

Draft changes to the delegation of planning functions to the Planning Committees under Part Three Paragraph 3.2.2 of the Constitution: Functions of the Planning Committees (changes shown in red)

a) To discharge those functions falling within The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, regulations 2 and 3 and Schedule 1 Part A paragraphs 5-31, Part I paragraphs 46-47A and Schedule 2 paragraphs 16-18 and as may be amended.

b) Those matters referred to in an agreement between South Downs National Park and Horsham District Council, having effect from 1 April 2011, shall be discharged by the Planning Committee (South) only.

c) Determination of applications as follows:

i. Planning Applications, **Outline Planning Applications and Applications for Approval of Reserved Matters or Listed Building Consent** made by, or on behalf of, the Council **or on land owned by the Council or in which the Council has a legal interest; with the exception of:-**

- a) Applications to vary or remove a condition
- b) Applications for a Certificate of lawfulness (proposed or existing)
- c) Applications for Prior Approval (submitted pursuant to the General permitted Development Order 2015 (as amended))
- d) Applications for Prior Notification (submitted pursuant to the General permitted Development Order 2015 (as amended))
- e) Applications for the submission of details of conditions pursuant to planning permission
- f) Applications for works to trees in a Conservation Area
- g) Applications for works to trees covered by a Tree Preservation Order
- h) Applications to modify an obligation contained within a Unilateral Undertaking or a S106 Agreement
- i) Applications for a non-material amendment
- j) Applications seeking advertisement consent

ii. where the application has been made by a Member or an officer or a member of their immediate family; **with the exception of:-**

- a) Applications to vary or remove a condition
- b) Applications for a Certificate of lawfulness (proposed or existing)
- c) Applications for Prior Approval (submitted pursuant to the General permitted Development Order 2015 (as amended))
- d) Applications for Prior Notification (submitted pursuant to the General permitted Development Order 2015 (as amended))
- e) Applications for the submission of details of conditions pursuant to planning permission

- f) Applications for works to trees in a Conservation Area
- g) Applications for works to trees covered by a Tree Preservation Order
- h) Applications to modify an obligation contained within a Unilateral Undertaking or a S106 Agreement
- i) Applications for a non-material amendment

iii. where a Member of the relevant Planning Committee requests; such request to be in writing (to include e-mail) and received by the Head of Development within 35 days of the date of validation for all applications **with the exception of:-**

- a) Applications for a Certificate of Lawfulness (proposed or existing)
- b) Applications for Prior Approval (submitted pursuant to the General permitted Development Order 2015 (as amended))
- c) Applications for Prior Notification (submitted pursuant to the General permitted Development Order 2015 (as amended))
- d) Applications for the submission of details of conditions pursuant to planning permission
- f) Applications for works to trees in a Conservation Area
- g) Applications for works to trees covered by a Tree Preservation Order
- h) Applications to modify an obligation contained within a Unilateral Undertaking or a S106 Agreement
- i) Applications for a non-material amendment

iv. where eight or more persons in different households or bodies make a written representation (to include email), which discloses a material planning consideration within the consultation period and is inconsistent with the Head of Development's recommendation; **with the exception of:-**

- a) Applications for a Certificate of lawfulness (proposed or existing)
- b) Applications for Prior Approval (submitted pursuant to the General permitted Development Order 2015 (as amended))
- c) Applications for Prior Notification (submitted pursuant to the General permitted Development Order 2015 (as amended))
- d) Applications for the submission of details of conditions pursuant to planning permission
- f) Applications for works to trees in a Conservation Area
- g) Applications for works to trees covered by a Tree Preservation Order
- h) Applications to modify an obligation contained within a Unilateral Undertaking or a S106 Agreement
- i) Applications for a non-material amendment

v. any planning application that is defined as a departure application under the Town & Country Planning (Development Management Procedure)(England) Order 2015,

where the recommendation of the Head of Development would represent an initial departure from the development plan; with the exception of:-

- a) Where the initial departure has already been agreed by virtue of a previous grant of planning permission (extant and not extant) and the application represents a subsequent application for either the same, similar or alternative development on the same or an adjacent site which would not alter the previous material planning considerations.

vi. where the Parish or Neighbourhood Council makes a written representation (to include email) which discloses a material planning consideration and is inconsistent with the Head of Development's recommendation, within the consultation period, and wishes to address the Planning Committee with the exception of:-

- a) Applications for a Certificate of lawfulness (proposed or existing)
- b) Applications for Prior Approval (submitted pursuant to the General permitted Development Order 2015 (as amended))
- c) Applications for Prior Notification (submitted pursuant to the General permitted Development Order 2015 (as amended))
- d) Applications for the submission of details of conditions pursuant to planning permission
- f) Applications for works to trees in a Conservation Area
- g) Applications for works to trees covered by a Tree Preservation Order
- h) Applications to modify an obligation contained within a Unilateral Undertaking or a S106 Agreement
- i) Applications for a non-material amendment

vii. where the Head of Development considers the application should be presented to the Planning Committee for a decision.