

Development Control

9.7 To determine (including the power to refuse), all applications for planning permission (including reserved matter applications and applications to develop Crown Land), Listed Building consent, Conservation Area consent, and consent to display adverts, and applications under Regulation 3 and 4 of the Town and Country Planning (General Regulations) 1992 in respect of development by, or on behalf of, Thanet District Council or Kent County Council, in accordance with policies contained in a draft or adopted Development Plan for the area, or other approved documents in the form of planning guidance for development, other than:

- (i) applications which the Director of Regeneration Services or Planning Applications and Enforcement Manager in consultation with the Chairman or Vice Chairman of the Planning Committee, considers to be of significant public interest;
- (ii) applications which Council Members have specifically requested to be referred to the Planning Committee in accordance with the requirements of any Member's Call in Procedure from time to time approved by the Council;
- (iii) applications submitted by or on behalf of a Member of the Council or an officer
- (iv) applications under Regulation 3 and 4 of the Town and Country Planning (General Regulations) 1992 in respect of development by or on behalf of Thanet District Council;

9.8 To determine (including the power to refuse) applications for householder development in the curtilage of a dwellinghouse located outside the urban and village confines as identified in the adopted Development Plan

9.9 To determine applications to make non-material changes to a planning permission including the power to amend the planning permission and impose additional conditions;

9.10 To add or amend conditions and reasons for refusal on all applications which are considered at Planning Committee, as are necessary to ensure that when a planning permission or refusal is issued, it expresses as clearly and completely as possible the intentions of the Members of the Committee in making that decision and protects the interests of the Council as Local Planning Authority, the reason for the decision being accurately recorded in the Planning Committee minutes and on the Decision Notice.

(In all cases, where differences arise between the published minutes and the conditions or reasons for refusal issued by the Director of Regeneration or the Planning Applications and Enforcement Manager, the latter shall prevail and be the binding and effective decision of the Local Planning Authority.)

9.11 To make observations on proposals submitted for comment and/or determine applications for prior approval in accordance with Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any other relevant Development Order, including:

Part 6 (Agricultural Buildings)

Part 24 (Telecommunications Code Systems Operators)

Part 31 (Demolition of Buildings)

Subject to the proviso that applications for prior approval in relation to Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) may be called in by Members for determination by the Planning Committee in accordance with the requirements of any Member's Call in Procedure from time to time approved by the Council;

- 9.12 To make observations in accordance with policies contained in a draft or adopted Development Plan for the area, or other approved documents in the form of planning guidance for development, on planning applications submitted to the County Planning Authority within the district for determination, and referred to the Council as Local Planning Authority for comment in accordance with **Article 22 of the Town and Country Planning (Development Management Procedure)(England) Order 2010**, in the case of major applications in consultation with the Chairman of the Planning Committee or in his or her absence, the Vice-Chairman.
- 9.13 To negotiate in consultation with the Head of Legal and Democratic Services, and within the context of Government Guidance and the Council's own policies, planning agreements under Section 106 of the Town and Country Planning Act 1990, and other legal agreements, where these are required in connection with the grant of planning permissions dealt with under delegated powers, and in other cases where such agreements are appropriate.
- 9.14 To provide scoping and screening opinions with regard to applications potentially requiring the submission of an Environmental Impact Assessment in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- 9.15 To require further information in respect of applications for outline planning permission in accordance with **Article 4(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2010**.
- 9.16 To approve or refuse details submitted, in order to comply with Conditions attached to planning permissions and other relevant consents
- 9.17 To determine applications for Hazardous Substance consent under the Planning (Hazardous Substances) Act 1990.