

Appendix 2 - Summary of existing and proposed wording of criteria and reasons for the changes

Existing criteria	New criteria	Reason for change/no change
Applications involving a site area greater than 25 hectares or extraction/input in excess of 30,000 tonnes per annum or new development with a floor space in excess of 10,000sqm	This criterion has been amended and split to include Section 73 applications (variations) but to distinguish between new sites and variations in term of the site area and throughput. The proposed new criteria and the reasons for them are detailed separately below.	
	(a) Applications for new minerals or waste sites involving a site area greater than 25 hectares or extraction/input in excess of 30,000 tonnes per annum;	(a) The proposed wording ensures that the 25 hectares criterion only relates to new sites and not to proposals to vary conditions attached to existing planning permissions.
	(b) Section 73 variations on existing minerals or waste sites which involve increasing the rate of extraction/input by more than 30,000 tonnes per annum;	(b) The proposed wording confirms that any variation application which seeks to increase the amount of mineral extraction or waste input by 30,000 tonnes per annum will automatically be referred to committee.
	(c) New built development with a floor space in excess of 1,000 square metres	(c) Reduce new built floorspace from 10,000sqm to 1,000 sqm to ensure schemes of significant floorspace are brought to members for a decision. 10,000sqm considered to be set too high and has resulted in no applications being brought to Committee on that basis.
Applications involving a departure from the Development Plan and which meet the	(d) Applications involving a departure from the Development Plan and which meet the	Separate this criterion into two separate criteria for clarity and Local Member

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<p>criteria for applications being referred to the Secretary of State before granting planning permission, plus development in a Flood Risk Area to which the County Council, as Lead Local Flood Authority, has made an objection. Departure applications which do not meet the criteria for referral to the Secretary of State will only be determined under delegated powers with the prior agreement of the Local Member</p>	<p>criteria for applications being referred to the Secretary of State before granting planning permission. Departure applications which do not meet the criteria for referral to the Secretary of State will only be determined under delegated powers with the prior agreement of the Local Member(s)</p>	<p>changed to plural to reflect divisions represented by more than one Member.</p>
<p>As above</p>	<p>(e) Applications to which a *statutory consultee has made an objection [*as defined by the Town and County Planning (Development Management Procedure) (England) Order 2015 and any subsequent amendments]</p>	<p>Now a separate criterion and category broadened to include objections from all statutory consultees not just those from the Lead Local Flood Authority. Definition of statutory consultee added for clarity.</p>
<p>Applications accompanied by an Environmental Impact Assessment</p>	<p>(f) Applications accompanied by an Environmental Impact Assessment</p>	<p>Criteria to remain the same to enable Committee consideration of large-scale mineral, waste and County Council development and those in sensitive locations.</p>
<p>Applications which have S106 agreements/ Planning obligations or a Planning Performance Agreement and those which have other financial implications for the County Council</p>	<p>(g) Applications which have financial implications for the County Council such as;</p> <ul style="list-style-type: none"> • Section 106 agreements/ obligations/ restoration bonds, • Review of minerals permissions (ROMPs) and revocation orders where compensation is likely to be payable, 	<p>Criteria to be amended so Members are made aware of any financial implications for the County Council relating to proposals where restoration bonds are sought. Financial implications relating to ROMPS included within this criterion in place of previous separate criterion.</p>

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	<ul style="list-style-type: none"> • Applications subject to a Planning Performance Agreement. 	
Applications which have received valid planning objections, in writing, from the District/Borough or Parish Council or local Member within the statutory consultation period or within an extended period as agreed by the County Council	(h) Applications which have received material planning objections, in writing, from the District/Borough or Parish Council or local Member(s) within the statutory consultation period or within an extended period as agreed by the County Council.	<p>“Valid” changed to “material” planning objections to be consistent with wording used in criterion (j).</p> <p>Local Member changed to plural to reflect divisions represented by more than one Member.</p>
Applications which have been referred to committee by a local member	(i) Applications which have been referred to Committee by the Chair and/or Vice Chair of Planning and Licensing Committee and/or the local Member(s).	Chair and Vice Chair referrals added at the request of the Chair/ Vice Chair of Planning and Licensing Committee. Local Member changed to plural to reflect divisions represented by more than one Member.
Applications which have received significant* objections, within the statutory consultation period or other such period as agreed with the County Planning Authority, from consultees or neighbouring occupiers (* for clarification, 'significant' objections requiring referral must i) raise material planning consideration, ii) be irresolvable by amendment to the scheme or imposition of planning conditions, iii) involve four or more objections from separate properties)	(j) Applications which have received 4 or more material planning objections, within the statutory consultation/publicity period or other such period as agreed with the County Council, from non-statutory consultees or members of the public which are irresolvable by amendment to the scheme or through the imposition of planning conditions (and the withdrawal of the objection is confirmed in writing).	<p>Wording of condition rearranged for clarity.</p> <p>Clarity also provided by stating that objections need to be withdrawn in writing, otherwise they remain as valid objections.</p>

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<p>Applications which are submitted by Place Department (or any subsequent Department following any future restructuring where the applicant is in the same Department as the Development Management Team) where these are the subject of any objections</p>	<p>(k) Applications which are submitted by Place Department (or any subsequent Department following any future restructuring where the applicant is in the same Department as the Development Management Team) where these are the subject of any material planning objections.</p>	<p>The word “material” added for consistency with other criteria.</p>
<p>Applications which raise issues of regional or national importance or relate to proposals involving emerging technologies</p>	<p>(l) Applications which raise issues of regional or national importance or relate to proposals involving emerging technologies.</p>	<p>No change.</p>
<p>Applications involving the determination of new conditions for mineral sites and those involving the making and serving of orders for revocation, etc where compensation is likely to become payable</p>	<p>No separate criterion</p>	<p>Delete criterion and include within financial implication category above.</p>
<p>Applications for variations (Section 73 applications) to planning permissions which involve the variation or removal of a condition which Members of Planning and Licensing Committee requested be brought back to committee for determination</p>	<p>(m) Applications for variations (Section 73 applications) to planning permissions which involve the variation or removal of a condition which Members of Planning and Licensing Committee requested be brought back to committee for determination</p>	<p>No change</p>
<p>Applications which are recommended for refusal unless the refusal is on the grounds of insufficient information</p>	<p>(n) Irrespective of whether any of the above criteria apply, any application which is recommended for refusal, unless the refusal is on the grounds of insufficient information.</p>	<p>Clarity provided so that even if the proposals meet other criteria, if there is insufficient information provided (despite repeated requests) they can be refused on those grounds alone.</p> <p>All other recommended refusals will be reported to Committee for a decision.</p>

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		Members' endorsement of the decision to refuse an application is considered to be beneficial if the decision is subsequently subject to an appeal.
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