

Planning Services
Scheme of Delegation (Adopted May 2008)

Decisions on planning applications can be made in three ways:

- At Planning Committee;
- At Full Council by confirmation of the original decision made by Planning Committee; or
- By an Authorised Officer¹ of the Council exercising delegated powers.

The 'Scheme of Delegation' outlines which applications are normally determined at Planning Committee and which are determined by an Authorised Officer of the Council. This was agreed by Members of Planning Committee.

Please note where an Authorised Officer has delegated powers he or she may refer the matter to Planning Committee for determination rather than exercise that delegated authority themselves particularly where in their judgement the specifics of an application warrant determination by the Planning Committee.

Local Members can request that planning applications in their Ward be determined by Planning Committee rather than the Officers acting under delegated powers.

Below are the details of the Scheme of Delegation operated by the Council. The Authorised Officer(s) of the Council may determine the following planning and related applications without reference to Planning Committee:

1. **Applications for smaller developments (DCLG Codes 14-27 excluding 17 Gypsy & Traveller Pitches)[*previously codes 10-19*] and applications for prior notification in relation to agricultural works, telecommunications, tree and hedgerow removal works** can be dealt with under delegated powers by the Authorised Officer of the Council having considered comments received in relation to the application.

This includes planning applications for house extensions and small scale development, changes of use and conservation area, listed building and advertisement consents, and Gypsy and Traveller sites (up to 9 pitches).

2. **Minor or major applications for residential, office, industrial, storage, distribution or retail developments (DCLG Codes 1-13)[*previously codes 1-9*]** can be dealt with as follows:

¹ "Authorised Officer" means: the Officer authorised from time to time to determine planning applications on behalf of the Local Planning Authority.

An application will be reported to Planning Committee when:

- The recommendation is contrary to the response received from the Town or Parish Council; or
- The recommendation is contrary to the response received from a statutory consultee.

An application may be determined under delegated powers by an Authorised Officer of the Council when:

- The decision is in accordance with the representations received from all consultees;
 - The decision accords with representations from statutory consultees and the Town/Parish Council but is contrary to representations from non-statutory consultees, such as neighbours;
 - The decision is for refusal based on The Environment Agency's representation whether or not other consultees are supporting the application;
 - The Highways Agency direct refusal of an application;
 - Representations raise only non-planning matters.
- * • The decision accords with the representations in respect of drainage and sewage from the competent water authority but is contrary to representations on such matters from the Town/Parish Council and non-statutory consultees such as neighbours.
3. **Applications which have been submitted by District Councillors, Senior Officers² or Officers who may otherwise have a direct involvement in the determination of the application** or where Councillors or Officers have a direct interest in the application, will be determined by Planning Committee.
4. **Enforcement Notices and Notices under Section 215 of the Town and Country Planning Act 1990 (as amended) relating to untidy land may be served by an Authorised Officer and the matter pursued through to prosecution at magistrates court when:**
- consultation/agreement has first taken place with the Ward Member(s)
 - Officer/Member can refer the case to Planning Committee to determine enforcement action where significant or controversial.
-

² Senior Officers shall be defined as members of the District Councils Officer Executive

* Addendum approved by Planning Committee, 9 March 2010 and subsequently by Full Council 11 May 2010.

PREVIOUS DCLG CODES	CURRENT DCLG CODES
Major Developments	Largescale Major Developments
Code 1 'Dwellings' (10 dwellings or more; or, 0.5 Ha or more)	Code 1 'Dwellings' (200 dwellings or more; or, 4 Ha or more)
Code 2 'Offices/ R & D /Light Industry' (1,000 sqm. or more; or, 1 Ha or more)	Code 2 'Offices/R & D/Light Industry' (10,000 sqm or more; or, 2 Ha or more)
Code 3 'Heavy Industry/storage/ warehousing' (1,000 sqm or more; or, 1 Ha or more)	Code 3 'General Industry/storage/ warehousing' (10,000 sqm or more; or, 2 Ha or more)
Code 4 'Retail , distribution and servicing' (1,000 sqm or more; or, 1 Ha or more)	Code 4 'Retail Distribution and Servicing' (10,000 sqm or more; or, 2 Ha or more)
Code 5 'All other major developments' (1,000 sqm or more; or, 1 Ha or more)	Code 5 'Gypsy and Traveller Pitches' (200 or more pitches)
	Code 6 'All other Largescale major Developments'; (10,000 sqm or more; or, 2 Ha or more)
Minor Developments	Smallscale Major Developments
Code 6 'Dwellings' (1-9 dwellings; or less than 0.5 Ha)	Code 7 'Dwellings' (10-199 dwellings; or, between 0.5 ha and 2 Ha)
Code 7 'Offices / R & D / Light Industry' (less than 1,000 sqm or; less than 1.0 Ha)	Code 8 'Offices/R & D/Light Industry' (between 1,000 sqm and 9,999 sqm; or where the site is 1 Ha and less than 2 Ha)
Code 8 'Heavy Industry/Storage/ Warehousing' (less than 1,000 sqm or; less than 1.0 Ha)	Code 9 'General Industry/Storage/ Warehousing' (between 1,000 sqm and 9,999 sqm; or where the site is 1 Ha and less than 2 Ha)
Code 9 'Retail, Distribution and Servicing' (less than 1,000 sqm or; less than 1.0 Ha)	Code 10 'Retail, Distribution and Servicing' (between 1,000 sqm and 9,999 sqm; or where the site is 1 Ha and less than 2 Ha)
Code 10 'All other minor developments' (less than 1,000 sqm or; less than 1.0 Ha)	Code 11 'Gypsy and Traveller pitches' (10-199 pitches)

PREVIOUS DCLG CODES	CURRENT DCLG CODES
	Code 12 'All other Smallscale major developments' (between 1,000 sqm and 9,999 sqm; or where the site is 1 Ha and less than 2 Ha)
Other Developments	Minor Developments
Code 11 'Minerals'	Code 13 'Dwellings' (1-9 dwellings or; less than 0.5 Ha)
Code 12 'Change of Use'	Code 14 'Offices/R & D/Light Industry' (less than 1,000 sqm, or; 1 Ha)
Code 13 'Householder Developments'	Code 15 'General Industry/Storage/Warehousing' (less than 1,000 sqm, or; 1 Ha)
Code 14 'Advertisements'	Code 16 'Retail, Distribution and Servicing' (less than 1,000 sqm, or; 1 Ha)
Code 15 'Listed Building Consents to alter/extend'	Code 17 'Gypsy and Traveller pitches' (1-9 pitches)
Code 16 'Listed Building Consents to demolish'	Code 18 'All other minor developments' (less than 1,000 sqm, or; 1 Ha)
Code 17 'Conservation Area Consents'	
Code 18 'Other (not included above)'	Other Developments
	Code 19 'Minerals processing'
	Code 20 'Change of Use'
	Code 21 'Householder Developments'
	Code 22 'Advertisements'
	Code 23 'Listed Building Consents to alter/extend'
	Code 24 'Listed Building Consents to Demolish'
	Code 25 'Conservation Area Consents'
	Code 26 'Certificates of Lawful Development'
	Code 27 'Notifications'