

## Planning

5.25 To consider and determine any application (without prejudice to limitations on this power as provided by law or as provided elsewhere in the Constitution) submitted pursuant to the Planning Acts or any regulations or orders made pursuant to the Planning Acts (as revoked and replaced or amended from time to time) excluding an application:

(a) which in the opinion of the Head of Planning Housing and Health:

(i) is in conflict with the adopted Development Plan (as may be reviewed and/or amended from time to time); and

(ii) is of sub-regional or district wide significance; or

(iii) is for outline permission, reserved permission, full permission or is for the development of land without compliance with conditions under section 73 of the Town and County Planning Act 1990 and is on the Council's own land, on land occupied by the Council or has been submitted by the Council; or,

(iv) has been submitted by:

a. a Member (or their partner) or where the Member (or their partner) has submitted an application on behalf of another acting pursuant to their employment, trade, profession or vocation (or have otherwise been formally contracted in connection with such application); or

b. an Officer (or their partner) who at the time of submitting the application is part of the Planning Service (or, in the opinion of the Head of Planning Housing and Health, is in a role that is close to the planning process in respect of the application or otherwise exerts influence over that process), save that the Head of Planning Housing and Health may still determine the application so long as he has previously consulted with the Monitoring Officer and the Officer concerned does not participate in the processing or determination of the application; or

(b) which in the opinion of the Head of Planning Housing and Health, save otherwise provided for herein, ought to be determined by the Planning Committee (provided that in such

a case, at the absolute discretion of the Head of Planning Housing and Health, the application may be first referred to a site inspection Committee after consultation with the Chairman of the Planning Committee and the Ward Member(s) for the ward in which the application site is situated; or

- (c) in respect of which the Head of Planning Housing and Health receives within 28 days, unless agreed otherwise with the Head of Planning Housing and Health, of an application being registered, a written representation from a Member(s) containing sound planning reasons for the application to go to Planning Committee for decision. Should the Head of Planning Housing and Health be minded to refuse the request to suspend delegation they must consult with the Chair of Planning Committee. If the Head of Planning Housing and Health and Chair (or Vice-Chair if the application is called in by the Chair) of the Planning Committee cannot reach an agreement after consultation then the application will be brought to the Planning Committee for consideration. Factors to be weighed by the Head of Planning Housing and Health include the extent of public interest (recognising that this in of itself does not constitute material planning grounds), the wider community impact, the decision is a finally balanced one and/or the planning matters under consideration are of broad significance.