

PLANNING SCHEME OF DELEGATION

1. General Delegations

The Director - Development and Public Protection and the following Officer(s) (“Designated Officers”) and their duly appointed deputies are within the Authority’s approved procedures (but subject to all relevant legislation and the Council’s Standing Orders, Financial Regulations, Strategy and Programme) authorised to take decisions on behalf of the Council in respect of matters of managerial or professional responsibility and to put into effect approved schemes of the Council’s Strategy and Programme.

	<u>Designated Officer(s)</u>	<u>Deputies</u>
	Director - Development and Public Protection	Head of Planning Deputy Head of Planning (Development Management) Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement Principal Planning Officer Senior Planning/Conservation Officer Senior Planning Enforcement Officer Planning/Conservation Officer Planning Enforcement Officer Senior Arboricultural Officer Apprentice Planning Officer/Trainee Planning Officer Senior Technical Support Officer Technical Support Officer
	Director - Legal and Democratic Services and Monitoring Officer	Legal Officers

2. Specific Officer Delegations

- (i) Listed below are those matters falling within the remit of the Committee (“Functions”) and delegated by the Committee to the Officers shown (“Nominated Officers”)
- (ii) Unless otherwise stated, reference to Function is to the relevant one arising under the Town and Country Planning Act 1990 as subsequently amended or re-enacted, including any Regulations or Orders made under that Act.
- (iii) Reference to any other Act includes any amendments to, or re-enactment of, that Act and/or any Orders or Regulations made under that Act.
- (iv) Reference to any Order or Regulations include reference to any Order or Regulations amending or revoking and re-enacting that Order or those Regulations with or without modification.
- (v) Nominated Officers are to:-
 - a. perform all functions on behalf of the Council and in the Council’s name,
 - b. act, subject to statutory requirements, within any relevant aspects of the Council’s Strategy and Programme,
 - c. consult with the appropriate professional or technical Officer of the Authority in respect of matters not within the competence of the Nominated Officer; and
 - d. maintain an adequate record of action taken.

SCHEME OF DELEGATION – PLANNING & RELATED APPLICATIONS
& ENFORCEMENT

A	<u>PLANNING APPLICATIONS</u>	<u>Nominated Officers</u>
1	<p>To determine all applications for planning and other permissions, excluding Permissions in Principle (see section B below) but including Listed Building Consent <u>except</u> where:</p> <p>1 A Ward Member has, before a delegated decision is made and within five weeks of the publication of the Weekly List containing that application, submitted in writing to:</p> <p>development_management@bathnes.gov.uk</p> <p>a request, for the attention of the relevant case officer, that the application be referred to Committee specifying the planning reasons for the request and such referral has been agreed by the Chair and/or Vice Chair of Planning Committee, taking into account:-</p> <ul style="list-style-type: none"> • Relevant material considerations raising significant planning concerns • Significant implications for adopted policy • The nature, scale and complexity of the proposed development. <p><i>NOTE: If the Chair and Vice Chair have different views the Chair's decision is taken as overriding</i></p> <p><i>(NB the Ward Member will be expected to attend the Committee meeting at which the application they referred is to be discussed.)</i></p> <p>2 An application has been subject of a letter of objection or support from the Parish Council for the area including the application site (or for an adjoining area) which is contrary to officer recommendation, when there shall be prior consultation with the Chair and/or Vice Chair of the Planning</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

<p>Committee before a decision is made whether or not to refer the application to committee. For the purpose of this section, letters of objection or support that do not give Planning Policy based reasons will be disregarded, although all representations will be taken into account in determining the application.</p> <p>3 The Director - Development and Public Protection and/or the Head of Planning considers that the application should be considered by Committee.</p> <p>4 The applicant is a Councillor for Bath and North East Somerset (including an application on behalf of a political party), or a Council employee who works within Planning Services.</p> <p>5 The application is one in connection with either a Councillor for Bath and North East Somerset Council, or a political party or a Council employee or someone who is privately employed in any capacity (e.g. as agent or consultant) and who has direct links with the Planning Service.</p> <p>6 Any planning application which is subject to a viability assessment in respect of affordable housing will be reported to Planning Committee.</p> <p>7 Any applications for which the Council or ADL (Aequus Developments Limited) is the applicant, involving more than two properties, will be reported to the Planning Committee unless the Chair and Vice-Chair of the Planning Committee deem them too trivial, in which case they will be dealt with under officer delegation.</p> <p>8 All applications for fossil fuel exploration or extraction; or for commercial infrastructure for energy generation using fossil fuels will be determined by the Planning Committee.</p> <p><i>NB No nominated officer may determine an application in respect of which they have also acted as Case Officer.</i></p>	
--	--

B	<u>PRIOR NOTIFICATIONS</u>	<u>Nominated Officers</u>
1	<p>Applications for Prior Approval in accordance with the provisions of the General Permitted Development Order 2015 as amended or other Regulations that impose a strict deadline for the issuing of a decisions, or where the application cannot be reported to Committee in time for a decision notice to be supplied to the applicant prior to the expiry of the statutory period, shall be determined under delegated powers, and not be reported to Committee, even if one of the exceptions numbered A1 – 5 above applies.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Planning Information Officer/Planning Apprentice
C	<u>PERMISSION IN PRINCIPLE</u>	<u>Nominated Officers</u>
	<p>Applications for Permission in Principle (PIPs) and Technical Details Consent (TDCs) in accordance with the provisions of the Town and Country Planning (Permission in Principle) Order 2017</p> <p>Due to the short period for determination of these applications (5 weeks) a Ward Member wishing to call the application to Planning Committee must make their request in writing within two weeks of the publication of the Weekly List in order for it to be considered within the relevant committee cycle.</p> <p>Requests should be submitted to development_management@bathnes.gov.uk for the attention of the relevant case officer, and must specify the planning reasons for the request. Any such referral must be agreed by the Chair and/or Vice Chair of Planning Committee, taking into account:-</p> <ul style="list-style-type: none"> • Relevant material considerations raising significant planning concerns • Significant implications for adopted policy 	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

	<ul style="list-style-type: none"> • The nature, scale and complexity of the proposed development. <p>NOTE: If the Chair and Vice Chair have different views, the Chair's decision is taken as overriding</p> <p>(NB the Ward Member will be expected to attend the Committee meeting at which the application they referred is to be discussed.)</p> <p>An application for PIP or TDC subject to a letter of objection or support from the Parish Council for the area including the application site (or for an adjoining area) which is contrary to officer recommendation, when there shall be prior consultation with the Chair and/or Vice Chair of the Planning Committee before a decision is made whether or not to refer the application to committee. Letters of objection or support that do not give Planning Policy based reasons will be disregarded, although all representations will be taken into account in determining the application.</p> <p>The Director - Development and Public Protection and/or the Group Manager, Development Management may call any application for PIP or TDC to Committee.</p> <p>Where the applicant is a Councillor for Bath and North East Somerset or a Council employee who works within Planning Services, the application will be presented to Committee.</p> <p>Where the application is one in connection with either a Councillor for Bath and North East Somerset Council or a Council employee or someone who is privately employed in any capacity (e.g. as agent or consultant) and who has direct links with the Planning Service it will be presented to Committee.</p> <p>NB: No nominated officer may determine an application in respect of which they have also acted as Case Officer.</p>	
D	PLANNING ENFORCEMENT	Nominated Officers

1	The issue of Discontinuance/ Enforcement Stop Notice(s) and making applications for and enforcing injunction(s) in cases of urgency.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	The issue of Temporary Stop Notices.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3	The issue of Planning Contravention Notices and notice under Section 330 Town & Country Planning Act 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
4	The issue of Breach of Condition Notices.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
5	<p>The issue of Enforcement Notices in the following circumstances:</p> <p>(i) where planning permission has been granted for development, but the development is subsequently not carried out in accordance with the approved plans;</p> <p>(ii) where the owner of the property has been notified in advance by the Council in writing that planning permission is required for the development, but the development is subsequently carried out without the required planning permission;</p> <p>(iii) where the unauthorised development relates to a material change of use (other than to use as a dwelling house);</p> <p>(iv) where the unauthorised development relates a temporary use of land;</p> <p>(v) where time is of the essence to keep the unauthorised development within the control of the Council as local planning authority</p> <p>(vi) Where unauthorised development has been carried out and a retrospective application has been refused/dismitted on appeal.</p> <p>(vii) Where unauthorised development has been carried out and an application for planning permission could not address the harm caused and therefore is unlikely to be granted</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
6	<p>The issue of Notices requiring the proper maintenance of land adversely affecting the amenity of a neighbourhood.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
7	<p>To authorise prosecution proceedings where:</p> <p>a) The requirements of an Enforcement Notice have not been carried out as specified in the notice.</p> <p>b) The requirements of a Breach of Condition Notice have not been complied with.</p> <p>c) Where unauthorised works have been carried out to a listed building where significant irreversible harm has been caused.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
8	<p>To determine not to take any form of enforcement action where it is considered NOT to be expedient to do so having regard to the development plan and any other material planning considerations.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Enforcement Officer • Planning Enforcement Officer
E	<u>ADVERTISEMENTS ENFORCEMENT</u>	<u>Nominated Officers</u>
1	<p>To take appropriate action (whether prosecution, injunction proceedings or enforcement) in respect of the unauthorised display of an advertisement.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

		<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
F	<u>LISTED BUILDINGS AND CONSERVATION AREAS ENFORCEMENT</u>	<u>Nominated Officers</u>
1	<p>The issue of Listed Building Enforcement Notices in the following circumstances:-</p> <p>(i) Where Listed Building Consent has been granted for works and the works have not been carried out in accordance with that Consent.</p> <p>(ii) Where the owner/occupier of the property has been notified in advance by the Council in writing that Listed Building Consent is required for the proposed works and the works are subsequently carried out without the required Listed Building Consent.</p> <p>(iii) Unauthorised works have been carried out to a listed building and an application for retrospective listed building consent has been refused or an appeal in respect of the unauthorised works has been dismissed.</p> <p>(iv) Where unauthorised works have been carried out to a listed building and an application for listed building consent could not address the harm caused and would therefore unlikely to be granted.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	To determine not to take listed building enforcement action for unauthorised works where it is considered NOT to be expedient to do so.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and

		<p>Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
3	Making applications for and enforcing injunctions in cases of urgency.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
4	To take action to commence prosecution proceedings in respect of unauthorised demolition of buildings or works to buildings.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
	<p>NOTE: In all the above circumstances, the Officer using the delegations would have to be satisfied in each case that it is expedient to take (or not to take) Enforcement action.</p> <p>The decision with reasons is to be documented and provided to the complainant in line with the published enforcement policy.</p>	
G	<u>LISTED BUILDINGS/CONSERVATION AREAS</u>	<u>Nominated Officers</u>
1	Issue of Building Preservation Notices and Emergency Building Preservation Notices	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
2	Deciding whether small changes to proposals which have previously been granted Listed Building Consent or Planning Permission for Demolition by the Council will materially affect the character of the building or the proposal.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3	Determine applications for approval of minor details required by a condition imposed on a grant of Listed Building Consent or Planning Permission for Demolition	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer
4	Decisions as to whom to consult on applications for Listed Building Consent and Planning Permission for Demolition	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/ Conservation Officer • Planning Enforcement Officer
5	Decisions as to whether Listed Building Consent or Planning Permission for Demolition is necessary	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
6	The determination of the validity of applications for Listed Building Consent or Conservation Area Consent and the issuing of directions requiring further information in support of an application for Listed Building Consent or Planning Permission for Demolition and verification of particulars of	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

	information given in respect of an application.	<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
7	Deciding to whom to direct notification of a receipt of a Listed Building Consent or Conservation Area Consent application	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
8	Setting the precise wording of notices, conditions imposed and other notes on Listed Building Consents or Planning Permission for Demolition and reasons for refusals to reflect the intentions of	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

	Committee when making its decision.	<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
9	The submission of applications to the Secretary of State for Scheduled Monument Consent to carry out minor works of repair and minor alterations to Council owned buildings	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
10	Deciding whether or not a planning application requires to be publicised as affecting the character or appearance of a	<ul style="list-style-type: none"> • Director - Development and Public Protection

	Conservation Area	<ul style="list-style-type: none"> • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer
11	Deciding whether or not a Planning Application requires to be advertised as affecting the setting of a Listed Building	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
12	Service of Urgent Works and Repair Notices in respect of Listed Buildings in cases of urgency	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

13	Making Directions under Article 4 of the Town and Country Planning (General Development) Order 1988 as regards Conservation Areas	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
14	Countersigning a Listed Building Heritage Partnership Agreement	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
15	Deciding an application for a Certificate of Lawfulness of Works to a Listed Building	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
16	Responding to consultations from Dioceses and Parochial Parish Councils regarding works to Listed Buildings under the Faculty procedures	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team

		<p>Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/Conservation Officer
H	<u>ADVERTISEMENTS</u>	<u>Nominated Officers</u>
1	Applications for consent under the Town and Country Planning (Control of Advertisements) Regulations 2007	<ul style="list-style-type: none"> • Director - Development and Public Protection <p>Head of Planning</p> <ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	Deciding where no formal application under the advertisement regulations need be submitted for the display of a banner across the highway	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
I	<u>MISCELLANEOUS</u>	<u>Nominated Officers</u>
1	Determining applications for non-material amendments to proposals which have been previously approved by the Council under the provisions of the Town and Country Planning Act 1990.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer
2	Determining applications for the approval of details required by a condition imposed on the grant of Planning Permission	<ul style="list-style-type: none"> • Director - Development and Public Protection <p>Head of Planning</p> <ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
2 (a)	Determining applications for the approval of minor material amendments (Section 73 Applications) of proposals which have been previously approved by the Council under the provisions of the Town and Country Planning Act	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

3 (a)	Decisions as to the requirement for environmental assessments under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in connection with submitted or proposed planning applications	<ul style="list-style-type: none"> • Principal Planning Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement
(b)	Decisions as to the scope of environmental assessments in connection with proposed planning applications	<ul style="list-style-type: none"> • Principal Planning Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Officer • Senior Planning Enforcement Officer
(c)	Decisions as to the requirement for further information to be submitted for an environmental assessment.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		<ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning Officer • Senior Planning Enforcement Officer
4	Decision as to whether to advertise applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer • Senior Technical Support Officer • Technical Support Officer
5	Decisions as to whom to consult on all applications e.g. Ministry of Agriculture	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		<ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
6	Consultation under Pastoral Measure 1983	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
7	Informal Decisions as to whether planning permission is necessary.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer

		<ul style="list-style-type: none"> • Planning Enforcement Officer • Senior Technical Support Officer • Technical Support Officer • Apprentice Planning Officer • Trainee Planning Officer
8	Determining applications for Certificates of Existing Lawful use or Development or Proposed Use or Development	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
9	Determining applications for Certificates of Alternative Development under the Land Compensation Act 1961	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
10	To determine applications received under the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Development Procedure) Order 2015 as it applies to agricultural permitted developments and notifications for demolition.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning

		and Enforcement
11	Making observations on prospective development in the environs of the District	<ul style="list-style-type: none"> • Principal Planning Officer • Director, Development • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
12	Consultation from adjoining District Councils in relation to planning applications within their district	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation

		<p>Officer</p> <ul style="list-style-type: none"> • Planning Enforcement Officer
13	Determination of validity of planning applications and the issuing of directions requiring further information in support of an application for planning permission and verification of particulars of information given in respect of an application	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer • Trainee Planning Officer • Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer
14	Dealing with any matters relating to fees for development management applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		<ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer <p>Trainee Planning Officer Apprentice Planning Officer</p> <ul style="list-style-type: none"> • Senior Technical Support Officer • Technical Support Officer
15	Deciding to whom to direct notification of a receipt of planning or other applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer <p>Trainee Planning Officer Apprentice Planning Officer</p>

		<ul style="list-style-type: none"> • Senior Technical Support Officer • Technical Support Officer
16	Settling the precise wording of notices, conditions imposed on permissions or consents and reasons for refusals to reflect the intentions of the Committee when making its decision	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
17	Determining applications for the erection of overhead electricity lines and telecommunications apparatus	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
18	To determine notifications received under the Town and Country Planning (General Permitted Development) Order 2015 for alterations or extensions to a dwellinghouse where no objections are	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

	<p>received from the adjoining premises.</p>	<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer • Trainee Planning Officer • Apprentice Planning Officer
19	<p>To determine notifications received under the Town and Country Planning (General Permitted Development) Order 2015 for alterations or extensions to a dwellinghouse where objections are received from the adjoining premises.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management) • Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer

20	To enter into planning obligations including the modification, discharge, variation and release of planning obligations.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
21	To decline to determine applications pursuant to ss70A - C of the Town and Country Planning Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
J	<u>HAZARDOUS SUBSTANCES</u>	<u>Nominated Officers</u>
1	Dealing with all aspects for hazardous substances consent under the Planning (Hazardous Substances) Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	Service of hazardous substances contravention notices under Section 24 of the Planning (Hazardous Substances) Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

		<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
K	<u>TREES AND WOODLANDS</u>	<ul style="list-style-type: none"> • <u>Nominated Officers</u>
1	Making Tree Preservation Orders and confirming Orders except where objections are received	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	The modification of Tree Preservation Orders prior to confirmation	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3	The decision not to confirm a Tree Preservation Order	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer

		<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
4	The variation of Tree Preservation Orders except where objections are received	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
5	The revocation of Tree Preservation Orders except where objections are received	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

6	In an emergency, to authorise the felling of trees which are the subject of Tree Preservation Orders or within designated Conservation Areas where the trees are considered to be unsound and dangerous	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
7	Approving species for replacement required by a condition imposed on the grant of planning consent	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Officer • Senior Planning Enforcement Officer
8	To investigate and take appropriate action (whether to prosecute or not) in respect of unauthorised works to protected trees	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning Enforcement Officer • Planning Enforcement Officer
9	To determine applications relating to surgery and/or felling of trees protected by a Tree Preservation Order	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
10	To determine whether or not to make a Tree Preservation Order following receipt of a notification to undertake tree work in a conservation area	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
11	To investigate and take appropriate action	<ul style="list-style-type: none"> • Senior Arboricultural Officer

	relating to reports of dangerous trees under the Local Government (Miscellaneous Provisions Act) 1976	<ul style="list-style-type: none"> • Tree and Landscape Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
12	To undertake inspections in relation to complaints relating to high hedges under the Anti-social Behaviour Act 2003	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Enforcement Officer • Senior Planning Officer • Planning Officer • Planning Enforcement Officer
L	<u>HEDGEROWS</u>	<u>Nominated Officers</u>
1	The powers and duties of the Authority under the Hedgerow Regulations 1997 introduced under Section 97 of the Environment Act 1995	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

		<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Enforcement Officer • Senior Planning Officer
M	<u>PUBLIC PATH ORDERS (PLANNING)</u>	<u>Nominated Officers</u>
1	The powers and duties of the Authority under Part X of the Town and Country Planning Act 1990 except where valid objections have been received	<ul style="list-style-type: none"> • Director - Development and Public Protection or Director Environmental Services
2	The powers and duties of the Authority under the Local Authorities' Recovery of Costs for Public Path Orders Regulations 1993	<ul style="list-style-type: none"> • Director - Development and Public Protection or Director Environmental Services
N	<u>APPEALS</u>	<u>Nominated Officers</u>
1	<p>In consultation with the Chair and/or Vice Chair and Spokespersons of the Planning Committee agree amendments to applications and to amend/remove reasons for refusal relating to these applications which have been decided by the Committee or by Officers under the terms of the Scheme of Delegation and are now the subject of an appeal</p> <p>NOTE: If the Chair and Vice Chair have different views the Chair's decision is taken as overriding</p>	<ul style="list-style-type: none"> • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
O	<u>GENERAL</u>	<u>Nominated Officers</u>

1	Authorisation of any Officer under any Act	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	The institution and conduct of all civil and criminal proceedings by the Authority	<ul style="list-style-type: none"> • Legal Officers
3	Defence of all legal proceedings against the Authority	<ul style="list-style-type: none"> • Legal Officers
4	Issue and service of notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 330 of the Town and Country Planning Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers
5	Authority to appear before the appropriate licensing or regulatory authority on behalf of the Authority in respect of all matters falling within the remit of the Committee and express formal objections or make general comments as appropriate	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers
6	Making objections or representations on all	<ul style="list-style-type: none"> • Director - Development and

	applications received in pursuance of the Authority's licensing functions where matters fall within the remit of the Committee	<p>Public Protection</p> <ul style="list-style-type: none"> • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
7	The institution and conduct of all necessary proceedings and procedures to implement and enforce any decision of the Authority including (for example) any agreement, licence, permit or consent	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers • Plus all Nominated Officers for the Function in question
8	The Instruction and Selection of Counsel (including all legal consultants)	<ul style="list-style-type: none"> • Legal Officers
9	Authority to engage Consultants for Commissions not exceeding £10,000	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers

		<ul style="list-style-type: none"> • Plus all Nominated Officers for the Function in question
10	Authority to accept tenders or quotations up to £30,000	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement
11	The dealing with and determination of all requests for Environmental Information under the Environmental Information Regulations 2004	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Plus all Nominated Officers for the Function in question
12	“Proper Officer” functions under Part VA (Access to Information) Provisions of the Local Government Act 1972	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Plus all Nominated Officers for the Function in question
13	Authority to affix the Common Seal of the	

	Council whenever necessary to complete or give effect to any decision of the Authority	<ul style="list-style-type: none"> • The Head of Legal and Democratic Services and nominated deputies
14	Authentication of documents under Section 234 of the Local Government Act 1972	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers • Plus all Nominated Officers for the Function in question

January 2020