

PLANNING AND HIGHWAYS REGULATORY COMMITTEE

TO THE HEAD OF REGENERATION AND POLICY

In consultation with the Head of Governance or the Legal Services Manager, to instruct Counsel to advise and/or represent the Council.

To designate authorised officers for the purposes of Sections 196A, 196B, 214B, 214C, 219, 324 and 325 of the Town and Country Planning Act 1990 and Sections 88 and 88A of the Planning (Listed Buildings and Conservation Areas) Act 1990, who may then act on behalf of the Council under the relevant legislation in accordance with their designation as authorised officer

To set fees and charges for planning applications and any other services provided under the terms of reference of the Committee

TO THE HEAD OF REGENERATION AND POLICY AND ANY OTHER STAFF DESIGNATED BY HIM/HER IN WRITING

To determine applications under the provisions of Part III and VIII of the Town and Country Planning Act 1990 and Part I of the Planning (Listed Buildings and Conservation Areas) Act 1990, having regard to the approved Development Plan and any relevant approved statement of policy, including proposals affecting Listed Buildings or in Conservation Areas EXCEPT for the following categories of development:

- Applications in the major category as defined by the DCLG which are recommended for approval and are the subject of any objections
- Applications recommended for approval which are departures from the Development Plan
- Applications made by the City Council or major applications made by the County Council
- Applications by Members or officers of the Council and other parties where considerations of probity indicate that a Committee decision is required
- Any application which the Head of Regeneration and Policy considers should be determined by the Committee
- Any application which a member of the Council asks to be referred to the Committee

To secure compliance with associated conditions or legal agreements in respect of any planning permission granted, to vary such conditions or agreements and to discharge any requirements of such agreements

To respond to consultations under the provisions of sections 42 and 43 of the Planning Act 2008 with the exception of responding formally to the Infrastructure Planning Commission or its successors in title under Sections 55 and 60 with the council's view on Statements of Community Involvement and Local Impact Reports.

To decline to determine applications for planning permission pursuant to Section 70A of the Town and Country Planning Act 1990

To determine requests for amendments to submitted or determined planning applications or other development related consents

To advertise and consult on advertising of planning and other like applications

In conjunction with the Head of Governance to contest appeals regarding matters within the terms of reference of the Planning and Highways Regulatory Committee

To serve notices for the preservation/repair of Listed Buildings or buildings/structures worthy of listing under the provisions of sections 3, 48 and 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990

To make and enforce Tree Preservation Orders and related provisions

To determine applications for Certificates of Lawful Use or Lawful Development under the provisions of Section 191- 94 of the Town and Country Planning Act 1990

To issue a screening opinion or a scoping opinion under the Provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

To waive the charge for the making of Revocation and Modification Orders in appropriate cases

To serve statutory notices in respect of any highway matter within the terms of reference of the Planning and Highways Regulatory Committee

To make observations on development and development plans proposed by neighbouring authorities

TO THE HEAD OF GOVERNANCE AND LEGAL SERVICES MANAGER AND ANY OFFICERS DESIGNATED BY EITHER OF THEM IN WRITING

To make appropriate arrangements for the institution or defence of any legal proceedings relating to matters within the terms of reference of the Planning and Highways Regulatory Committee

To prepare any documentation necessary to bring into effect a decision of the Planning and Highways Regulatory Committee

In consultation with the Head of Regeneration and Policy to issue, serve and withdraw Enforcement Notices, Stop Notices and Temporary Stop Notices, Planning Contravention Notices, Breach of Condition Notices and Notices under Section 215 of the Town and Country Planning Act 1990

To make arrangements for the service of notices under Section 330 of the Town and Country Planning Act 1990