Reading Borough Council Guidance on Referrals to Planning Applications Committee – October 2026

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1. Introduction

1.1 Reading Borough Council's Constitution sets out the rules on which types of planning application will be determined by officers and which could be determined by Planning Applications Committee. The Constitution was amended in October 2026 in response to The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 which made a number of significant changes to how planning committees are to operate.

1.2 Among the most significant changes in the Regulations was the division of types of planning application into Schedule 1 applications and Schedule 2 applications.

1.3 Schedule 1 applications would always be delegated to officers to determine unless they are 'own-interest' applications, i.e. applications made by the Council or an officer or member of the Council, or where they otherwise have an interest. The Constitution therefore reflects that, unless they are an 'own-interest' application, these types of application (including minor planning applications) would always be dealt with by officers.

1.4 Schedule 2 applications could be dealt with by Committee where it is agreed by a nominated member and nominated officer that a 'Gateway Test' is passed. The Gateway Test is that that the application (a) raises a significant planning matter having regard to the development plan and any other material considerations and/or (b) raises an economic, social or environmental issue of significance to the local area.

1.5 Under the Regulations, it is therefore something of a case-by-case decision whether or not an application will be determined by Committee. However, the Council recognises that greater certainty is required on whether an application is likely to go to Committee or not, because that may make a significant difference to the timelines for determination. There also needs to be a consistent basis for the nominated officer and member to make a decision on whether or not to refer an application, and minimise the scope for challenge of the process. This Guidance has therefore been prepared to give that greater certainty and consistency.

2. Determination routes

2.1 Routes for determination of different types of planning application are set by two considerations:

- The Regulations; and
- The Council's Constitution.

2.2 As outlined in Section 1, the Regulations divide types of application into Schedule 1 and Schedule 2, with Schedule 1 applications to be delegated to officer decision in all cases (unless own-interest) and with Schedule 2 applications to be subject to a decision by the nominated officer and nominated member about whether the Gateway Test is passed for referral to committee.

2.3 The Council's Constitution has been amended to ensure that it complies with the Regulations. However, it does add some additional elements which particularly include:

- Defining the circumstances in which an own-interest application will be determined by committee (see section 7 for more information on own-interest applications); and
- Delegating additional matters to officers, such as advertisement and non-major listed building consents.

2.4 Appendix 1 contains a table showing the determination routes for each type of application as a result of both the Regulations and the Constitution.

3. Nominated member

3.1 The nominated member is a defined role in the Regulations and has responsibility for agreeing with the nominated officer whether an application should be referred to Committee.

3.2 The nominated member is identified in the Constitution as being:

- The Chair of Planning Applications Committee; or
- In the event that the Chair of Planning Applications Committee is absent or is the applicant for or otherwise has an interest in the application to be considered for referral, the Vice Chair of Planning Applications Committee;
- In the event that the Chair and Vice Chair of Planning Applications Committee are absent and/or are the applicant for or otherwise have an interest in the application to be considered for referral, the Lead Member for Planning and Assets.

3.3 For the purposes of interpretation, absence of a defined member means that they are not available to make a decision for a period of at least a week.

3.4 As set out in the constitution, if the nominated member is an applicant for, or otherwise has an interest in, a planning application that is being considered for referral to Committee, the nominated member role for that application will pass to the Vice Chair, or, in the event of their absence, the Lead Member for Planning and Assets. Likewise, if the Chair is absent and the Vice Chair has an interest in an application, the nominated member role for that application will pass to the Lead Member for Planning and Assets.

4. Nominated officer

4.1 The nominated officer is a defined role in the Regulations and has responsibility for agreeing with the nominated member whether an application should be referred to Committee.

4.2 The nominated officer is identified in the Constitution as being:

- The Head of Planning/Development Manager; or

- In the event that the Head of Planning/Development Manager is absent or is the applicant for or otherwise has an interest in the application to be considered for referral, a Planning Team Leader.

4.3 For the purposes of interpretation, absence of a defined officer means that they are not available to make a decision for a period of at least a week.

4.4 As set out in the constitution, if the nominated officer is an applicant for, or otherwise has an interest in, a planning application that is being considered for referral to Committee, the nominated officer role for that application will pass to a Planning Team Leader.

5. Process for agreement of nominated officer and nominated member

5.1 The nominated officer and nominated member will need to meet at least once every two weeks to review newly-submitted applications that fall within the categories that the Constitution states may be referred to Committee, unless there are no applications to discuss. This can be in person or virtually. This will ensure that clarity on the determination route will be provided at the earliest possible juncture. The decision will be communicated to the case officer as soon as possible, who will then inform the applicant and any other relevant parties.

5.2 The nominated officer and nominated member will endeavour to reach agreement on a decision whether the application should be referred based on the Gateway Test in the Regulations and its interpretation in this Guidance. In the event that agreement cannot be reached, under the Regulations the application must be delegated to officers.

5.3 A ward councillor should not lobby the nominated officer directly on whether an application should be referred to Committee. If such requests are to be made they should be to the nominated member but they will need to clearly explain why the Gateway Test is triggered (see paragraph 6.4).

6. Interpretation of the Gateway Test

6.1 The following types of application are set out in the Constitution as to be determined by Planning Applications Committee subject to the nominated officer and nominated member agreeing that the Gateway Test is passed.

- Full or outline applications relating to major development
- Reserved matters applications relating to a large outline permission
- Section 73 applications (variation of condition) relating to major development
- Deeds of variation of Section 106 agreements relating to major development
- Applications for listed building consent associated with a major development
- Variation of condition of listed building consent associated with a major development.

6.2 'Major' development is as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), referred to as the DMPO. At the time of writing, this is as follows:

(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;

6.3 A 'large outline' is as defined in The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026, i.e. development for either or both of:

(a) the provision of 500 or more dwellings;

(b) the provision of a building or buildings where the floorspace to be created by the development is 50,000 square metres or more;

6.4 The two Gateway Test criteria are that the application

(a) raises a significant planning matter having regard to the development plan and any other material considerations and/or

(b) raises an economic, social or environmental issue of significance to the local area.

6.5 There is substantial overlap within those two criteria, given that the development plan generally deals with issues of significance to the local area. There is also significant scope for interpretation and, as it could be argued that almost any application could fulfil criterion (b). The 'local area' is considered to mean the Borough rather than a smaller area within the Borough such as a particular street.

6.6 This section sets out matters that will be likely to trigger one or both of (a) and (b), and matters that are unlikely to do so.

Matters that would generally trigger the Gateway Test

6.7 If one or more of the following apply to an application which the Constitution states may be referred to Committee (generally major applications and associated listed building consent applications) then the application is likely to pass the Gateway Test for referral.

6.8 The consideration against the test should relate to the full development proposed. If two applications are closely associated and are proposed at the same time (e.g. a planning application and listed building consent application for the same development) and only one application triggers the test, in general both applications should be referred to Committee to ensure that the interrelationship of the two applications is considered at the same time.

6.9 For clarity, the matters set out below do not in any way restrict what Planning Applications Committee can consider once an application is referred to it.

Where a policy requirement for affordable housing would apply

6.10 Reading has very high levels of need for affordable housing, which has been calculated at 406 affordable dwellings per year, almost half of the overall housing need. Securing affordable housing from new development is extremely challenging, and the level provided each year falls well short of the identified needs. Affordable housing is a key matter for the development plan and is both a social and economic issue of great significance to the local area.

6.11 Therefore, any major application where policy would expect a contribution towards affordable housing would generally be referred to Committee. As well as applications for 10 or more dwellings, it should be noted that, under paragraph 1.6 of the Affordable Housing SPD, it includes co-living and new build houses in multiple occupation, as well as in certain circumstances[1] student accommodation, residential care or other specialist provision or serviced apartments.

6.12 Any application that would vary a major application or a Section 106 agreement to alter the level of affordable housing already agreed would similarly need to be referred to Committee.

Accommodation for Gypsies and Travellers or Travelling Showpeople

6.13 Reading has a shortfall against its identified needs for accommodation for Gypsies, Travellers and Travelling Showpeople, and cannot currently demonstrate a five-year supply of sites. Therefore, a major application for provision of such accommodation (which would usually be as a result of exceeding the area threshold) is generally a matter of significance for the development plan as well as being a significant social issue.

New retail or built leisure floorspace outside a designated centre of at least 1,000 sq m

6.14 Where development of over 1,000 sq m of retail or leisure facilities would be located outside a designated centre, the Local Plan confirms that this could potentially have an impact on existing centres and would therefore trigger the need for an impact assessment. This would therefore be highly likely to be a significant matter in relation to the strategy of the plan, which is based around a hierarchy of these centres. In the case that the commercial (i.e. E class use) is not specified and would not therefore

[1] Where they (a) they are being developed on an allocated housing site or a site where residential development and affordable housing provision would have been anticipated; or (b) in the case of an apart-hotel, arrangements for accommodation allow tenancies of more than 3 months.

be controlled by condition, it should be assumed that this could qualify as retail or built leisure floorspace.

New office floorspace outside the town centre or the A33 corridor of at least 2,500 sq m

6.15 The Local Plan directs office development of over 2,500 sq m to the town centre or A33 corridor as locations which are well-served by high levels of public transport. Office development of this scale outside the defined locations would therefore raise a significant issue in terms of the spatial strategy of the Local Plan.

New employment floorspace (other than offices) outside a core employment area of at least 2,500 sq m

6.16 The Local Plan directs employment development (other than offices) of over 2,500 sq m to the designated core employment areas. This is to ensure that they are in areas that reduce impacts on other parts of the town and offer the most sustainable location for these uses. Employment development of this scale outside the defined locations would therefore raise a significant issue in terms of the spatial strategy of the Local Plan.

New floorspace other than dwellinghouses of at least 5,000 sq m

6.17 Regardless of location, a development of 5,000 sq m or more will, in the context of a geographically small urban Borough such as Reading, raise significant environmental, social and/or economic issues for the area, and would therefore be expected to pass the Gateway Test. This will include office, other employment and retail and leisure uses that are located in accordance with plan policies. It will also include communal residential uses that are not dwellinghouses within the C3 use class, such as student accommodation, residential care or co-living.

Loss of employment land in a core employment area

6.18 The core employment areas have been designated in the Local Plan as they are the areas which are of greatest importance for Reading's economy. These areas are often under pressure from other uses which would potentially generate higher value on a particular site but would have an overall detrimental effect on the local economy. As such, a loss of such land would represent a significant economic issue and a significant issue for the Local Plan and would therefore pass the Gateway Test.

Buildings of five storeys (or equivalent) or more

6.19 Despite the density of some modern development, Reading remains primarily a low-rise town across most of its area including much of the town centre. Therefore, in most cases development of five storeys or more will be relatively prominent within its context, and will therefore likely result in a significant environmental effect in its local area (which could be positive or negative) and therefore trigger the Gateway Test. However, the nominated member and officer will generally also want to consider the local context of the proposal when making a decision on referral. An equivalent height to five storeys is around 15m. This should be measured from ground level and exclude mezzanines and any storey which is a roof-top machinery or plant area or consists exclusively of machinery or plant rooms.

Loss of all or part of a designated heritage asset or a locally-listed building

6.20 Designated heritage assets including listed buildings, registered parks and gardens, scheduled monuments and conservation areas are essential elements of the character of Reading, and therefore loss of all or part of such assets would be a significant environmental and social issue, not least because such losses are highly unusual. This is also the case for locally-listed buildings, which have already been identified as being of particular significance to Reading through an established process. In addition, PAC has responsibility for designation of locally-listed buildings, and their loss or partial loss would be relevant to a previous Committee decision.

Development in a conservation area

6.21 Major new development within a conservation area will almost inevitably raise a significant environmental issue for the local area as those conservation areas have been identified for their particular historic character and wider importance. Development of that scale within a conservation area is highly unusual and could have significant negative or positive implications for the wider historic environment of Reading, and would therefore be expected to be referred to committee.

Development that would result in significant carbon emissions that will not be mitigated

6.22 The Council declared a climate emergency in February 2019 and set out its targets for a zero carbon Reading by 2030. The Council's planning policies contain strong measures to ensure that new development contributes to this aim, and for clarity, this statement does not cover development that is in accordance with those policies or falls slightly below them for justifiable reasons. However, some forms of development may intrinsically result in substantial additional carbon emissions due to their nature (which may include certain forms of waste development or new data centres) and the impact on zero carbon emissions would therefore be a significant environmental issue for the area.

Loss of designated open space or areas of recognised biodiversity significance

6.23 Certain areas are recognised within the Local Plan as being of particular environmental importance and plan policies are clear that those areas should be protected. Designated open space (either local green space or public open space) and areas of recognised biodiversity significance (which includes but is not limited to local wildlife sites, priority habitat and ancient woodland) are clearly shown on the Proposals Map and policies are categorical about their retention, which means any loss will be both a significant environmental issue and a significant issue for the Local Plan.

Change in number of school places

6.24 Where a major application would involve a change in the number of school places on offer in the Borough it will significantly affect the offer of education facilities in a small geographic area, whether positively or negatively, with likely knock-on implications for

other schools. This therefore represents a significant social issue and would inevitably need to be considered by Committee.

Change in amount of healthcare floorspace

6.25 Healthcare infrastructure is one of the key infrastructure issues identified in the Local Plan and associated Infrastructure Delivery Plan, in particular primary healthcare where there is an identified need for additional provision. Any change to existing levels of healthcare provision is therefore a significant issue for the Local Plan and, if part of a major application, would need to be considered by Committee. For clarity, this will apply to floorspace which is already or is specifically proposed to be healthcare use, not to general E class floorspace which could potentially be used for healthcare as part of that use class.

Development within the Detailed Emergency Planning Zone for AWE Burghfield

6.26 The presence of AWE Burghfield close to Reading's boundaries and the Detailed Emergency Planning Zone (DEPZ) covering part of South Reading is a key issue for the Local Plan as it creates a significant constraint on development. It is also a significant social issue for Reading due to the probability of development having implications for emergency planning in the local area. As a result, major development in the DEPZ will be expected to fulfil the tests for referral to Committee.

Departures from the development plan

6.27 A major proposal that departs from the development plan is one which does not accord with at least one significant provision of the adopted Local Plan or Minerals and Waste Plan. Examples would be an alternative development on an allocated site, a loss of land which is protected for a specific purpose or a proposal which fails to achieve a clear policy requirement. Such a proposal would clearly raise a significant planning matter with regard to the development plan.

New or extended proposals for minerals extraction

6.28 There are no active minerals workings in Reading Borough. However, there are deposits of sand and gravel and sharp sand and given the urban nature of the Borough any future proposals for extraction are likely to be in close proximity to residential areas and would therefore raise significant environmental issues. In addition, there are significant needs for the winning of minerals in the area covered by the Central and Eastern Berkshire Joint Minerals and Waste Plan. Therefore any proposal for new or extended minerals extraction would be likely to pass the Gateway Test.

New proposals for waste development of greater than 1,000 sq m

6.29 The Central and Eastern Berkshire Joint Minerals and Waste Plan does not specifically allocate sufficient sites to meet all of the area's waste management needs and instead identifies a number of employment areas where waste provision will be appropriate, depending on other policies. This includes a number of areas in Reading. Due to the difficulties in allocating enough sites to meet needs, major waste proposals will be a significant issue for the minerals and waste plan and likely to pass the Gateway Test.

Reserved matters applications associated with a large outline

6.30 Reading is a geographically small, densely developed Borough and developments of the 'large' scale (i.e. 500 dwellings or 50,000 sq m) will almost inevitably give rise to issues of social, environmental or economic importance through their detailed design and layout, even if the outline has already been agreed. In general, developments of this scale will include taller and denser buildings visible for significant surrounding areas, and there are unlikely to be many cases in which reserved matters on a site of this scale will not trigger the Gateway Test.

Deed of variation of a Section 106 agreement that substantially alters the agreed Heads of Terms

6.31 In general, the Heads of Terms of a Section 106 agreement relating to a major application have been agreed by Planning Applications Committee in the first instance. If these are proposed to be substantially altered this would be likely to have been of importance to the decision that was made. As such, a deed of variation that substantially alters these Heads of Terms would likely need to be referred to Committee.

Matters that would not generally trigger the Gateway Test

6.32 If an application which the Constitution states may be referred to Committee (generally major applications and associated listed building consent applications) falls within one of the following categories then the application is unlikely to pass the Gateway Test for referral.

Temporary use of land

6.33 Planning applications for temporary use of land do on occasion exceed the threshold to be considered a 'major' development due to the land area. However, they are much less likely to trigger significant social, environmental or economic issues or any issues around the development plan than applications for permanent use and would generally not be referred to Committee.

Variation of condition (S73) that does not significantly alter the use, appearance or impact of a development

6.34 If a Section 73 application does not propose making significant changes to an existing permission then it is unlikely to raise a significant additional social, economic or environmental issue for the town. To some degree this will need to be a case by case judgement and will depend on the issues arising in the original application, but the presumption would be that it would not come to committee in most cases. However, if the Section 73 application would alter or remove the affordable housing contribution this is likely to need to be considered by Committee.

Deeds of variation of a Section 106 that do not substantially alter the original Heads of Terms

6.35 In general, the Heads of Terms of a Section 106 agreement relating to a major application have been agreed by Planning Applications Committee in the first

instance. If the agreed Heads of Terms would be unchanged there should be no need to refer a deed of variation to Committee.

7. Own-interest applications

7.1 The following types of application are set out in the Constitution as to be determined by Planning Applications Committee if they are applications by the Council, by an officer or member of the Council, or where the Council, an officer and/or a member otherwise have an interest:

- Applications for full or outline planning permission
- Reserved matters applications
- Section 73 (variation of condition) applications
- Deeds of variation of Section 106 agreements
- Applications for advertisement consent
- Applications for listed building consent
- Applications for permission in principle
- Biodiversity gain plan applications
- Applications for works affecting trees protected by tree preservation order

7.2 The above types of application would be referred to Committee in all cases where they are submitted by the Council or where the Council otherwise has a significant interest, including a financial interest.

7.3 The above types of application would also be referred to Committee in all cases where they are submitted by a member of the Council or where a member otherwise has a significant interest, including a financial interest.

7.4 In the case of officers, not all officers are sufficiently involved in the Planning process that an application would need to be referred. Therefore, the above types of application would be referred to Committee where an officer in one of the following categories has submitted the application or otherwise has a significant interest, including a financial interest:

- An officer who sits on the Council's Corporate Management Team;
- An officer or another individual engaged by the Council's Planning service; or
- An officer or another individual engaged by the Council's Legal service.

7.5 The following types of application will be delegated to officers even if they are own-interest applications:

- Certificates of lawfulness – existing
- Certificates of lawfulness – proposed
- Prior approval
- Discharge of condition (of a planning permission or listed building consent)
- Non-material amendment

- Works to trees in a conservation area

8. Committee and delegated reports

8.1 Both committee reports and officer delegated reports should include a short statement outlining the reasons an application is delegated to officers or is being decided by Committee. Recommended formats are shown in Appendix 2.

9. Reporting

9.1 The Statutory Guidance states that a record should be kept of the cases considered by the nominated officer and member for referral to committee and what the outcome and reasons were, and that this should be made available on the website and regularly reported to Committee. The Council will bring a quarterly report under Part 1 to Committee on this matter, which will be available on the website, but a separate list of relevant cases will be maintained on the website and kept up to date on at least a monthly basis. This will contain the following information:

- Application details
- Decision on referral
- Date of decision on referral
- Officer responsible for decision
- Member responsible for decision
- Summary of reason for decision
- Committee date (where relevant).

Appendix 1: Determination routes for different types of application

A1.1 Table A1.1 summarises the route that different types of application will need to follow to be determined in line with both the Regulations and the Constitution.

Table A1.1: Determination routes for different types and scales of planning application

Type of application	Scale	Route unless 'own interest'	Route if 'own interest'
Advertisement consent		Delegated decision*	Committee decision
Biodiversity gain plan		Delegated decision**	Committee decision
Certificate of lawfulness - existing		Delegated decision**	Delegated decision*
Certificate of lawfulness - proposed		Delegated decision**	Delegated decision*
Deed of variation of S106	Major	Consider for referral to Committee	Committee decision
	Non-major	Delegated decision**	Committee decision
Discharge of condition		Delegated decision**	Delegated decision*
Discharge of condition of listed building consent		Delegated decision**	Delegated decision*
Listed building consent	Major	Consider for referral to Committee	Committee decision
	Non-major	Delegated decision*	Committee decision
Non-material amendment		Delegated decision**	Delegated decision*
Permission in principle		Delegated decision**	Committee decision
Planning application (full/outline) other than retrospective	Major	Consider for referral to Committee	Committee decision
	Minor	Delegated decision**	Committee decision
	Other	Delegated decision*	Committee decision
	Householder	Delegated decision**	Committee decision
Planning application (full/outline) (retrospective)	Major	Consider for referral to Committee	Committee decision
	Minor	Delegated decision**	Committee decision
	Other	Delegated decision*	Committee decision
	Householder	Delegated decision**	Committee decision
Prior approval		Delegated decision**	Delegated decision*
Reserved matters	Large (over 500 dwellings or 50,000 sq m)	Consider for referral to Committee	Committee decision
	Other (less than 500 dwellings or 50,000 sq m)	Delegated decision**	Committee decision
Section 73 (variation of condition)	Major	Consider for referral to Committee	Committee decision

	Non-major	Delegated decision**	Committee decision
Variation of condition of listed building consent	Associated with major development	Consider for referral to Committee	Committee decision
	Associated with non-major development	Delegated decision*	Committee decision
Works to protected trees		Delegated decision**	Committee decision
Works to trees in conservation area		Delegated decision*	Delegated decision*

**Delegated as a result of the Constitution*

***Delegated under Schedule 1 of the Regulations*

Appendix 2: Template statements for committee reports and delegated reports

A2.1 This appendix sets out paragraphs that can be included in either a committee report or a delegated officer's report to outline why that route has been followed. In these paragraphs, text in [grey and brackets] would need to be amended for each application.

Schedule 1 applications other than own-interest applications

A2.2 Applications that fall within Schedule 1 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and which are not an own-interest application are delegated to officers. Schedule 1 applications include the following:

- Householder planning application (not including retrospective)
- Minor full or outline planning application (not including retrospective)
- Reserved matters application associated with an outline application that is not a 'large outline permission', i.e. 500 dwellings and/or 50,000 sq m floorspace.
- Application for permission in principle
- Section 73 application relating to a Schedule 1 application
- Application for non-material amendments
- Deed of variation for a planning obligation associated with a Schedule 1 application
- Application for a certificate of lawfulness of existing use
- Application for a certificate of lawfulness of proposed use
- Application for approval of a biodiversity gain plan
- Application for prior approval

A2.3 The delegated officer report should include a statement based on the following:

"This is a [type of application] which falls within Schedule 1 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. It is not an own-interest application and is therefore to be delegated to officers in all cases."

Schedule 1 applications that are own-interest applications

A2.4 The Regulations allow applications that fall within Schedule 1 to be considered by Committee if they are own-interest applications, i.e. applications made by the Council or by an officer or member of the Council or where they otherwise have an interest. However, this does not mean that they are automatically brought to Committee, and the Council's Constitution makes further provisions.

A2.5 The following types of application are delegated to officers by the Constitution even if they are own-interest applications:

- Application for a certificate of lawfulness of existing use
- Application for a certificate of lawfulness of proposed use
- Application for prior approval

A2.6 Therefore in cases where the Constitution delegates the decision to officers the delegated officer report should include a statement based on the following:

"This is a [type of application] which falls within Schedule 1 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. Although the Regulations allow such applications to be referred to committee if they are own-interest applications, the Council's Constitution delegates this type of application to officers even in the case that it is an own-interest application."

A2.7 In other cases where the application is an own-interest Schedule 1 application, the application will be determined by Planning Applications Committee, and the committee report should include a statement based on the following:

"This is a [type of application] which falls within Schedule 1 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. However, as it [has been submitted by the Council]/[has been submitted by an officer on the Council's Corporate Management Team]/[has been submitted by an officer engaged by the Council's Planning service]/[has been submitted by an officer engaged by the Council's Legal service]/[has been submitted by a member of the Council]/[is an application in which the Council has an interest]/[is an application where an officer on the Council's Corporate Management Team has an interest]/[is an application where an officer engaged by the Council's Planning service has an interest]/[is an application where an officer engaged by the Council's Legal service has an interest]/[is an application where a member of the Council has an interest] ***[Delete as appropriate]*** *it is an own-interest application of a type which the Constitution states would fall to be considered by Planning Applications Committee."*

A2.8 More detailed information on when an application will qualify as an 'own-interest' application is set out in Section 7.

Schedule 2 applications other than own-interest applications

A2.9 Applications that fall within Schedule 2 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 may be referred to committee if they pass the gateway test in the Regulations. Schedule 2 applications include the following:

- Major or other full or outline planning applications
- Reserved matters applications associated with an outline application that is a 'large outline permission', i.e. at least 500 dwellings and/or 50,000 sq m floorspace.
- Application for listed building consent
- Application for variation of condition of a listed building consent

- Planning application associated with an application for listed building consent or variation of condition of a listed building consent
- Section 73 application relating to a Schedule 2 application
- Retrospective planning application
- Deeds of variation for an obligation associated with a Schedule 2 application
- Application for advertisement consent
- Application for works to a protected tree

A2.10 However, under the Council's Constitution, certain of these applications are delegated to officers unless they are own-interest applications. These are:

- Full or outline planning application that is not major
- Section 73 application unless associated with a major planning application
- Deed of variation of planning obligation unless associated with a major planning application
- Retrospective planning application unless it is major
- Application for listed building consent unless associated with a major planning application
- Application for variation of condition of listed building consent unless associated with a major planning application
- Application for advertisement consent
- Application for works to a protected tree

A2.11 If the application falls within the list in paragraph A2.10 and is therefore delegated to officers to determine, the delegated officer report should include a statement based on the following

"This is a [type of application] which falls within Schedule 2 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. Although the Regulations allow for this type of application to be referred to committee where the nominated officer and member agree that it fulfils the criteria specified in the Regulations, the Council's Constitution delegates this type of application to officers."

A2.12 If a Schedule 2 application is not in the list in paragraph A2.10, a decision will be made by the nominated officer and nominated member as to whether it should be referred to committee on the basis of the Gateway Tests in the Regulations. These are set out in paragraph 6.4 of this guidance. The decision will need to be explained in the delegated or committee report.

A2.13 If the decision is to refer the matter to Committee, the committee report should include a statement based on the following:

"This is a [type of application] which falls within Schedule 2 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. The Regulations and Council's Constitution allow for this type of application to be referred to committee where the nominated officer and member

agree that it fulfils the criteria specified in the Regulations. On [date] the nominated officer and member agreed to refer this matter to Planning Applications Committee because it [raises a significant planning matter having regard to the development plan and any other material considerations]/[raises an economic, social or environmental issue of significance to the local area] ***[Delete as appropriate]****. This is because [add reasoning]"*

A2.14 If the decision is not to refer the matter to Committee, the delegated officer report should include a statement based on the following:

"This is a [type of application] which falls within Schedule 2 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. Under the Regulations and Council's Constitution this type of application is to be delegated to officers unless the nominated officer and member agree that it fulfils the criteria specified in the Regulations. On [date] the nominated officer and member agreed that this matter would not be referred to Planning Applications Committee because it does not raise a significant planning matter having regard to the development plan and any other material considerations or raise an economic, social or environmental issue of significance to the local area. This is because [add reasoning]"

Schedule 2 applications that are own-interest applications

A2.15 Under the Constitution, all types of application that fall under Schedule 2 of the Regulations (see list in paragraph A1.9) will be determined by Planning Applications Committee in the event that the application is an own-interest application, i.e. an application made by the Council or by an officer or member of the Council or where they otherwise have an interest. The committee report should include a statement based on the following:

"This is a [type of application] which falls within Schedule 2 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. As it [has been submitted by the Council]/[has been submitted by an officer on the Council's Corporate Management Team]/[has been submitted by an officer engaged by the Council's Planning service]/[has been submitted by an officer engaged by the Council's Legal service]/[has been submitted by a member of the Council]/[is an application in which the Council has an interest]/[is an application where an officer on the Council's Corporate Management Team has an interest]/[is an application where an officer engaged by the Council's Planning service has an interest]/[is an application where an officer engaged by the Council's Legal service has an interest]/[is an application where a member of the Council has an interest] ***[Delete as appropriate]*** *it is an own-interest application of a type which the Constitution states would fall to be considered by Planning Applications Committee."*