

PLANNING SCHEME OF DELEGATION

1. General Delegations

The Executive Director - Sustainable Communities 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>
	Executive Director - Sustainable Communities	Head of Planning and Building Control Deputy Head of Planning (Development Management) Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement Principal Planning Officer/ Conservation Officer Senior Planning / Conservation / Enforcement Officer Senior Planning / Enforcement Officer Planning/Conservation /Enforcement Officer Senior Arboricultural Officer Apprentice Planning Officer Principal Officer World Heritage Senior Technical Support Officer Technical Support Officer

	– Head of Legal and Democratic Services and Monitoring Officer	Legal Officers
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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	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: 1 A Ward Member has, before a delegated decision is made and within two working days after the close of the latest public consultation on that application, submitted in writing to: development_management@bathnes.gov.uk 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:- • Relevant material considerations raising significant planning concerns • Significant implications for adopted policy • The nature, scale and complexity of the proposed development. <i>NOTE: If the Chair and Vice Chair have different views the Chair's decision is taken as overriding</i> <i>(NB the Ward Member will normally be expected to attend the Committee meeting at which the application they referred is to be discussed.)</i> 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, and	• Executive Director - Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

	which has been made prior to the end of the consultation period unless otherwise agreed in writing with the case officer for the application, 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. 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. 3 The Executive Director - Sustainable Communities and/or the Head of Planning considers that the application should be considered by Committee. 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. 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. 6 Any planning application which is subject to a viability assessment in respect of affordable housing will be reported to Planning Committee. 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 not to raise any significant planning concerns , in which case they will be dealt with under officer delegation. 8 All applications for fossil fuel exploration or extraction; or for commercial infrastructure	
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	for energy generation using fossil fuels will be determined by the Planning Committee. <i>NB: No nominated officer may determine an application in respect of which they have also acted as Case Officer.</i>	
B	<u>PRIOR NOTIFICATIONS</u>	<u>Nominated Officers</u>
1	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. <i>NB: No nominated officer may determine an application in respect of which they have also acted as Case Officer.</i>	• Executive Director Sustainable Communities • Head Of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
C	<u>PERMISSION IN PRINCIPLE</u>	<u>Nominated Officers</u>
	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 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. 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	• Executive Director - Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

agreed by the Chair and/or Vice Chair of Planning Committee, taking into account:- • Relevant material considerations raising significant planning concerns • Significant implications for adopted policy • The nature, scale and complexity of the proposed development. NOTE: If the Chair and Vice Chair have different views, the Chair's decision is taken as overriding (NB the Ward Member will be expected to attend the Committee meeting at which the application they referred is to be discussed.) 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, , and which has been made prior to the end of the consultation period unless otherwise agreed in writing with the case officer for the application, 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. The Executive Director - Sustainable Communities and/or the Head of Planning may call any application for PIP or TDC to Committee. Where 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, the application will be presented to Committee.	
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	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. <i>NB: No nominated officer may determine an application in respect of which they have also acted as Case Officer.</i>	
D	<u>PLANNING ENFORCEMENT</u>	<u>Nominated Officers</u>
1	The issue of Discontinuance/ Enforcement Stop Notice(s) and making applications for and enforcing injunction(s).	• Executive Director - Sustainable Communities • Head of Planning and Building Control • 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.	• Executive Director - Sustainable Communities • Head of Planning and Building Control • 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, Enforcement Warning Notices and notice under Section 330	• Executive Director - Sustainable Communities • Head of Planning and Building Control

	Town & Country Planning Act 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	• 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 •
4	The issue of Breach of Condition Notices.	• Executive Director - Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
5	The issue of Enforcement Notices where it is expedient to do so, having regard to the provisions of the development plan and any other material considerations.	• Executive Director - Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

6	The issue of Notices requiring the proper maintenance of land adversely affecting the amenity of a neighbourhood.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
7	To authorise prosecution proceedings for all offences under the Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas Act 1990 and s16 of the Local Government (Miscellaneous Provisions) Act 1976 :	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
8	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.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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
9	To determine the expediency of taking enforcement action in relation to breaches of s106 obligations, and to decide NOT to take action to enforce obligations, and to initiate formal legal action to secure compliance with obligations.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer •
E	<u>ADVERTISEMENTS ENFORCEMENT</u>	<u>Nominated Officers</u>
1	To take appropriate action (whether prosecution, injunction proceedings or other enforcement under Part 8 Chapter 3 of the Town and Country Planning Act 1990 (as amended) in respect of the unauthorised display of an advertisement.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	The issue of Listed Building Enforcement Notices where expedient to do so having regard to the effect of the works on the character of the building as one of special architectural or historic interest.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3	Making applications for and enforcing injunctions in cases of urgency.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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.	Executive Director Sustainable Communities • Head of Planning and Building Control Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		Principal Planning Officer
	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. The decision with reasons is to be documented and provided to the complainant in line with the published enforcement policy.	
G	<u>LISTED BUILDINGS/CONSERVATION AREAS</u>	<u>Nominated Officers</u>
1	Issue of Building Preservation Notices and Emergency Building Preservation Notices	- Executive Director – Sustainable Communities - Head of Planning and Building Control - Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement - 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.	- Executive Director – Sustainable Communities - Head of Planning and Building Control - 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	- Executive Director – Sustainable Communities - Head of Planning and Building Control

		• Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning / conservation/enforcement officer • Apprentice Planning Officer • Principal Officer World Heritage
4	Decisions as to whom to consult on applications for Listed Building Consent and Planning Permission for Demolition	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/ Conservation / Enforcement Officer • Apprentice Planning Officer

		Principal Officer World Heritage
5	Decisions as to whether Listed Building Consent or Planning Permission for Demolition is necessary	- Executive Director – Sustainable Communities - Head of Planning and Building Control - Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement - Principal Planning Officer - Senior Planning/ Conservation Enforcement Officer - Planning/Conservation Enforcement Officer - Apprentice Planning Officer - Principal Officer World Heritage
6	The determination of the validity of applications for Listed Building 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 information given in respect of an application.	- Executive Director - Sustainable Communities - Head of Planning and Building Control - Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement - Principal Planning Officer

		• Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage •
7	Deciding to whom to direct notification of a receipt of a Listed Building Consent application	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning /Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
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 Committee when making its decision.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development

		Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage

10	Deciding whether or not a planning application requires to be publicised as affecting the character or appearance of a Conservation Area	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning /Conservation / Enforcement Officer - Apprentice Planning Officer • Principal Officer World Heritage
11	Deciding whether or not a Planning Application requires to be advertised as affecting the setting of a Listed Building	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

		• Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
12	Service of Urgent Works and Repair Notices in respect of Listed Buildings in cases of urgency	• Executive Director – Sustainable Communities • Head of Planning and Building Control
13	Making Directions under Article 4 of the Town and Country Planning (General Development) Order 1988 as regards Conservation Areas	• Executive Director - Sustainable Communities • Head of Planning and Building Control • 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	- Executive Director – Sustainable Communities - Head of Planning and Building Control - 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	- Executive Director – Sustainable Communities - Head of Planning and Building Control - Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement - Principal Planning Officer - Senior Planning/Conservation / Enforcement Officer
H	<u>ADVERTISEMENTS</u>	<u>Nominated Officers</u>
1	Applications for consent under the Town and Country Planning (Control of Advertisements) Regulations 2007	- Executive Director – Sustainable Communities - Head of Planning and Building Control - 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Enforcement Officer
2	Determining applications for the approval of details required by a condition imposed on the grant of Planning Permission	• Executive Director – Sustainable Communities Head of Planning and Building Control

		• Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage •
2 (a)	Determining applications for the approval of Section 73 Applications of proposals which have been previously approved by the Council under the provisions of the Town and Country Planning Act	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3 (a)	Decisions as to the requirement for Environmental Impact Assessments under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in connection with submitted or proposed planning applications	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team

		Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
(b)	Decisions as to the scope of environmental assessments in connection with proposed planning applications	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior / Conservation/ Enforcement / Planning Officer
(c)	Decisions as to the requirement for further information to be submitted for an environmental assessment.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		• Principal Planning Officer • Senior Planning / Conservation / Enforcement Officer
4	Decision as to whether to advertise applications	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer • Principal Officer World Heritage
5	Decisions as to whom to consult on all applications e.g. Ministry of Agriculture	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development

		Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
6	Consultation under Pastoral Measure 1983	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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.	• Executive Director – Sustainable Communities • Head of Planning and Building Control Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning

		and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Senior Technical Support Officer • Technical Support Officer • Apprentice Planning Officer • Principal Officer World Heritage
8	Determining applications for Certificates of Existing Lawful use or Development or Proposed Use or Development	• Executive Director – Sustainable Communities • Head of Planning and Building Control 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
11	Making observations on prospective development in the environs of the District	• Executive Director, Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage •

12	Consultation from adjoining District Councils in relation to planning applications within their district	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation/ Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer

		• Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer • Principal Officer World Heritage
14	Dealing with any matters relating to fees for development management applications	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer • Principal Officer World Heritage

15	Deciding to whom to direct notification of a receipt of planning or other applications	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer • Principal Officer World Heritage
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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

		• Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
17	Determining applications for the erection of overhead electricity lines and telecommunications apparatus	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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 received from the adjoining premises.	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

		• Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
19	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.	• Executive Director - Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management) • Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/ Conservation / Enforcement Officer • Planning/Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
20	To enter into planning obligations including the modification, discharge, variation and release of planning obligations.	• Executive Director – Sustainable Communities

		• Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning / Conservation / Enforcement Officer • Principal Officer World Heritage •
21	To decline to determine applications pursuant to s70A - C of the Town and Country Planning Act 1990	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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>	• <u>Nominated Officers</u>
1	Making Tree Preservation Orders and confirming Orders except where objections are received	• Senior Arboricultural Officer • Arboricultural Officer • Senior Arboricultural Officer • Tree and Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer

		• Arboricultural Officer • Senior Landscape Officer • Executive Director - Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer

		• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control

		• 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	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director - Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control

		• Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning / Conservation / Enforcement Officer • Planning / Conservation / Enforcement Officer • Apprentice Planning Officer • Principal Officer World Heritage
9	To determine applications relating to surgery and/or felling of trees protected by a Tree Preservation Order	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer

		• Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control • 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 relating to reports of dangerous trees under the Local Government (Miscellaneous Provisions Act) 1976	• Senior Arboricultural Officer • Arboricultural Officer • Senior Landscape Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Senior Arboricultural Officer • Arboricultural Officer • Executive Director – Sustainable Communities • Head of Planning and Building Control

		• 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 • Apprentice Planning Officer • Principal Officer World Heritage
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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	Executive Director – Sustainable Communities
	The powers and duties of the Authority under the Local Authorities' Recovery of Costs for Public Path Orders Regulations 1993	Executive Director – Sustainable Communities
N	<u>APPEALS</u>	<u>Nominated Officers</u>
1	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 <i>NOTE: If the Chair and Vice Chair have different views the Chair's decision is taken as overriding</i>	- Executive Director Sustainable Communities - Head of Planning and Building Control - Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement - Principal Planning Officer - Senior Planning/ Conservation / Enforcement Officer - Planning/Conservation / Enforcement Officer - Apprentice Planning Officer - Principal Officer World Heritage
O	<u>GENERAL</u>	<u>Nominated Officers</u>
1	Authorisation of any Officer under any Act	- Executive Director – Sustainable Communities - Head of Planning and Building Control - 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	• Legal Officers
3	Defence of all legal proceedings against the Authority	• 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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 applications received in pursuance of the Authority's licensing functions where matters fall within the remit of the Committee	• Executive Director – Sustainable Communities • Head of Planning and Building Control

		• 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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)	• Legal Officers
9	Authority to engage Consultants for Commissions not exceeding £10,000	• Executive Director – Sustainable Communities • Head of Planning and Building Control • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Legal Officers

		• Plus all Nominated Officers for the Function in question
10	Authority to accept tenders or quotations up to £30,000	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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	• The Head of Legal and Democratic Services and nominated deputies
14	Authentication of documents under Section 234 of the Local Government Act 1972	• Executive Director – Sustainable Communities • Head of Planning and Building Control • 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
P	<u>RIGHTS OF ENTRY TO LAND</u>	<u>Nominated Officers</u>
1	Planning Enforcement: All rights of entry provided for under sections 196A-C Town and Country Planning Act 1990 (as amended), including: For the purpose of ascertaining whether there is or has been any breach of planning control on the land or any other land; to determine how any such power should be exercised in relation to the land or any other land, or to ascertain whether there has been compliance with any requirement imposed as a result of any such power having been exercised in relation to the land or any other	• Director of Sustainable Communities - Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

	land, if there are reasonable grounds for entering for the purpose in question. To apply for and to enter land under warrant for the same purposes.	• Senior Planning/ Conservation Officer • Senior Planning & Enforcement Officer • Planning/Conservation Officer • Planning & Enforcement Officer • Apprentice Planning Officer/Trainee Planning Officer • Principal Officer World Heritage
2	Trees: All rights of entry provided for under sections 214B-D Town and Country Planning Act 1990 (as amended), including: For the purpose of surveying it in connection with making or confirming a tree preservation order with respect to the land; ascertaining whether an offence under section 210 or 211 has been committed on the land; or determining whether a notice under section 207 should be served on the owner of the land, if there are reasonable grounds for entering for the purpose in question. To apply for and to enter land under warrant for the same purposes.	• Director of Sustainable Communities - 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 • Apprentice Planning Officer

		• Senior Arboricultural Officer • Tree and Landscape Officer • Principal Officer World Heritage •
3	Development Management & Plan Making: All rights of entry provided for under sections 324-325A Town and Country Planning Act 1990 (as amended), including: for the purpose of surveying it in connection with— the preparation, revision, adoption or approval of a local development document under Part 2 of the Planning and Compulsory Purchase Act 2004 or a local development plan under Part 6 of that Act; the preparation, making, modification or revocation of a neighbourhood development plan under Part 3 of that Act; any application under Part III or sections 220 or 221 or under any order or regulations made under any of those provisions, for any permission, consent or determination to be given or made in connection with that land or any other land under that Part or any of those sections or under any such order or regulations; any proposal by the local planning authority or by the Secretary of State to make, issue or serve any order or notice under Part III (other than sections 94 and 96), [or Chapter 2 or 3 of Part VIII] or under any order or regulations made under any of those provisions.	• Director of Sustainable Communities - Head of Planning • Deputy Head of Planning (Development Management)(Planning Policy); 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 - Apprentice Planning Officer • Principal Officer World Heritage
4	Listed Buildings: All rights of entry provided for under sections 88-88C Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended), including: For the purpose of surveying it [or any other land] in connection with any proposal by the authority or the Secretary of State to make,	• Director of Sustainable Communities • • Head of Planning • • Deputy Head of Planning (Development Management)(Planning Policy); Team Managers;

	issue or serve any order or notice under any of the provisions of sections 1 to 26, 38, 40, 46, 54, 55, 60, 68, 75 or 76 or under any order or regulations made under any of them, or any notice under section 48; ascertaining whether any such order or notice has been complied with in relation to the land or any other land;	Development Management, Planning and Conservation, & Planning and Enforcement • • Principal Planning Officer • • Senior Planning/Conservation /Enforcement/ Officer • • • Planning/Conservation / Enforcement Officer • • Apprentice Planning Officer • • Principal Officer World Heritage •
5	Community Infrastructure Levy: All rights of entry provided for under Regulation 109 of the Community Infrastructure Levy Regulations 2010 (as amended), including: to ascertain whether a chargeable development has been commenced; to determine whether any of the powers conferred on a collecting authority by this Part should be exercised in relation to a chargeable development or the relevant land; to ascertain whether there has been compliance with any requirement imposed as a result of any such power having been exercised in relation to a chargeable development or the relevant land; to display any notice required to be displayed on land in accordance with these Regulations; or where a person has submitted a notice of chargeable development, for the purposes of gathering information required by the collecting authority in order for it to calculate the chargeable amount payable in respect of the chargeable development. To apply for and to enter land under warrant for the same purposes.	• Director of Sustainable Communities 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 / Enforcement Officer • • Planning/Conservation / Enforcement Officer • • Apprentice Planning Officer • • CIL/s.106 Monitoring Officer

		• Principal Officer World Heritage •
6	High Hedges: All rights of entry provided for under section 74 of the Anti-Social Behaviour Act 2003, including:	• Director of Sustainable Communities • • 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 / Enforcement Officer • • Planning/Conservation / Enforcement Officer • • • Apprentice Planning Officer • • Principal Officer World Heritage •

Sept 2024