

APPENDIX B

DISCUSSION PAPER 1 – TYPES OF APPLICATION WHICH CAN BE CALLED IN

The Council's constitution sets out the current arrangements in respect of the types of application which can be called into Planning Committee.

Page 58 of the Council's Constitution advises that one of the functions of Planning Committee is 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.....'

As members will be aware there are a range of different application types (as shown on appendix 1) and the wording in the Council's Constitution that allows for applications 'under the Planning Acts' is wide ranging. There are a number of different application types and some have much reduced timescales for determination and some application types only allow for very specific considerations.

A particularly good example of an application type with a reduced timescale and where only specific matters can be considered is an AGP application. This is a prior approval application for agricultural development and the Local Planning Authority can consider only the siting and external appearance of the building ('normal' planning considerations do not apply). The Local Planning Authority has only 28 days in which to respond to such requests. If a response is not received in 28 days then the application is automatically permitted. There are a number of other types of application whereby the Council are a consultee and only have 21 days in which to respond.

Officers consider that the Council's Constitution should be updated to make it clear which types of applications can and can't be called into Planning Committee. This would provide clarity for officers, for members and for applicants. The changes proposed would not have any impact on the majority of applications which are currently called into Planning Committee which are normally either applications for full planning permission (FUL) or applications for outline planning permission or reserved matters consent (OUT/REM). Appendix 1 contains a spreadsheet which outlines the different application types and recommendations for whether such applications should be able to be called into Planning Committee.

Recommendations

- That members agree to the changes outlined on the attached spreadsheet (Appendix 1) and that the Council's Constitution is updated and amended accordingly.