

PLANNING COMMITTEE TERMS OF REFERENCE

Membership

- The committee comprises 8 councillors or such other number of councillors as Full Council may determine from time to time.

Terms of Reference

1. To determine the following:

- a. Applications for Planning Permission made under the Town and Country Planning Act 1990; and
- b. Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990,

where the recommendation is for approval and the application falls within at least one of the following categories:

- i. construction of 20 or more dwellings
- ii. outline residential development with a site larger than 0.1 hectare
- iii. construction of a non-residential building exceeding 1,000sq. metres in floorspace outside a designated Strategic Industrial location or Locally Significant Industrial site;
- iv. outline non-residential development with a site larger than 0.1 hectare, outside a designated Strategic Industrial location or Locally Significant Industrial site;
- v. the matter relates to a proposal falling within one of the categories i. to iv. above, and would, if approved, represent a significant departure from one or more of the policies in the Development Plan and, in the opinion of the Strategic Director Regeneration and Environment or the Head of Planning constitute a substantial conflict with the aims and objectives of the relevant policy or policies; or
- vi. 8 or more written objections or a petition containing at least 10 signatures have been received, in accordance with the criteria set out below but only if the application does not relate to:
 - a. alterations to residential buildings including extensions, outbuildings (including garages), walls, vehicular accesses, hardstandings, porches, aerials;
 - b. satellite television dishes or aerials;
 - c. certificates of lawful use of development; or
 - d. prior approvals.

2. To determine the following:

- a. Applications for Planning Permission made under the Town and Country Planning Act 1990; and
- b. Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990,

where at least three Brent Councillors have requested, in accordance with the criteria set out below, that the application be considered by the Planning Committee.

3. To determine or consider any other planning application or planning matter, including pre-application presentations and proposals subject to non-determination appeals, referred to the committee by the Strategic Director Regeneration and Environment or the Head of Planning.
4. To determine any other planning application or planning matter which the Planning Committee has specifically indicated it wishes to consider itself with the exception of proposals subject to non-determination appeals which in the opinion of the Strategic Director Regeneration and Environment or the Head of Planning require an urgent response.

Limitations

With the exception of applications falling within paragraphs 1. vi. or 2. above, section 73 of the Town and Country Planning Act 1990 applications for minor material amendments are excluded unless, in the view of the Strategic Director Regeneration and Environment or the Head of Planning, the minor material amendment raises issues of planning significance not previously considered.

Criteria for written objections

For the purposes of paragraph 1. vi. above, an objection is valid only if, in the opinion of the Strategic Director Regeneration and Environment or the Head of Planning, all of the following criteria are met:

- it is submitted on-line via the Council's Planning Public Access System or it is received by letter or an email*;
- it is in response to a current application that has been publicised by the Council;
- it includes the person's name and postal address;
- it is from a person who lives or works or carries on a business:
 - in Brent; or
 - in a ward which is actually and directly affected by the application and adjoins Brent but is in a neighbouring authority's area;
- it raises planning considerations that are material and related to the application;
- it clearly states what is being objected to and gives reason(s) which are relevant planning considerations; and
- any material planning objection raised cannot be overcome by imposing planning condition(s) or securing planning obligation(s).

* Identical, similar or pro-forma letters or emails, which also meet all of the above criteria, will each be treated as a single signature in support of a petition and not as individual objections in their own right.

Criteria for Councillor referral

An application will fall within paragraph 2. above if, in the opinion of the Strategic Director Regeneration and Environment or the Head of Planning, all of the following criteria are met:

- it clearly states that the Councillor wishes the application to be determined by the Planning Committee and explains why it is not appropriate for the application to be determined under officer delegated powers;
- it states whether or not the Councillor has been in contact with the applicant, agent, objector(s) or any other interested party concerning the application and, if so, provides details of the approach(es), including the identity of the person(s);
- it is in response to a current application that has been publicised by the Council; and
- it raises planning considerations that are material and related to the application.