

PART 3D: MATTERS RESERVED TO THE PLANNING COMMITTEE AND COMMUNITY COUNCILS EXERCISING PLANNING FUNCTIONS

The Planning Committee to consider:

1. Consideration of the following categories of planning applications (including Listed Building consent, Conservation Area consent and advertising consent): –
 - (1) Those which are significantly contrary to the provisions of the Unitary Development Plan or other plans approved by the Council for the purpose of development control, and which are recommended for approval;
 - (2) Those which are controversial or raise a major issue of a planning nature except where they are straightforward refusals;
 - (3) Those requested by Ward Members to be determined by the Committee, subject to the request being agreed by the Chair of the Committee;
 - (4) All applications for the Council's own developments except for the approval of reserved matters and minor developments to which no objections have been made;
 - (5) Those involving legal agreements, other than those in accordance with policy requirements, e.g. affordable housing, highway improvements, environmental work and other works required as part of a development proposal.

Where the development proposed involves the creation of 50 or more housing units or more than 3,500 m² of commercial floor space or a mixed use development with more than 3,500 m² of floor space, including applications for change of use, or the application is clearly linked to another application which is to be considered by the Planning Committee.

2. To consider the expenditure of funds over £100,000 secured through legal agreements under Section 106 of the Town and Country Planning Act 1990, or any previous legislation.
3. The designation of conservation areas including the adoption of Conservation Area Character Appraisals and detailed design guidance, and authorisations under article 4 of the Town and Country Planning Permitted Development Order 1995.
4. The consideration of and adoption for development control purposes of planning briefs to guide the development of particular sites.
5. To consider and determine all planning applications of strategic importance in the borough, including:
 - applications which require referral to the Mayor of London;
 - applications which are required to be notified to the Secretary of State as departures from the UDP;

- applications where the submission of an Environmental impact Assessment is required by regulation or following a screening application;
 - applications for the development of Metropolitan Open Land;
 - applications for the development of Contaminated Land.
 - Specific applications not covered by the above but determined as strategic by the Strategic Director of Regeneration.
6. To consider and determine all planning applications where the development will have a material impact on the area of one or more neighbouring Community Councils. The Strategic Director of Regeneration to determine when such boundary proximity is a material factor.
 7. To comment on the successive drafts of the Unitary Development Plan and make recommendations to the Executive, as appropriate.
 8. To comment on draft Supplementary Planning Guidance and make recommendations to the Executive, as appropriate.
 9. To report to the Executive on matters relating to the implementation of planning policy

Community Councils to consider:

1. Consideration of the following categories of planning applications (including Listed Building consent, Conservation Area consent and advertising consent): –
 - (1) Those which are significantly contrary to the provisions of the Unitary Development Plan or other plans approved by the Council for the purpose of development control, and which are recommended for approval;
 - (2) Those which are controversial or raise a major issue of a planning nature except where they are straightforward refusals;
 - (3) Those requested by Ward Members to be determined by the Community Council, subject to the request being agreed by the Chair of the Community Council;
 - (4) All applications for the Council's own developments except for the approval of reserved matters and minor developments to which no objections have been made;
 - (5) Those involving legal agreements, other than those in accordance with policy requirements, e.g. affordable housing, highway improvements, environmental work and other works required as part of a development proposal.

Where the development proposed involves the creation of fewer than 50 housing units or less than 3,500 m² of commercial floor space or a mixed use development with less than 3,500 m² of floor space, including applications for change of use, except where the application is clearly linked to another application which is to be

considered by the Planning Committee.

2. To comment on the proposed expenditure of funds over £100,000 secured through legal agreements under Section 106 of the Town and Country Planning Act 1990, or any previous legislation where the site to which the agreement relates and the site(s) where expenditure will be incurred are in the same Community Council area.
3. To comment on proposals for the designation of conservation areas including the adoption of Conservation Area Character Appraisals and detailed design guidance, and authorisations under article 4 of the Town and Country Planning Permitted Development Order 1995 affecting the area of the Community Council.
4. To comment on proposals to adopt planning briefs for development control purposes to guide the development of particular sites within the area of the Community Council.
5. To be consulted on all major and strategic schemes prior to consideration by the Planning Committee, subject to the consultation deadlines.

- NOTES**
- (a) All matters not reserved as above are delegated to the appropriate Chief Officer, 1st Tier Officer or Business Unit Manager, except that authority to initiate prosecutions is delegated to:
 - Strategic Director of Regeneration
 - Head of Planning
 - Business Support Services Co-ordinator
 - Development and Building Control Manager
 - (b) Each Chief Officer and/or 1st Tier Officer in making decisions under the above scheme is required to do so within the internal scheme of management for their own department. This will include appropriate monitoring arrangements, and dissemination of information both internally and externally to the Council.

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