

## Making Development Control Decisions (Elmbridge BC)

Text updated January 2010

In this document development control decisions should be taken to include

- Planning applications
- Enforcement actions
- Lawful Development Certificates
- Section 106 agreements
- Tree Preservation Orders
- Advertisement consents

### **Initial assignment of delegation level**

1. At registration planning applications are assigned a level of delegation. In the vast majority of cases the decisions are delegated to officers.
2. A few larger or contentious applications are assigned to a Sub-Committee(SC) for decision.
3. Applications initially designated for officer decision can be promoted as explained below.

### **Decisions Made by Officers**

1. The relevant officer is normally the Director of Environmental Services (DPES).. Some decisions (e.g. enforcement notices) are dealt with by the Borough Solicitor.
2. Decisions are taken on a daily basis by the DPES or by the Head of Town Planning
3. All officer level decisions are reported to the next available meeting of the SC
4. Decisions to issue notices (enforcements; TPOs; etc.) are reported to Ward Members prior to issue.

### **Decisions referred to Area Planning Sub-Committees:**

1. Those “conditionally”\* promoted by a Member of the SC
2. Those recommended by officers for approval but having an **unresolved** objection from **5 or more** households
3. Those applications within the Government’s ‘major’\*\* category
4. Those submitted by or on behalf of Members or Officers of the Council
5. Enforcement actions promoted by a Ward Councillor.

\*Conditionally means only promote if the officer recommendation is in one particular direction: permit or refuse. **No reason needed**

\*\* “major“ means a residential development of 10 or more units or more than 0.5 ha. in area or a commercial development or change of use covering 1000 sqm. floorspace or more than 1 hectare in site area

### **Decisions referred to the Main Planning Committee(PC):**

1. Those referred to the PC by **two** members of the PC (not necessarily members of the SC, but they must have been present during the whole of the debate on the item). This must be done **before** the SC meeting moves on to the next item
2. The applications where the SC decides that permission should be granted and there are unresolved planning objections from more than 40 households
3. Those ‘major ‘ category applications where the SC decision is contrary to the officer recommendation
4. All departures from the development plan which have to be submitted to the Government Office for the South East.

Geoff Banks 6<sup>th</sup> December, 2009