

TERMS OF REFERENCE

REGULATORY COMMITTEES

PLANNING COMMITTEE

Membership

Maximum 13 councillors reflecting political balance

Members must attend Development Management training at least annually. New Members must attend induction training on an introduction to Planning and Decision Making, and Appeals/Costs, as a minimum, before they can sit on the Committee. Members of the Committee are expected to attend all further training sessions provided on the Planning regime. Any Member not undertaking these training activities will be unable to serve on the Committee until such time that the minimum training requirement has been met.

Functions

1. Subject to the Council's Planning Committee Referral Protocol below, Delegations to Officers and any statutory requirements governing the discharge of local planning authority functions, the Committee shall exercise its functions in accordance with the National Scheme of Delegations and the Town and Country Planning (Discharge of Local Planning Authority Functions)(England) Regulations 2026.

Applications shall only be referred to the Planning Committee where such referral is permitted by law.

- 2. Powers under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as revised or amended)
- 3. For the local listing of any building

Planning Committee Referral Protocol

For the purposes of this Protocol, the following terms shall have the following meanings:

Nominated Officer shall mean the Planning Development Manager for the time being; and

Nominated Member shall mean the [chair of the Planning Committee or their substitute that shall be appointed in accordance with the Constitution]

1. Purpose

Updated,

Responsibility for Functions

Deleted: 15

Deleted: Control

Deleted: Subject to staff delegations, any applications for planning permission under Part III of the Town and Country Planning Act 1990 to which any of the following below apply AND subject to no decisions being issued within 21 days of the application's appearance on the Publicity Schedule,¶

Deleted: Where councillor representations are received in writing within the specified "call in" period within the approved scheme.¶

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Where the Planning Development Manager decides, after consultation with the Chairman of the Planning Committee, that an application should be submitted to the Planning Committee on planning grounds, or where there is significant public concern or where it is very contentious.¶

¶
Where the application is submitted by the Council or by the Council with another person (individual or corporate).¶

¶
Where the application is submitted by an officer of the Council (which shall also include applications for lawful development under Part VI of the 1990 Act).¶

¶
Where an application is submitted by a councillor (which shall also include applications for lawful development under Part VI of the 1990 Act).¶

¶
Approval of over 9 (nine) net additional residential units by new build (minor application).¶

¶
Approval of over 1,000m² net additional floor space by new build (major application)¶

¶
Recommendation of no objection for over 1,000m² net additional building floor space or 1 hectare net additional land area in connection with new Surrey County Council minerals and waste applications (gravel extraction/restoration).¶

¶
Recommendation of no objection for extension of time limits for Surrey County Council minerals and waste applications where the net additional land area is over 5000m².

Deleted: 23 October 2025

Part 3 section (b)

1.1 The Town and Country Planning (Discharge of Local Planning Authority Functions)(England) Regulations 2026 ("the 2026 Regulations") introduce a mandatory National Scheme of Delegation for local planning authority decision making. The 2026 Regulations set out the circumstances which planning applications must be determined by officers or may be referred to the Planning Committee.

1.2 The protocol explains how Spelthorne Borough Council will operate the National Scheme of Delegation.

2. Operation

2.1 The 2026 Regulations split applications into 2 groups – applications that must be determined by officers (listed in Schedule 1 of the 2026 Regulations) and applications that may be referred to the Planning Committee (listed in Schedule 2 of the 2026 Regulations) subject to the Nominated Officer and the Nominated Member both agreeing that application meets at least one of the criteria in Regulation 5(3):

- i) where the application raises an economic, social or environmental issue of significance to the local area; and/or
- ii) where the application raises a significant planning matter having regard to the development plan and any other material considerations.

There is a presumption that Schedule 2 applications will be determined by officers.

2.2 Applications submitted by the Council, or by an officer or by a councillor or the Council (in each case whether or not jointly with any other person), or an application in which any officer or a councillor of the Council have an interest may be referred to the Planning Committee subject to the Nominated Officer and the Nominated Member both agreeing.

3. Referral

3.1 Decisions on referral to the Planning Committee are taken jointly by the Nominated Officer and the Nominated Member, or their substitutes (as appropriate). Schedule 2 applications shall only be referred to the Planning Committee where:

- i) the application meets one or more of the gateway criteria set out in Regulation 5(3); and
- ii) the Nominated Officer and the Nominated Member both agree that referral to the Planning Committee is necessary.

3.2 Where both the Nominated Officer and the Nominated Member agree that the gateway criteria are met, the application will be referred to the Planning Committee for determination. Where both the Nominated Officer and the Nominated Member agree that the gateway criteria are not met, the application will be determined by officers.

3.3 The Nominated Officer and the Nominated Member will make every effort to reach an agreement on which cases should be referred to the Planning Committee. Where agreement cannot be reached, the case must be determined by the Nominated Officer in accordance with regulation 5(2) or regulation 6(3)

4. Transparency and reporting

4.1 The Planning Development Manager shall keep a record of the cases the Nominated Officer and the Nominated Member have considered for referral to the Planning Committee, the outcome of their consideration and the reasons for their decision.

Updated ▼

Deleted: 26 February 2026

Part 3 section (b)

4.2 The Planning Development Manager shall report this to the Planning Committee on a regular basis and make it available on the Council's website.

Updated ▼

Deleted: 26 February 2026