SECTION J - THE DEVELOPMENT CONTROL BOARD

1. Determining the following functions of the Council as the Local Planning Authority:

1.1. Any application recommended for approval with five or more objections from local residents other than an application for prior approval which may be agreed by the Divisional Director of Regeneration in consultation with the Chair and Deputy Chair.

1.2. Applications which are recommended for approval and are considered by the Divisional Director of Regeneration to be contrary to any material aspect of the Unitary Development Plan (UDP) or Local Development Framework (LDF) except applications for:

   1.2.1. flats above shops in retail parades which do not provide amenity space to the standards set in Borough Wide Development Policy BP8;

   1.2.2. new houses with a garden of less than 12 metres depth where the new homes do not back on to other houses, adequate back to back distances are maintained, or where the rooms are arranged to ensure there are no overlooking issues;

   1.2.3. new homes with less than 1 for 1 car parking in a Controlled Parking Zone.

1.3. Applications for the mining and working of minerals or the use of land for mineral working deposits.

1.4. Applications which are recommended for refusal and are considered by the Divisional Director of Regeneration not to be contrary to any material aspect of the UDP or LDF

1.5. Applications submitted by or on behalf of a Councillor or by any employee (or their spouse/partner) of the Regeneration Division.

1.6. Applications which any Councillor requests in writing to the Divisional Director of Regeneration within 21 days from the date of validation of the application subject to agreement of the Chair.

1.7 Subject to the agreement of the Chair, any other application or issue which, by reason of its scale, impacts upon the environment or the level of public or likely Councillor interest should, in the opinion of the Divisional Director of Regeneration, be determined by the Development Control Board.

1.8 To appoint at the commencement of each municipal year a Visiting Group to undertake inspections of buildings and sites as directed by the Board and to make recommendations to the Board. Membership of the Visiting Group to accord with Article 7A of Part B of the Council Constitution.
1.9 Authorisation of legal challenges to appeal decisions.

1.10 Reports on new, or amendments to existing, statutory provisions and guidance covering development control matters.

1.11 Revoking and hearing opposed Tree Preservation Orders.

1.12 Appointing a Panel of six Development Control Board Members, including the Chair and Deputy Chair, to meet twice a year in March and September to:

(a) select and review a random sample of up to 20 delegated decisions on a range of applications and examine 5-10 of them to evaluate whether or not:

- delegation was appropriate;
- the description was correct;
- appropriate notifications were issued;
- appropriate issues were identified;
- the application met the appropriate deadline;

(b) review planning appeal performance;

(c) scrutinize overturned decisions; and

(d) report back to the Development Control Board accordingly.

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