

Appendix 5 - Proposed Changes to Constitution

- Insert definitions of
 - o Nominated Member
 - o Nominated Officer
 - o Own Interest
- Include Schedule 1 – applications that must be determined by an officer.
- Include Schedule 2 as set out in the table below – Applications that may be determined by a committee or by an officer.
- Add details of the mechanism to instigate the Triage Process and the requirement for applications to pass the Gateway Test in order to be referred to committee, including the exceptions as set out in Table 1 Below:
- Part 3 – Responsibility for Functions
 - o Planning Committee at Page 3/7 – set maximum membership and review delegations
 - o Scheme of Delegation at Para 11.29 – Review and amend to reflect regulations
 - o Review and amend Proper Officer functions.
- Part 4 – Rules of Procedure
 - o Rule 18 – Petitions – Update (1)
- Part 5 – Codes and Protocols
 - o Planning Matters Guidance note to be updated
- Appendices – Officer's Code of Conduct
 - o Para 4.2.1 (PDF Page 100) to be updated

The applications eligible for Triage for the Gateway Test will be set out in the constitution:

1. An application for listed building consent made under section 10(1) of the Listed Buildings Act (making of applications for listed building consent) (LBC) <i>A Schedule 1 application for planning permission connected to an application for listed building consent can fall within Schedule 2</i>	Eligible for triage to Gateway Test
2. An application made under section 19(1) of the Listed Buildings Act (variation or discharge of conditions of listed building consent)	Not eligible for triage to Gateway Test
3. An application for planning permission that the authority concerned considers is connected with an application of a kind specified in 1 and 2 above.	Eligible for triage to Gateway Test
4. An application for planning permission that is not (a) a householder application, (b) a minor commercial application, or (c) a minor residential application.	Eligible for triage to Gateway Test
5. An application made under S73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission.	Eligible for triage to Gateway Test

6. An application made under S73A(1) of TCPA 1990 (planning permission for development already carried out) (RSP)	Eligible for triage to Gateway Test for all those application types eligible within the other parts of Schedule 2.
7. In respect of a planning obligation that the authority concerned considers is connected with a Schedule 2 approval, a) A request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations); b) An application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations).	Not eligible for triage to Gateway Test
8. A reserved matters approval application in respect of a large outline permission	Eligible for triage to Gateway Test
9. An application made under regulation 9(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (application for express consent to display advertisement)	Eligible for triage to Gateway Test
10. An application made under regulation 16(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order)	Not eligible for triage to Gateway Test

Note:

For definitions of key terms, see The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026