



Uttlesford District Council

Chief Executive: Peter Holt

Planning Committee Working Group

Date: Thursday, 16th December, 2021

Time: 2.00 pm

Venue: Zoom - <https://zoom.us/>

Chairman: Councillor S Merifield

Members: Councillors P Fairhurst, R Freeman, M Lemon, J Loughlin and R Pavitt

AGENDA

1 Apologies for Absence and Declarations of Interest

To receive any apologies for absence and declarations of interest.

2 Welcome from the Chair

Councillor Merifield to welcome all.

3 Changes to Call in Protocol for planning applications 3 - 4

To consider changes to Call in Protocol for planning applications (Page 57).

4 Changes to Member Training requirements for Planning Committee 5 - 6

To consider changes to Member Training requirements for Planning Committee (Page 51).

5 Committee Report template

To consider the Committee Report template.

6 Dates of Future Meetings

Please note the following future meetings. All start at 2.00 pm.

- 6 January 2022
- 27 January 2022
- 17 February 2022
- 10 March 2022
- 31 March 2022
- 21 April 2022
- 12 May 2022

For information about this meeting please contact Democratic Services

Telephone: 01799 510410, 510369, 510467 or 510548

Email: Committee@uttlesford.gov.uk

General Enquiries

Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

Fax: 01799 510550

Email: uconnect@uttlesford.gov.uk

Website: www.uttlesford.gov.uk

Agenda Item 3

PART 5 - PROTOCOL FOR CALLING IN PLANNING APPLICATIONS

PROTOCOL FOR CALLING IN PLANNING APPLICATIONS

1. Introduction

- 1.1. Uttlesford District Council is the local planning authority for the district of Uttlesford. As such it is responsible for taking decisions on planning applications within the District. Under the Town and Country Planning Act 1990 decisions on planning applications must be taken in accordance with the development plan unless material planning considerations indicate otherwise.
- 1.2. Most applications are dealt with by officers under delegated powers. Officers have power to refuse any applications which are not in accordance with the development plan and have delegated authority to grant planning permission in specified cases where the proposed development does accord with the development plan. The full scope of the delegated powers can be found in the Members' Handbook.
- 1.3. This protocol sets out the procedures to be followed when a member wishes an application for planning permission which can be dealt with by officers under delegated powers to be considered by the Planning Committee ("calling in an application").

2. Procedure for calling in an application

- 2.1. Any member of the council may call in an application which would fall to be dealt with by officers under delegated powers regardless of where the application site is situated within the District.
- 2.2. If a member is considering calling in an application for a site in a ward in respect of which that member is not a ward member then before calling in the application the member shall inform the member or members for that ward of the intention to do so.

23. A request for a planning application to be called in must be:-
- 2.3.1. In writing (including e-mail);
 - 2.3.2. Made within 5 weeks of the validation date (which may be ascertained from the Council's website);
 - 2.3.3. State if the application is to be called in if the officer recommendation is for approval or refusal (but not both);
 - 2.3.4. Give valid planning reasons for requesting that the application be called in.

3. Invalid call-ins

- 3.1. A request for a call-in may be rejected by the Assistant Director – Planning and Building Control if he is not satisfied that the reasons given for the call-in are planning reasons.
- 3.2. An application should not be called in merely because it is controversial. Applications should only be called in where there are planning reasons for disagreeing with the officer recommendation.
- 3.3. Members should not call in an application because they are requested to do so by an applicant, an objector or a parish or town council unless the member concerned is satisfied that there are planning reasons for disagreeing with the officer recommendation.
- 3.4. Members should not call in an application made by or opposed by a related person (as defined by the Code of Conduct of Uttlesford District Council) under any circumstances

Agenda Item 4

PART 5 - PROBITY IN PLANNING

and all background information will be made available for public inspection upon publication of the agenda papers, unless there are specific reasons for exempting information in accordance with the Local Government Act 1972.

- 3.5.2 Applicants, agents and members of the public, representatives of parish councils and members of the Council who are not members of the committee may speak at the meeting. The procedures for notifying the Council and speaking are set out in part 5 of the Constitution.

3.6 Site Visits

Site visits can cause delay and additional costs and should only be used when the expected benefit is substantial. A site visit is only likely to be necessary if the impact of the proposed development is difficult to visualise from the plans and any supporting material, including photographs taken by officers. The reason for requesting a site visit must be clearly set out by the proposer and recorded in the Minutes. All site visits must be carried out in accordance with the Council's agreed procedures set out in Appendix 1 to this Code. A site visit is not part of the formal committee proceedings and is not a forum for debate or making planning decisions. Site visits are not open to the public and should not be used to canvass local opinions or as an opportunity for lobbying or advocacy. Councillors should not express personal opinions during site visits.

4. Administrative Matters

4.1 Member Training

Councillors will be given regular updates to keep them informed of important changes in legislation, procedures or practices, either verbally at meetings or as briefing

notes (for example in the Members' Bulletin). Officers will arrange training on planning issues. All members of the Council will be invited to attend. All members of the Planning Committee should attend.

4.2 Monitoring of Decisions

The Council should monitor planning decisions taken, on an annual basis, both in terms of quality and consistency. Annually, councillors will visit a sample of implemented planning permissions to assess the quality of the decisions. The committee should formally consider the annual report and decide whether it gives rise to the need to review any policies or practices. The review may include information identifying the number of cases where officers' recommendations were not accepted and the outcome of any related appeal decisions. The results of the monitoring will be reported to councillors along with any recommendations to improve quality, consistency or performance.

4.3 Record Keeping

The planning application files should be complete and accurate containing sufficient information and itemising events so that the reason for the decision can be easily understood. Only "background papers" as defined in the Local Government Act 1972 are automatically available as a right to third parties. These would include, in addition to the application document, associated letters and supporting information, replies from consultees and letters from supporters and objectors. The same principles apply to applications determined under officers' delegated powers. Such decisions should be as well documented and recorded as those taken by councillors. These principles apply equally to enforcement and development framework matters.