

APPENDIX A

4. PLANNING COMMITTEE

Membership: Eleven councillors

Quorum: Three councillors

| Functions | Matters Reserved for a Decision |
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| <p>The determination of all non-executive decisions under the Planning Acts including all planning applications and applications for advertisement consent, listed building consent and conservation area consent is delegated to the Strategic Director of Place except where:</p> | <p>(a) The application is contrary to the provisions of an approved or draft development plan policy and is recommended for permission, and in the opinion of the Strategic Director of Place the application is likely to:</p> <ul style="list-style-type: none"> (i) be potentially controversial, or (ii) be of significant public interest, or (iii) have a significant adverse impact on the environment, or (iv) raise matters which should be referred to the Planning Committee. |
| | <p>(b) The application is submitted by or on behalf of the Council for its own development, except for the approval of development which is unlikely to have any major impacts and to which no material (in the opinion of the strategic Director of Place) planning objections have been received.</p> |
| | <p>(c) A legal agreement (S106 or similar) is required except in the case of minor non-contentious agreements or minor amendments to existing legal agreements.</p> |
| | <p>(d) (i) Excluding those types of applications detailed at (d) (iii) the ward member of the ward to which the application relates or the ward member of adjoining ward (if that adjoining ward is materially impacted by the application) has notified the Strategic Director of Place (in writing or by email within 4 weeks of being notified of the application) that the application should be determined by the Planning Committee</p> <p style="text-align: center;">And</p> |

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| | <p>(ii) in the opinion of the Chair having consulted the Strategic Director of Place (or his nominated officer):</p> <p>A the notification is supported by one or more material planning grounds, and</p> <p>B the item relates to a matter of local concern,</p> <p>Provided that where the relevant ward member or neighbouring ward member has a disclosable pecuniary interest in the application in question, this “callin” shall automatically be triggered for consideration by the Chair under (d)(ii) above.</p> <p>Where the Chair decides that an application does not satisfy (d)(ii) A or B above, written reasons shall be given to the requesting member.</p> <p>(iii) - Agricultural Prior Approval - East Midlands Airport Informal Notification - Certificate of Alternative Appropriate Development - Certificate of Lawful Development – Existing - Certificate of Lawful Development – Proposed - County Council Consultation - Demolition Prior Approval - Discharge of Conditions - Habitat Regulations Assessment - Hedgerow Removal Notice - Neighbouring Authority Consultation - Non Material Amendment - Overhead Lines Notification - Pre Application Advice - Pre Application Advice – Major - Applications querying whether Planning Permission is required - Prior Approval for Householder development - Works to trees in the conservation area</p> |
| | <p>(e) An application is recommended for approval by officers and that application is submitted</p> |

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| | by: (i) a serving member or officer of the Council; or (ii) the close relative of a serving member or officer of the Council except for the approval of an application which in the opinion of the Strategic Director of Place (of his nominated officer) is unlikely to have any major impacts and to which no objections have been received. |
| | (f) The Strategic Director of Place refers any application or matter to the Committee including (but not limited to) any consultation on an executive function. Where the matter referred to the Committee relates to an executive function, the Committee's view shall be subject to being agreed with the relevant portfolio holder or agreed by Cabinet. |
| Making orders to revoke or modify planning permissions, to impose conditions to remove buildings or repair listed buildings. | All matters reserved. |
| Making tree preservation orders. | To consider objections or other representations. |
| Serving Building Preservation Notices or Listed Building Repair Notices. | All matters reserved except where necessary to serve a notice in an emergency. |
| Public Footpath Orders under the Town and Country Act 1990. | To determine matters referred to it following the receipt of objections or other representations. |
| Footpath Diversion Orders under the Highways Act 1980. | To determine matters referred to it following the receipt of objections or other representations. |