Member Referral for Planning Committee

Under the new National Scheme of Delegation, Councillors will not have the opportunity to call applications in for consideration at Planning Control Committee. Instead, a member can seek referral of an application for consideration.

Members must complete this form and send it to the Planning Officer within 21 days of an application appearing on the weekly list of applications received.

A Member referral request will not mean the application is automatically presented to Planning Committee. The request will be assessed to determine if it meets the tests for the gateway assessment. If it does, it will be presented to and discussed by the nominated officer and the nominated Member (usually the Chair of Planning committee) at the gateway review meeting who both must agree on the outcome. If not, it will be a delegated decision.

1) Application Details

Application No.

Location:

Description:

What application type does the proposal relate to:

2) Schedule

Please refer to Appendix 1

Which Schedule does it fall within:

3) Gateway Test

Test 1

Does the application raise an economic, social or environmental issue of significance to the local area, please explain:

Test 2

Does the application raise a significant planning matter, having regard to the development plan and any other material considerations, please explain:

Signed:

Name:

Date:

Appendix A

Scheme of Delegation of Planning Decisions' explanation guide

The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (https://www.legislation.gov.uk/uksi/2026/854/contents/made) were made on 15 July 2026 and come into force on 31 October 2026.

The regulations set out the national scheme of delegation which identifies those planning applications that are to be determined by officers and those that will be considered at a Planning Committee.

Schedule 1 - Delegated to Officers

In line with Regulation 4 of the Regulations, the Council must delegate determination of all 'Schedule 1' applications to officers. **These applications cannot be referred to Planning Committee.** They include the following categories:

	Application Type	Explanation
a)	Certificate of Appropriate Alternative Development	An application to establish whether a certain description of development is appropriate alternative development in order to establish an appropriate land value. Section 17(1) of the Land Compensation Act 1961.
b)	Certificate of Lawfulness of Proposed Works to Listed Building	An application for a certificate of lawfulness of proposed works to a listed building. Section 26H(1) of the Listed Buildings Act.
c)	Householder Applications	Applications for alterations or extensions to an existing dwelling, or development within the curtilage of a dwelling.

d)	Minor Commercial Applications	Applications which provide less than 1000 sqm of floorspace or on a site of less than 1 hectare and relate to: - Shop (Class E(a)), - Food and drink mostly consumed on premises) Class E(b), - Financial and professional (Class E(c), - Drinking establishments (Sui Generis), - Hot food takeaways (Sui Generis).
e)	Minor Residential Applications	Applications that: (i) include only dwellings and development for purposes incidental to the enjoyment of dwellings, (ii) comprise at least one but not more than nine dwellings, (iii) is to be carried out on a site having an area smaller than 0.5 hectares. Applications for planning permission for development (other than excluded flat development) of a building containing flats, or development within the curtilage of such a building, for any purpose incidental to the enjoyment of the flats or any of the flats.
f)	Permission in Principle	An application to establish whether a site is suitable in principle for a minor housing-led development. Section 58A of the Town and Country Planning Act 1990.
g)	S73(1) Variations (if original permission was schedule 1)	An application to vary or remove conditions attached to the original planning permission, which was granted on a Schedule 1 application. Often called 'minor material amendment'.
h)	Non Material Amendments	An application for non-material changes to an existing planning permission or permission in principle. Section 96A(4) of the Town and Country Planning Act 1990.

i)	Section 106A modifications (Schedule 1)	Requests or applications to modify or discharge a planning obligation (Section 106 agreement) where the obligation is connected to a Schedule 1 application or approval. Section 106A(1)(a) or 106A(3) of the Town and Country Planning Act 1990.
j)	Certificate of lawfulness of existing use or development	An application to determine whether an existing use or development is lawful (immune from enforcement action or didn't require planning permission). Section 191(1) of the Town and Country Planning Act 1990.
k)	Certificate of lawfulness of proposed use or development	An application to determine whether a proposed use or development is lawful (immune from enforcement action or doesn't require planning permission). Section 192(1) of the Town and Country Planning Act 1990.
l)	Biodiversity Gain Plan	Submissions of a Biodiversity Gain Plan pursuant to the mandatory Biodiversity Net Gain requirements after planning permission is granted. Schedule 7A to the Town and Country Planning Act 1990.
m)	Reserved Matters (non-large outline)	Reserved matters applications pursuant to an outline planning permission other than a "large" outline permission. Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015). Note: Large outline permissions are those authorising 500+ dwellings or ≥50,000 m² commercial floorspace; reserved matters for such large outlines are treated as Schedule 2 - see below.
n)	Discharge of Conditions	Applications for approval of details required by planning conditions after planning permission is granted. Article 27(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

o)	Prior approval or notification	Applications for prior approval, or a determination as to whether prior approval is required for Schedule 2 permitted development. Schedule 2 Town and Country Planning (General Permitted Development) (England) Order 2015.

Schedule 2 - Referral to the Gateway Test

In line with Regulation 5 of the Regulations, the Council must consider whether Schedule 2 applications should be considered against the Gateway Test. The application will be determined by Planning Committee where the Schedule 2 application passes the Officer triage exercise and thereafter, the nominated member and nominated officer agree that the application meets the Gateway Test.

Applications which do not pass the triage exercise or meet the Gateway Test will be determined under delegated authority by officers. Where the agreement of the nominated member and nominated officer is not possible applications will be determined under delegated authority by officers.

The 'Gateway Test': the application raises -

a) one or more issues of economic, social or environmental significance to the local area, or

b) one or more significant planning matters having regard to the development plan and any other material considerations.

They include the following categories:

	Application Type	**Explanation**
a)	Listed Building consents	Applications for Listed Building Consent
b)	Application to develop land without compliance with conditions previously attached in relation to schedule 2	An application to vary or remove conditions attached to the original planning permission, where the original permission would be a Schedule 2 application. Often called 'minor material amendment'. Section 73(1) of Town and Country Planning Act 1990.
c)	Application for development already carried out in relation to schedule 2	A retrospective application for development which would fall under Schedule 2. Section 73A(1) of Town and Country Planning Act 1990.

d)	Major applications	Applications involving any one or more of the following - (a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where - (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more.
e)	Reserved Matters (large outline)	Applications for approval of reserved matters under an outline permission that is a “large outline” (500 or more dwellings, or 50,000 m²+ floorspace).
f)	Any other application not covered in paragraph 2 or 3	All other planning permission applications which are not for development listed in the previous tables (For example: advert, change of use, gypsy & traveller sites).

Own Interest Applications

In line with Regulation 6 of the Regulations, ‘own interest application’ will be referred to the gateway test, with the exception of any application for prior approval, certificate of proposed or existing use/development or tree works which will be delegated:

a) Planning applications where the Council is the applicant or landowner,

b) Planning applications where the applicant is a member of the Council,

c) Planning applications where the applicant is an employee of the Council,