be known as North, East, South and West) Planning Committees save for the following:

- Waste and Minerals planning applications where the proposed decision is to overturn the Officer recommendation. Such applications will be automatically referred up to the Strategic Planning Committee who will determine the matter at resolution stage in place of the area-based Planning Committees.
- Waste and Mineral planning applications that are a departure from adopted Waste and minerals development plans and recommended for approval by officers
- Applications and matters which fall within the area covered by more than one of the area-based Committees or cross the boundary of the authority.

### **4. The Referral Process from the area-based Planning Committee to the Strategic Planning Committee**

4.1 The consideration by the Strategic Planning Committee, of matters referred to it from the area-based Committees (set out in Para 3 above), shall be conducted as a rehearing of the original application or matter.

4.2 The Strategic Planning Committee shall affirm, vary or overturn the resolution recommended by the area-based Planning Committee.

4.3 The decision of the Strategic Planning Committee will thereupon stand as the decision of the Council as so affirmed or varied as the case may be.

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### **5. Area-Based Planning Committees**

5.1 The Full Council will appoint 4 area-based Planning Committees:

- Planning North (covering the former Sedgemoor District Council area)
- Planning East (covering the former Mendip District Council area),
- Planning South (covering the former South Somerset District Council area)
- Planning West (covering the former Somerset West & Taunton District Council area.)

5.2 The geographical responsibilities as set out in a geographical map of the four area-based Planning Committees is available via the Council's website. The principles of geographical determination are set out below:

### **6. Principles of geographical location**

- 6.1 The exercise of the functions and responsibilities by individual area-based Planning Committees are subject to the following geographical condition:
- 6.2 The applications or matters referred to the area-based Planning Committees for determination relates to application sites and functions that arise within the divisions within the former District Council geographical areas.

### **Procedures**

The procedures at the Strategic Planning Committee meetings and area-based Planning Committee meetings will be as follows.

### **7. Membership and Meeting arrangements**

7.1 The Strategic Planning Committee will be comprised of 13 members.

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7.2 The four area-based Planning Committees will be comprised of 13 members (or as otherwise detailed in the area-based Planning Committee Terms of Reference.

7.3 The membership of the Strategic Planning Committee shall be drawn from across the local government area and will be politically balanced. The membership for the area-based Planning Committees will be drawn from the area which that area-based Planning Committee covers, where possible. All these committees shall be politically balanced in compliance with the statutory scheme in the Local Government and Housing Act 1989 and any subsequent legislation.

7.4 The relevant Planning Committees will meet at times and places appointed and published in accordance with the requirements of the Access to Information Rules. The maximum length of a Committee meeting will be up to 4 hours duration (excluding any comfort breaks). All meetings will be webcast and employ the use of hybrid participation technology, but committee members and lead officers must be present in the room.

Number of members of Strategic Planning Committee and area based Planning Committees	13
Substitute Members Permitted	Yes. As far as possible from the same geographical area subject to the political balance rules.
Political Balance Rules apply	Yes
Appointments/Removals from Committee	By resolution of Full Council, Political balance review or notification by Political Group Leader.
Restrictions on Membership	Lead Executive Members are not barred from membership of the Planning Committees, but membership should generally be

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	<p>avoided due to bias or predetermination issues.</p> <p>Chair/Vice-Chair of Strategic Planning Committee may not sit on any area-based Planning Committee.</p> <p>The undertaking of such training as determined by the Executive Director (Climate &amp; Place) on planning and other functions falling within the remit of the area-based Planning Committees and Strategic Planning Committee, probity in decision making, is a pre-requisite to membership of, and substitutes for this Committee</p>
Restrictions on Chair/Vice Chair	As above
Quorum	5
Number of ordinary meetings per Council year	At least 2 per year for each committee

### **Substitution and Membership**

7.5 Executive Lead Members are not barred from membership of the Planning Committees but membership should generally be avoided due to potential bias or predetermination issues. Associate Lead Members may be members of the Planning Committee(s). Neither Executive Lead Members nor Associate Lead Members may be Chair or Vice-Chair of the Planning Committee(s).

7.6 Chair/Vice-Chair of the Strategic Planning Committee may not sit on any of the area-

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based Planning Committees. Ordinary members of either Committees can sit on Strategic and area-based Planning Committees.

7.7 Substitutes may attend meetings in that capacity only to take the place of the member for whom they are the designated substitute where the ordinary member will be absent for the whole of the meeting and where the member has notified the Democratic Services Manager or the Monitoring Officer of the intended substitution by no later than 24 hours before the start of the relevant meeting, or in exceptional circumstances and with the consent of the Chair, no later than one hour before the start of the relevant meeting.

### **Chair Responsibilities**

7.8 The Chair will preside over meetings of the Planning Committee and, where the Chair is absent for the whole or part of the meeting, the Vice-Chair will preside over the meeting or that part of it. In the absence of both the appointed Chair and Vice-Chair for either the whole of or part of a meeting, the Planning Committee will appoint from those Councillors then present a person to act as Chair for the duration of that meeting or part of it. (All references to 'Chair' in these rules will be read as referring to the person acting as Chair at the relevant meeting or part of it).

7.9 The Chair of the Planning Committee meeting will be responsible for:

- a. calling items for consideration as they appear on the Agenda,
- b. calling and allowing persons to speak at the Planning Committee meeting,
- c. maintaining good order at the Planning Committee meeting. For this purpose, the Chair has the right to curtail any speaker (including a member of the Committee), or to suspend the Planning Committee meeting, in cases of disorder, until good order has been restored.

7.10 In all matters of procedure and interpretation of these rules, the Chair's decision will

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be final.

7.11 Decisions of the area-based Planning Committees and Strategic Planning Committee are not subject to scrutiny arrangements/call in.

7.12 The order of business for each meeting of the Planning Committees:

- a. Opening matters;
- b. Apologies for absence;
- c. Substitutes
- d. Minutes of the previous meeting;
- e. Declarations of interest;
- f. Planning Applications
  - i) The Chair will announce the agenda item number.
  - ii) The Planning Officer will introduce the application with any relevant updates and provide a visual presentation to aid members' understanding of the context of the application.
  - iii) The Chair will call on public speakers to present in accordance with the Public Speaking Arrangements.
  - iv) The Chair will then ask members/officers if they have any points of clarification on points raised by public speakers.
  - v) The Chair will then ask members if they have technical questions of officers.
  - vi) The entire committee will then discuss/debate the application.
  - vii) Members may seek further clarification of:
    - A) particular points from officers, regarding the application, or
    - B) on points raised by speakers, in the main debate, through the Chair.Officers will respond to issues and questions raised by members.
  - viii) The Committee will then make a decision by vote.
- g. Other matters requiring consideration by the committee

7.13 Where there is no provision made in these Planning Committee Procedure Rules the requirements of the Committee Procedure Rules will be followed at the discretion of the Chair.



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### **Minutes**

7.14 Minutes will contain all motions and amendments in the form and order they were put.

### **Approval of Minutes**

7.15 At every meeting of the Planning Committee(s) the Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

### **Declarations of Interests**

7.16 Declarations will be made in accordance with the Code of Conduct. These declarations will be made at the outset of the meeting under the item listed as 'declarations of interests' on that Planning Committee's agenda or as soon as the interest comes to light.

### **Public Speaking Arrangements**

7.17 If matters are referred to Committee the following will be invited to speak in order at the Planning Committee meeting at which a matter is considered:

- a. Members of the public, or their representatives, who have previously made written representations objecting to or in support of the application;
- b. Parish, Town or City Councils who have previously made written representations objecting to or in support of the application;
- c. Members of the Council who are not members of the Planning Committee;  
and
- d. The applicant or agent.

7.18 Anyone wishing to speak at Planning Committee as above on a Planning Application

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must register their request with Democratic Services by twelve noon one working day in advance of the relevant Committee meeting. Requests will normally be dealt with on a first come first served basis. Details on how to register will be provided in the invitation to speak.

7.19 The circulation of documentation including photographs or presentation materials will be permitted if submitted to the Planning Service and Democratic Services two working days prior to the Planning Committee meeting. Circulation of such documentation provided less than two working days prior to the Planning Committee(s) will generally not be permissible.

7.20 Anyone wishing to raise a question(s) at Public Participation at Planning Committee must register such question(s) two working days in advance in writing, (refer to Council Procedure Rules Para X) with Democratic Services. Details on how to register will be provided in the invitation to speak. The circulation of documentation including photographs or presentation materials will not be permitted at the Planning Committee meeting.

7.21 The order of speaking and time limits for Planning Committee meetings for each application will be as follows:

Members of the Public or their representatives objecting	Members of the Public or their representatives in support of the application	Parish/Town/City Council(s)	Members of the Council (non planning committee members)	Applicant or Agent
15 mins shared between maximum 5 speakers of 3 mins each	15 mins shared between maximum 5 speakers of 3 mins each	3 minutes each	3 minutes each	3 minutes

7.22 Where speaking times are shared, there is an overall time limit of fifteen minutes in

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total, with no one person being allowed to speak for more than three minutes.

Speakers in the above categories will be encouraged to coordinate with each other so that repetition can be avoided. Should there be more than three speakers in each category, the time will be divided between them. Should it not be practical for all those wishing to speak to do so and should the speakers within a category not be able to agree on suitable representatives between them, speaking slots shall be allocated in the order that they registered to speak.

7.23 At the Chair's discretion in consultation with the legal advisor the time allowed may be increased. A speaker may nominate a single spokesperson to speak on their behalf.

### **Voting**

7.24 When a Planning Committee is considering any item, a member of the Committee must be present throughout the entire presentation and subsequent debate on the item, in order to vote on that item.

7.25 All members of the Committee will have one vote. The Chair will have a second or casting vote in the event of the votes cast being tied. Matters subject to a vote will be decided by a simple majority of the votes cast.

7.26 Voting will be either for the recommendation as it appears in the written report, including any update report, (or as amended by the Case Officer verbally at the meeting) or subject to a. and b. below for the amendment to the recommendation (as proposed by a member of the Committee) or an alternative proposal. Where there is more than one amendment proposed, they will be voted on in the order in which they are proposed.

- a. Before voting on a resolution, the effect of which is to refuse permission contrary to the officer recommendation, the Committee must identify the planning reasons behind the decision before the vote is taken, which may need to be justified in the event of an appeal or other challenge.
- b. Before voting on a resolution, the effect of which is to grant planning

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permission contrary to the officer recommendation, the Committee must approve relevant conditions and reasons for the departure from the officer recommendation. The detailed compilation and attachment of relevant conditions and reasons can be delegated to Officers.

- c. Once the Committee has before it the full resolution and the reasons for such, the Chair can invite planning and legal officers to advise on the clarity and validity of the reasons, including any associated risks. If there is any concern about the reasons, the Committee may consider deferring the item to another meeting for the reasons to be tested and discussed at the next convened meeting.

7.27 Any Councillor of the Committee may request that their name be recorded in the Minutes of the meeting recording the way they have voted in respect of any item.

7.28 Where there is ambiguity in the way votes are cast, the Chair may request Committee members to confirm their votes before the Committee's decision is recorded.

### **Site Visits**

7.29 Officers may organise a pre-Committee site visit where they feel it would be a valuable part of the planning process. However, they can cause additional costs and should only be used where the expected benefit is substantial. A decision to carry out a pre-Committee site inspection should normally only take place:

- a) If the impact of the proposed development is particularly difficult to visualise from the plans and any supporting material; or
- b) There is considerable local concern about a proposal, allied to planning reasons for carrying out the visit (e.g. the physical relationship of the site to other sites in the neighbourhood).

7.30 When site inspections take place, careful arrangements must be made to ensure that all parties are treated fairly and equitably, and that the appropriate standards of

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propriety are seen to be upheld, particularly to avoid the visit being seen as part of a lobbying process. Accordingly, the following rules will apply:

- a) The visit will be led by an Officer of the Planning Service.
- b) Members should not seek to have discussions either with the applicant or with members of the public who may be present. The public should not be invited and have no right to enter a site without the consent of the occupier. However, attendance does occur from time to time and requires careful handling to ensure confidence in subsequent decision making.
- c) If discussions do take place, no view on the merits or otherwise of the proposal should be given, as to do so may lead to suspicion that the individual Member had already made up his or her mind. Members should keep together, avoiding side discussions.
- d) Members should not engage individually in discussions with the applicant, Agent, objectors, third parties or members of the public who may be present as again suspicion may arise that this is part of the lobbying process rather than the information- gathering process.
- e) No hospitality should be accepted at site visits,
- f) Members may, at the site visit, ask officers questions or seek clarification on matters relevant to the site inspection.
- g) A site visit is not a formal meeting of the Planning Committee and therefore a Member with a Disclosable Pecuniary Interest is not debarred from attending. However, such a member must take care to ensure that; i) nothing they do at the site visit breaches the Members Code of Conduct and ii) they do not imply that they will be part of the decision making process at the Planning Committee.

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### Site Inspections by Individual Members

7.31 Members are able to look at an application site following the receipt of the agenda and prior to the date of the Planning Committee meeting. This will enable them to acquaint themselves with the nature of the proposal and will help avoid delay and unnecessary site visits. However, Members should only conduct such site inspections from a public vantage point and should not meet with or discuss the application with any applicant/agent or third party on site.

### Other Matters

7.32 The undertaking of such training as determined by the Executive Director (Climate & Place) on planning and other functions falling within the remit of the area-based Planning Committees and Strategic Planning Committee, including probity in decision making, is a pre-requisite to membership of, and substitutes for this Committee.

7.33 From time to time the Planning Committee(s) may consider reports on other items falling within the Committees terms of reference, such as performance reports, appeals, or proposed changes to national or regional planning policy.

7.34 In those circumstances the procedure to be followed will be as described for public items above except that, there being no Planning Application for the Committee to determine, there will be a provision for public questions before the Committee and before the Committee proceeds to substantive business.

## 8. Delegation of functions

8.1 The majority of the Committees functions will be performed by Officers as set out in Part I of the Constitution. These delegations are subject to:

- a) Any such delegation being consistent with the Development Plan, National Planning Policy Framework and any other applicable legislation and government guidance; and

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- b) Statutory and customary consultation being carried out.

Where Planning functions are delegated to an officer of the Local Authority, the officer may decline such delegation and refer the application to Committee.

### **Exceptions to delegated powers**

8.2 The following decisions are not within the scope of the powers delegated by this Scheme and shall be taken by the relevant Planning Committee. Where:

- i. The applicant is a Member of the Council or a direct relative of a Member of the Council
- ii. The applicant is one of the Council Officers listed below:
  - Senior Officers of the Council's Senior Management Team;
  - Where the applicant is, or is directly related to, a member of staff in the Planning Service;
  - Any other employee who has direct involvement with the planning process in the course of their duties.
- iii. Matters which the relevant Executive Director (Climate & Place) considers to be controversial due to their size, nature or impact, or for any other reason.
- iv. Council's own development (excluding minor alterations<sup>2</sup> to Council owned assets)
- v. Where the proposal is a departure from the development plan and the Officer recommendation is to approve (excluding S.73 applications)

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<sup>2</sup> Minor alterations shall mean any development that is not defined as Major development (see footnote 2) for example:

- a) Less than 10 dwellings
- b) Less 1,000sqm of new office, retail, manufacturing or other floorspace

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### **Applications delegated to Officers**

8.3 Subject to the exceptions to delegated powers above the following matters are delegated to Officers and are exempt from the referral process:

- Certificates of Lawfulness Existing or Proposed
- Prior Approval/Prior Notification – all types
- Approval of details reserved by condition / discharge of Development Consent Order (DCO) requirements.
- Hazardous substance consents
- Any applications for works to trees, hedgerow removal or high hedges
- Permission in Principle (PIP)

### **Referral Process to relevant Planning Committee**

8.4 The relevant Divisional Member(s) and Parish/Town/City Council will be notified of the following applications. They will be able to request that these applications are referred to the relevant Planning Committee:

- Planning permission (outline and full)
- Advertisement consent
- Listed building consent
- Application for planning permission for relevant demolition in a conservation area
- Reserved matters approval following outline permission
- Variation/removal of conditions – Section 73 applications

8.5 Divisional Members will also be notified of applications for Permission in Principle but the decision would be delegated to Officers meaning they would not be referred to the relevant Planning Committee.



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### 8.6 Divisional Member referral (within 21 days of original notification):

- a. Within 21 days of being notified of a Planning Application, a Somerset Council member can request referral of the application to the relevant Planning Committee by notifying the Planning Service, in writing, stating whether they support or object, with material planning reasons;
- b. If the Officer recommendation is ultimately in agreement with the Member, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Member view AND the application is classified as a major application<sup>3</sup> it will automatically be referred to the area-based Planning Committee for a decision.
- d. For all other applications, if the Officer recommendation is ultimately not in agreement with the Member view the Strategic Director (Climate and Place) (in accordance with the delegation scheme) will refer the application to the Chair and/or Vice-Chair of the relevant area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members, will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
- e. On referral to Chair and/or Vice Chair, the Divisional Members will receive a copy of the officer report and will be advised of the decision on whether it stands referred after.

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<sup>3</sup> “major development” means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

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### 8.7 Divisional Member referral (post 21 days):

- a. As a direct result of substantial changes and re-notification of an application to a Member, a Somerset Council Member will be given a further 14 days, from the date of re-notification, to request that the application is referred to the relevant Planning Committee by notifying the Planning Service in writing stating whether they support or object, with material planning reasons.
- b. If the Officer recommendation is ultimately in agreement with the Member, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Member view AND the application is classified as a major application<sup>4</sup> it will automatically be referred to the area-based Planning Committee for a decision.
- d. For all other applications, if the Officer recommendation is not in agreement with the Member view, the Executive Director (Climate and Place) will refer the application to the Chair and/or Vice-Chair of the relevant area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
- e. On referral to Chair and/or Vice Chair, the Divisional Members will receive a copy of the officer report and will be advised of the decision as to whether it stands referred after.

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<sup>4</sup> “major development” means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

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### 8.8 Referral by Parish, Town and City Councils

- a. Within 21 days of being notified of a Planning Application, a Parish, Town or City Council must notify the Planning Service in writing, that:
  - i They wish to refer the Planning Application to the relevant Planning Committee by either supporting or objecting to the application and;
  - ii Provide material planning reasons for the referral
- b. If the Officer recommendation is ultimately in agreement with the Parish, Town or City Council's view, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Parish, Town or City Council view AND the application is classified as a major application<sup>5</sup> it will automatically be referred to the area-based Planning Committee.
- d. For all other applications, if the Officer recommendation is ultimately not in agreement with the Parish, Town or City Council view then the Strategic Director (Climate and Place) will refer the application to the Chair and/or Vice-Chair of the area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members, will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
- e. A Parish, Town or City Council may request an extension of the time limit in which they must notify the Planning Service that they wish to refer a Planning Application in order to allow for consideration at the next meeting of the Parish, Town or City Council (or its Planning Committee). Such a request shall be

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"major development" means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

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granted where possible.

- f. On referral to Chair and/or Vice Chair, the Divisional Member will receive a copy of the officer report and will be advised of the decision as to whether it stands referred.

### 8.9 Referral by Parish, Town and City Councils (post 21 days):

- a. As a direct result of substantial changes and re-notification of an application, the Parish, Town or City Council will be given a further 14 days, from the date of re-notification, to request that the application is referred to the relevant Planning Committee by notifying the Planning Service in writing stating whether they support or object, with material planning reasons.
- b. If the Officer recommendation is ultimately in agreement with the Parish, Town or City Council view, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Parish, Town or City Council view AND the application is classified as a major application<sup>6</sup> it will automatically be referred to the area-based Planning Committee for a decision.
- d. For all other applications, if the Officer recommendation is not in agreement with the Parish, Town or Council view, the Executive Director (Climate and Place) will refer the application to the Chair and/or Vice-Chair of the relevant area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.

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<sup>6</sup> “major development” means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

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- e. A Parish, Town or City Council may request an extension of the time limit in which they must notify the Planning Service that they wish to refer a Planning Application in order to allow for consideration at the next meeting of the Parish, Town or City Council (or it's Planning Committee). Such a request shall be granted where possible.
- f. On referral to Chair and/or Vice Chair, the Divisional Members will receive a copy of the officer report and will be advised of the decision as to whether it stands referred after.