

PART 2 - RESPONSIBILITY FOR COUNCIL FUNCTIONS (EXTRACT) – Terms of Reference for the Planning Committee

Planning Committee

- To determine all planning applications submitted pursuant to the Town and Country Planning Act 1990 (as amended), the Planning Listed Buildings and Conservation Areas Act 1990 and the Planning (Hazardous Substances) Act 1990, including those applications falling for decision under officer delegated powers which a Council member has requested to be referred for Committee determination and where either the Chairman, Vice Chairman or the Opposition Spokesperson agrees to escalate those applications for Committee determination in accordance with paragraph 8.1 of the Employee Scheme of Delegation, except that all applications recommended for approval in respect of development which is in fundamental conflict with the Development Plan or any approved proposals for amendment thereof shall be reserved for determination by the Council;
- To consider written objections received to Tree Preservation Orders made under Section 198 or 201 of the Town and Country Planning Act 1990 and notifications under Section 211 of that Act;
- To determine all applications for approvals required by a Development Order or by conditions imposed on the grant of a planning permission;
- To authorise the issue of Building Preservation Notices pursuant to Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 except that cases where the Director of Place and Deputy Chief Executive and Assistant Director, Legal and Governance, consider that compensation may be payable shall be referred to the Council;
- To exercise powers under the Town and Country Planning Act 1990 in relation to the service of Enforcement Notices and Stop Notices under Parts VII and VIII, Planning Contravention Notices under Section 171(c) an Breach of Condition Notices under Section 187(a) and to take all necessary further steps up to and including prosecution except that cases where the Director of Place and Deputy Chief Executive and Assistant Director, Legal and Governance, consider that compensation may be payable shall be referred to the Council;
- To exercise powers in relation to the service of Listed Building Enforcement Notices under the provisions of the Planning (Listed Buildings in Conservation Areas) Act 1990 and to take all necessary further steps up to and including prosecution;
- To recommend to the Council the making of Orders for the modification or revocation of planning permission;
- To issue Completion Notices under Section 94 of the Town and Country Planning Act 1990;

- To submit views on behalf of the Planning Authority in relation to the consultations under the Pastoral Measures 1968;
- To lodge objections in connection with Goods Vehicle Operators' Licences;
- To consider and approve/acknowledge planning obligations offered by developers under Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12 of the Planning and Compensation Act 1991);
- To consider and determine development management issues in respect of the Channel Tunnel Rail Link/M2 Widening.