



Adopted: 7 March 2024
Next Review: March 2025

PLANNING & HIGHWAYS COMMITTEE

TERMS OF REFERENCE

These Terms of Reference were approved at Full Council in March 2024.

Membership

1. The Council at its Annual Meeting shall elect a Chair for each year.
2. A minimum of 3 Councillors will serve on the committee and consist of all Town Councillors.
3. A quorum of a minimum of 3 members must be present to hold a meeting.
4. The committee to report to full Council meeting as appropriate.
5. All meetings to be minuted and the minutes circulated to committee members before presentation to the full Council.
6. In the absence of the committee Chair at any meeting, the committee will agree one of those present to Chair.
7. This committee has no delegated powers to spend.

Meeting frequency As required/monthly

Quorum 3

Delegated Powers The Committee will decide whether or not a particular item under discussion is within the Committee's delegated powers listed below. If it is within delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision when seeking approval and adoption of the Committee minutes.

1. To deal with planning matters including the perusal of planning applications affecting West Mersea; the submission of relevant comments to the Planning Authority;
2. To make recommendations to the Council in relation to the approval or otherwise of any development plan or strategy proposals under planning legislation affecting West Mersea if required;
3. To make recommendations to the Council in relation to any arrangements between West Mersea Town Council and the Local Planning Authority about the involvement of the Council in the discharge of planning functions if required;

It acts under delegated authority from the Council to make decision on individual planning applications and will report action taken to the Council.

Prime Objectives

To ensure that decisions on planning and other matters referred to the committee balance the wishes of the applicants with those of other interested parties and take account of the character and amenities of West Mersea , the protection of the Conservation Area and the Green Belt.

Key Tasks

1. Planning Applications

To examine each application and decide whether to recommend either an 'Objection' or 'No Objection' to the Planning Authority. Decisions should be based on the following agreed planning grounds and in line with the Neighbourhood Plan for West Mersea:

- a. Compliance with current planning policy guidelines, at both national and local level
- b. Protection of the Green Belt
- c. Protection of the Conservation Areas
- d. Effect on neighbours
- e. Effect on amenity
- f. Effect on traffic and highway safety
- g. Prevention of over-development
- h. Effect on street scene and landscape
- i. Acceptable high standard of design
- j. Effect on sustainment of services

2. New Construction

To recommend a response to Full Council for applications for construction of entirely new buildings. If a Full Council meeting is scheduled to be held after the deadline for responses to the application, then the Planning and Highways Committee will have delegated powers to provide a response to Colchester City Council. This power will only be used when responses for new buildings need to be returned and Colchester City Council are not prepared to extend the deadline before the next Full Council meeting can be held. Before responding to Colchester City Council, the Town Council Chair will be informed, and the action will be reported at the next Full council meeting.

3. Planning Application Process

Ensure that all responses to all planning applications are made within the time specified on the Planning Application notice. All grounds for 'Objection' must be clearly stated.

4. Planning Appeals

Consider all appeals and submit comments where appropriate to the Department of Transport, Environment and the Regions.

5. Site Visits

Where necessary, make use of site visits to finalise a decision. At least two members should make such visits.

6. Notice to Public

Notify, in writing, residents that, in the opinion of the committee, could be particularly affected by planning applications. Advise where and when details of the application will be available for review.

7. Public Involvement

Permit affected residents or their nominated representatives to address the committee on a specified application.

8. Planning Notices

Actions as follows:

- a. Note proposed decision by the Planning Authority's officers. If appropriate, exercise right of referral to the Planning Authority
- b. Planning Applications Submitted – check that committee received and
- c. Planning Applications Denied – note the Planning Authority's decision

9. Correspondence

Answer all relevant correspondence within two weeks and check any resulting actions have been implemented.

10. Representation

Provide representatives for relevant Colchester City Council and Essex County Council meetings and committees for seminar, briefing and training sessions appropriate to the committee.

11. Consultations

To recommend to Full Council responses of consultation of similar papers relating to planning, highways, transportation, parking and other issues relevant to this committee. In line with its delegated responsibility the committee will investigate parking issues appropriate to Council policy

12. To make representations to the Local Highways Panel on behalf of the Town Council.

13. To make representations on licensing applications.