

Appendix A

Paragraphs 1.6-1.9.3 of the Scheme of Delegation - Tracked Changes

1.6 The determination of applications identified in 1.5.2 above will be referred to the Planning Committee where:

Deleted: appropriate Area Development Control

1.6.1 Departure Applications. The application is contrary to the provisions of the Development Plan, and is being recommended for approval by the Head of Economic Regeneration and Planning;

1.6.2 Councillors / Officer Applications. The application has been submitted by any Officer involved in the planning process or a Councillor. An Officer is involved in the planning process if they are a member of staff in the planning section, or involved in enforcing planning matters, or giving advice or support to Officers or Councillors involved in the planning process or could be perceived to be involved in the planning process;

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1.6.3 EIA Development. The application involves an Environmental Impact Assessment (EIA).

1.6.4 Alternate Development Threshold. The application relates to the following forms of development:

- 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 20 or more; or
 - ii) The development is to be carried out on a site having an area of 1 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- d) The provision of a building or buildings where the floor space to be created by the development is 2,000 square metres or more; or
- e) Development to be carried out on a site having an area of 2 hectare or more.

1.6.5 Councillor Call In. A Councillor has requested by letter, email or fax within 21 days of being notified that a valid application has been received (or within the specified re-consultation period), – i.e the “Call in Period”, that it be reported to the Planning Committee and the objection threshold is reached within the “Call in Period”, namely:

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i) The application is subject to 20 letters of objection from different people at different addresses; or

ii) A petition of 30 or more signatures from different people at different addresses.

1.6.6 Chair of Planning Committee Referral. Where a Councillor Call In has been made within the “Call in Period” but the objection threshold has not been reached the Chair of the Planning Committee can direct that the application be determined by Planning Committee where the development has a quantifiable community wide impact or there is a quantifiable community wide interest in a development which goes beyond protecting the private interests of one person, or group of persons against the activities of others.

1.6.7 Head of Service Referral. The application is, in the opinion of the Head of Economic Regeneration and Planning, of strategic importance or the application should, in the opinion of the Head of Economic Regeneration and Planning be determined by Planning Committee.

1.6.8 Councillors may withdraw a Councillor Call In at any time prior to the relevant Committee agenda being finalised. Such withdrawal may follow contact between the Councillor(s) and Planning Officer(s).

1.6.9 If a Councillor wishes to use the Councillor Call In to call in an application which is within the area of another Councillor(s) they must inform the Councillor(s) in whose area the application falls giving their reason prior to making the Planning Call In.

1.6.10 In the case of 1.6.9 above, the Councillor making the Councillor Call In must also give written notice (letter, e-mail or fax) to the Head of Economic Regeneration and Planning stating that the Councillor(s) in whose area the application falls has been informed of the intended Councillor Call In. Any application called in by a Councillor in another Councillor(s) area shall not be valid unless it contains the required written statement.

1.6.11 The Council has a duty to ensure that it maintains an efficient planning service and to progress planning applications in a timely fashion. Whilst the Call-in procedure is a fundamental and important part of the democratic process, unnecessary ‘call-ins’ can lead to unreasonable delay.

Therefore, where it is considered that a member or members is/are unreasonably calling in planning applications or otherwise potentially abusing the ‘call-in’ process, the Chair of the Planning Committee will, in the first instance, discuss the situation with the member/members concerned.

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Deleted: no written reasons are submitted or a meeting with the relevant Planning Officer not been arranged by the Councillor within the timescales specified in 1.5 (8) above, the Planning Call In may be deemed “invalid” and as such the Head of Economic Regeneration and Planning will be able to determine the application (subject to satisfaction of other statutory timescales).

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Deleted: , in which case it shall be reported directly to Development Management and Control Committee for decision;¶

¶ 1.6.4 Planning applications submitted by the Council: .

¶ a. Under Regulation 3 of the Town & Country Planning General Regulations 1992 seeking outline planning permission;¶

b. Under Regulation 4 of the Town & Country Planning General Reguatio(...

Deleted: 1.6.5 The application is the subject of a Petition of Objection (...)

Deleted: 1.6.9 . Where no written reasons are submitted or a meeting (...)

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In the event that the issue is not resolved then the Chair of Planning Committee and a member from the Planning Committee will review all applications for 'call-in' to Committee with the member/members concerned and have the authority to withdraw any "Councillor Call In" requests. The decision of this panel is final.

1.7 Enforcement Matters

1.7.1 The implementation of all enforcement powers shall be delegated to the Director of Place or Head of Economic Regeneration and Planning, except where the proposed action would lead to the loss of a residentially occupied unit.

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1.7.1 . In addition to the opportunity to Call In an application prior to determination, Councillors will be notified in advance of all planning applications:¶

- ¶
- a. Where objections have been received and which the Head of Economic Regeneration and Planning is minded to approve;¶
 - b. . Where letters of support have been received and which the Head of Economic Regeneration and Planning is minded to refuse;¶
 - c. Councillors are allowed 5 clear working days to Call In such applications to Committee after they have been notified of them. Should an application be called in during this period, rules for validation as set out in 1.6.12 to 1.6.13 above will apply.¶

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Deleted: 1.78.2 .

Deleted: (i) A breach of planning control is identified with a request that enforcement action be taken solely to remedy the absence of a valid planning permission and it is considered that if a planning application were submitted it would be approved unconditionally when no further action will be taken, subject to prior consultation and agreement with the Electoral Division Councillor(s); or¶

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(ii)

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Deleted: 1.9 . NOTES:

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1.9.1 . An Officer is involved in the planning process if they are a memb(...

Appendix B

Planning Committee Terms of Reference (created by merging the Area 1 and Area 2 Development Control Committees, Development Management and Control Committee and the Rights of Way and Commons Sub Committee) and carrying out a review - Tracked Changes

Planning Committee

1. To discharge the functions of the Council with regard to planning control services except:

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a. Where the **Planning** Committee is minded to approve an application for development which the Head of Economic Regeneration & Planning has recommended for refusal because it is contrary to the Unitary Development Plan, or any other relevant policies adopted by the Council, OTHER THAN:

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b. The following policies of the Unitary Development Plan:

Deleted: b. The Council's Design Guide for Householder Development (June 2008);
c. The South Wales Parking Guidelines (as amended);

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EV1	Design of New Development
EV2	Siting & Location of New Development
EV3	Accessibility & Access for All
EV4	Public Realm
EV5	Public Art
EV7	Listed Buildings
EV8	Demolition of Listed Buildings
EV9	Development in Conservation Areas
EV10	Demolition of Unlisted Buildings in Conservation Areas
EV12	Lane & Public Paths
EV13	Shop fronts, Security Grilles
EV14	Advertisements
EV15	Hoardings
EC14	Agricultural Development
EC15	Urban Tourism
HC2	Infill Development & Small Scale Residential Development
HC4	Regeneration of Older Housing Areas
HC5	Multiple Occupation
HC6	Flat Conversion
HC7	Household Extensions
HC8	Over the Shop Housing
HC10	Holiday Chalet and Caravan Sites
HC26	Informal Recreation
HC27	Use of Land for Horses
R10	Telecommunications
AS1	Accessibility of new development
AS2	Accessibility of new development
AS5	Walking & Cycling
AS6	Car parking requirements for new development
AS10	Traffic management & highway safety.

- 2 Where the recommendation would involve a refusal of permission to an application submitted by the Council in relation to land owned by the Council;
- 3 Any other matter as determined by the Head of Economic Regeneration & Planning including the consideration and adoption of Supplementary Planning Guidance with the exception of Development Plan Strategy which shall be determined by Council;
- 4 To discharge the functions of the Council with regard to Public Rights of Way, Commons Registration and Village Greens.

Deleted: 3 The application is, in the opinion of the Head of Economic Regeneration & Planning, of strategic importance, in which case it shall be reported directly to Development Management and Control Committee for decision;

4 . Where the application falls within the boundary of more than one Area Development Control Committee;

5 Where one third or more of the voting Members present at the Area Development Control Committee so decide.

6 . To discharge the functions of the Council with regard to Public Rights of Way under s257 of the Town and Country Planning Act 1990.

To discharge the functions of the Council with regard to planning control in the following circumstances:

- a. All planning applications referred by the Area Development Control Committees;
- b. . Any application which, in the opinion of the Head of Economic Regeneration & Planning, is of strategic importance should go directly to the Planning Committee for decision;
- c. Any application which has been submitted on behalf of the Council and is to be recommended for refusal, in which case it shall be reported directly to the Development Management and Control Committee for decision;
- d. . Any application which falls within the boundary of more than one Area Development Control Committee;
- e. Any other matter as determined by the Head of Economic Regeneration & Planning including the consideration and adoption of Supplementary Planning Guidance with the exception of Development Plan Strategy which shall be determined by Council.

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1 . This is a Sub Committee of the Development Management and Control Committee.

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