

1. Development Committee

Summary Description: To determine applications for planning permission and listed building consent which have triggered over 20 representations (for or against) and/or that meet certain criteria with regards to size amongst other issues. Note that certain applications exceed the remit of the Development Committee and these are considered by the Strategic Development Committee.

Membership: 7 Councillors (each political group may appoint up to 3 substitutes).

Functions

Delegation of Functions

1. Applications for planning permission

A. To consider and determine recommendations from the Corporate Director, Housing and Regeneration to GRANT planning permission for applications made under the Town and Country Planning Act 1990 (as amended); that meet any one of the following criteria:

- I. Proposals involving the erection, alteration or change of use of buildings, structures or land with more than 35 residential units ~~or live-work units~~ of any use class, including shared accommodation.
- II. Proposals involving the erection, alteration or change of use of buildings, structures or land with a gross floor space exceeding 10,000 square metres.
- III. Retail development with a gross floor space exceeding 5,000 square metres.
- IV. Proposals involving buildings on Metropolitan Open Land with a gross floor space exceeding 100 square metres.
- V. If in response to the publicity of an application the Council receives in writing, by email or other electronic form 20 or more individual representations; or a petition (received from residents of the borough whose names appear in the Register of Electors, business addresses in the borough or local Councillors) raising material planning objections to the development, and the Corporate Director, Housing and Regeneration considers that these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement. Representations (either individual or petitions) received after the close of the consultation period will be counted at the discretion of the Corporate Director, Housing and Regeneration.

B. To consider and determine recommendations from the Corporate Director, Housing and Regeneration to REFUSE planning permission for applications made under the Town and Country Planning Act 1990 (as amended), where in response to the publicity of an application the Council has received in writing, by email or other electronic form, more 20 or more individual representations supporting the

The Corporate Director, Housing and Regeneration (or any officer authorised by them) has the authority to make decisions on planning matters with the exception of those specifically reserved to the Development Committee, unless:-
 (i) these are expressly delegated to them; or
 (ii) where it is referred to the Committee in accordance with Development Procedure Rule No 15

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<p>development or a petition in the form detailed in part 1.A. (v) supporting the proposed development. Representations (either individual or petitions) received after the close of the consultation period will be counted at the discretion of the Corporate Director, Housing and Regeneration.</p> <p>C. To consider and determine recommendations from the Corporate Director of Place to GRANT permission for applications seeking minor material amendments to a planning <u>to vary or delete conditions attached to a planning</u> -permission <u>(section 73 of the Town and Country Planning Act) which was</u> previously determined by the Development Committee, and where as a result of publicity any of the criteria in <u>part 1.A.(v)</u> apply and the representations received relate directly to matters arising from the proposed amendments <u>to the permission</u> and not the original <u>permission/application</u>.</p>	
<p>2. Applications for listed building consent</p> <p>To consider and determine recommendations from the Corporate Director, Housing and Regeneration to GRANT listed building consent for applications made under the Planning (Listed Buildings and Conservation Areas) Act 1990 where any of the criteria in 1.A.(i)-(v) apply; and/or an objection has been received from either the Historic Buildings and Monuments Commission for England (known as Historic England) and/or one of the statutory amenity societies and these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement.</p>	<p>As above including to refuse listed building consent.</p>
<p>3. Applications for hazardous substance consent</p> <p>To consider and determine recommendations from the Corporate Director, Housing and Regeneration to GRANT hazardous substance consent for applications made under the Planning (Hazardous Substances) Regulations 2015 where the criteria in 1.A(v) apply and/or an objection has been received from any of the consultation bodies listed in the Regulations and these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement.</p>	<p>As above including to refuse hazardous substance consent.</p>
<p>4. Observations to other planning authorities</p> <p>To respond to requests for observations on planning applications referred to the Council by other local authorities, Development Corporations the Mayor of London, Government Departments statutory undertakers and similar organisations where the development would appear to be response would be contrary to</p>	<p>As above</p>

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policies in the adopted Development Plan or would raise especially significant boroughwide issues.	
5. Confirmation of Tree Preservation Orders To consider and determine recommendations from the Corporate Director, Housing and Regeneration to CONFIRM Tree Preservation Orders under s198 of the Town and Country Planning Act 1990 where such orders are the subject of a sustained objection. A sustained objection is defined as one that is maintained despite attempts to resolve it, or is one that is considered to be incapable of resolution by negotiation.	As above
6. General A. To consider any application or other planning matter referred to the Committee by the Corporate Director, Place Housing and Regeneration including preapplication presentations (subject to the agreed protocol) where she/he considers it appropriate to do so (for example, if especially significant borough-wide issues are raised). B. To consider any matter which would otherwise be referred to the Strategic Development Committee but which the Corporate Director, Place Housing and Regeneration , following consultation with the Chairs of both Committees, considers should more appropriately be considered by the Development Committee.	None
Note - It shall be for the Corporate Director, Place Housing and Regeneration to determine whether a matter meets any of the above criteria	
Quorum: 3 Members of the Committee	
Additional Information:	
<ul style="list-style-type: none"> • Constitution Part C Section 35 (Planning Code of Conduct) • Constitution Part D Section 54 (Guidelines for Determining Planning Applications under the Town and Country Planning Act 1990) • Constitution Part D Section 54 (Development Committee Procedure Rules) 	

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