

Appendix 1 Proposed Scheme of Delegation

(extract applicable to Development Management)

Executive Director for Infrastructure and Regeneration

4. Planning

4.1 Development Management

The Executive Director for Infrastructure and Regeneration shall appoint the “appointed officer” for such determinations, who shall be a member of the professional planning staff.

4.1.1 Determinations except Local Developments

- Planning Applications for development;
- Variations to planning permissions;
- Listed Building Consents;
- Conservation Area Consents;
- Advertisement applications;
- Tree Preservation Order applications to fell, lop or top trees covered by a confirmed Tree Preservation Order
- Prior approval and notification applications;
- Certificates of Existing/Proposed Lawful Use or Development;
- Applications for Hazardous Substances Deemed Consent and Hazardous Substances Consent;
- Refusal on basis of insufficient information;
- Adding further conditions to applications determined by the Committee as a result of responses from statutory consultees;
- Initiating and confirming stopping up procedures where a planning consent has been granted;
- Screening and Scoping Opinion under the EIA regulations;
- Enforcement Actions

4.1.2 Exceptions: Qualifications to Powers of Determination except Local Developments

Delegated Powers shall not apply:-

- Where approval would involve a decision which is a significant departure from local or national policy or the emerging Development Plan; or
- Where approval would be contrary to a substantial body of objection, or an objection from a community council or a neighbouring planning authority; or

- Where approval would be against the strong recommendation of a statutory consultee; or
- Where the Executive Director considers new or significant issues are raised meriting determination at Committee.

4.1.3 Determinations of Local Developments under S43A

- Any application for planning permission and any application for consent, agreement or approval required by condition imposed on a grant of planning permission, being an application which meets the definition of local development.

4.1.4 Exceptions: Qualifications to Powers of Determination Local Developments

- the application has been made by or on behalf of an elected member of the Council, a member of the Senior Management Team of the Council, or a member of staff directly involved with the Council's Planning Service;
- the application is for local development which would be a significant departure from the statutory development plan, from other national or local policy, or from the emerging development plan;
- the application is subject to a substantial body of objection where the appointed officer is minded to grant permission;
- the application has been the subject of a formal objection by a statutory consultee, from a Community Council, from neighbouring planning authority, or from another Council Service, and where the appointed officer is minded to grant permission;
- the application seeks to amend a condition or planning obligation which was itself imposed by the Planning Committee; or,
- the application, in the opinion of the appointed officer, raises new or significant issues meriting determination at Planning Committee