

Appendix 3 – Planning Rules

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 Section 8 – Planning Rules
4.8.36	<u>Deferrals</u>
4.8.37	<u>In this section a ‘deferral’ means where a planning application is considered at a meeting (‘deferral meeting’) but then deferral or adjourned before a decision is made. The final decision on the planning application is made at a later meeting of the planning committee (‘decision meeting’). The reasons for the deferral or adjournment are usually where the committee is seeking further information from officers or where the members of the committee determine that a site visit is appropriate.</u>
4.8.38	<u>If a planning application is deferred, the members present at the decision meeting may decide on it.</u>
4.8.39	<u>At the decision meeting all information shall be presented and made available to the members of the committee including that presented at the deferral meeting and that available from the site visit. The full merits of a planning application and all relevant considerations will be presented to the planning committee at the decision meeting. The public shall be notified of any deferral and opportunity to address the committee (irrespective if they had done so at the deferral meeting).</u>
4.8.40	<u>The members present shall not be prevented from taking part in the vote at the decision meeting simply because they did not attend either a deferral meeting or site visit. However, the members present at the decision meeting must satisfy themselves that that have all relevant information to them to enable a fully informed decision to be made on the planning application.</u>
4.8.41	<u>Where a planning application has been part decided (for example, the committee has resolved to grant planning permission conditional on the heads of terms of a section 106 agreement being approved), then at the deferred meeting, the members of the planning committee would only consider the part of the planning application that has yet to be decided (in this example, the committee would only consider the terms of the section 106 agreement and not the merits of the decision to grant permission. If the section 106 terms are agreed, then the full decision would have been made to grant permission subject to the s106 agreement. If the Head of Term are not agreed, then the application would be refused due to lack of suitable mitigation in the s106 agreement).</u>
4.8.42	<u>In this section a ‘conditional approval’ means where a planning committee approves a planning application, but the issue of the planning permission is only granted when the condition is satisfied. The decision to determine if the condition is satisfied is delegated by the planning committee to the Planning Development Management Service Manager.</u>
4.8.43	<u>If the condition relates to the completion of a s106 planning agreement or section 278 highways agreement then the planning permission shall only be granted where a copy of the proposed agreement has been placed on Part 1 of the local planning authority planning register for a minimum of 5 working days.</u>

4.8.44 If the condition relates to any other matter that amounts to a material consideration, then the terms of the delegation to officers shall include full details of how the condition is to be discharged and the period of publication on Part 1 of the register (if any) required.

Verbal updates

Section	Part 5 Section 6 – Planning Code
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5.6.59 Any material planning information which is received after the written report has been prepared and ~~after~~ before the cut-off time specified in paragraph 5.6.284-above will be presented orally to the Planning and Regulatory Committee by officers provided that the officer considers that the information raises new and relevant material planning matters.