

STRATEGIC SITES PLANNING APPLICATION DELEGATION

PRACTICE NOTE JULY 2024 (Version 2)

Purpose of note

To set out the approach to dealing with planning applications for strategic sites

Background

Officers have been following the practice of reporting all the larger strategic growth site planning applications as allocated in the Chelmsford Local Plan and where masterplans have been agreed, to the planning committee (see appendix 1). This is understood to follow an agreement between David Green and members a few years ago. A number of members and applicants have recently questioned this process.

Proposed new practice

The new practice will apply to all large strategic growth site outline and full applications with approved masterplans which do not fall within the scope of the criteria listed in paragraph 3.4.7.21 of the constitution. That is cases which do not fall within a – h (see appendix 2) and would need to be considered by the planning committee in any event.

Unless the Director of Sustainable Communities decides not to exercise their power of delegation such applications will be determined under delegated powers where:

- i) Affordable housing provision is in accordance with policy, and
- ii) The application complies with or only contains minor variation to the approved masterplan, and
- iii) The application development if it provides housing (C3) is for no more than 20 units

Appendix 1

Large strategic growth site applications with approved masterplans

SGS 1b - Former St Peter's College, Fox Crescent

SGS 2 – West Chelmsford

SGS 3a – East Chelmsford, Manor Farm

SGS 3b 3c and 3d – East Chelmsford North and south of Maldon Road

SGS 6 – Northeast Chelmsford

SGS 7a, 7B, 7c and 7d – Great Leighs

SGS 8 – North of Broomfield

SGS 10 North of South Woodham Ferrers

Appendix 2

Constitution relating to Referral to the Planning Committee

- a) proposals where a representation has been received before the end of the 21-day consultation period that is contrary to the recommendation of the appropriate officer and a City Councillor(s) for the ward or wards in which the proposal is intended to take place has requested that the case should be reported to Members for determination;

- b) proposals which would have the effect, either cumulatively or otherwise, of granting permission, consent or other approval for matters previously refused by Members;

- c) proposals to which The Town and Country Planning (Consultation) (England) Direction 2009 applies where it is not proposed to refuse planning permission, such that consultation with the Secretary of State is required under Paragraph 9;

- d) proposals (other than the submission of details required by condition) identified as being submitted by or on behalf of the City Council, or in respect of land in which the City Council has an interest that would be affected by the proposal, and an adverse representation or comment has been received;

- e) proposals, except for applications for certificates of lawfulness, identified as being submitted by or on behalf of City Councillors or employees where an adverse representation or comment has been received, unless the Monitoring Officer has notified the Director of Sustainable Communities Services in writing that they are satisfied that the delegation may be exercised in the case concerned;

- f) proposals to approve, revoke, modify or discontinue use orders where compensation is involved;

- g) proposals to confirm or modify a tree preservation order where an objection has been received and where a City Councillor has requested that the case be reported to Members for determination; and

- h) decisions whether it is expedient to issue an enforcement notice where the Director of Sustainable Communities, after consultation with the Chair and Vice-Chair of the Planning Committee, considers the case should be reported to Members for determination. (If the Vice Chair is of the same political group as the Chair, the spokesperson of the largest minority group will also be consulted.)