

## PROPOSED AMENDMENT TO THE CONSTITUTION

### Part 3 : Responsibility for Functions

#### **SCHEME OF DELEGATIONS TO OFFICERS : HEAD OF REGULATORY SERVICES (ITEMS 11 – 14)**

11. To carry out all processes and procedures related to the Council's Development Control function.
12. To sign all documents related to the Council's Development Control function following decisions made:
  - (a) within the terms of the delegated powers;
  - (b) by the Council's appropriate committee;
  - (c) by Full Council
13. To determine (i.e. allow or refuse) all applications for planning permission, advertisement consent, listed building consent, conservation area consent and for works on trees covered by a Tree Preservation Order (whether or not subject to any representations of support or objection), **except** an application which:
  - Is the subject of a press advertisement as a departure, and is recommended for approval.
  - Is concluded to conflict with the definition of sustainable development within the NPPF ~~saved policies of the development plan or the approved policies of the LDF (and associated documents)~~ and and is recommended for approval.
  - Is the subject of letters of objection from more than 5 separate households, or a petition or 'pro-forma' letters from over 10 signatories (where the grounds of objection are on bona-fide planning grounds) and the recommendation conflicts with the representations received.
  - Which, for extraordinary reasons, the Head of Regulatory Services considers it appropriate to be determined by the Committee.
  - Any Councillor requests in writing (with reasons justifying the request) to him/her within 21 days of the issue of the weekly list of applications, should be the subject of consideration by the Planning Committee. In the case of any disagreement between the Ward Councillor and the Head of Regulatory Services, the matter will be discussed with the Chairman of the Development Committee, the interested Ward Councillor concerned and the Head of Regulatory Services with a view to resolving whether or not the application should be presented to the Committee. (nb a Member may withdraw his/her request at any stage).
  - Is submitted by or on behalf of a Councillor or employee of the authority, their spouse or partner or any other family members.

- Is submitted by or on behalf of the Council for its own development, except for the approval of routine minor development to which no objection has been received. 'Minor development' will follow the definitions of the DCLG 'PS2' returns (up to 10 houses or 1000 sq. m. floorspace)
  - Requires referral to the Secretary of State prior to permission being granted.
  - Is the subject of advice to refuse from the Highway Authority, Environment Agency and/or HSE and the recommendation is to grant permission.
  - Is the subject of an Environmental Impact Assessment.
  - To determine all other planning related applications (whether or not any representations of support or objection have been received) including applications for work on trees in conservation areas and Permitted Development Order 1995 'Prior Notifications'.
14. To determine applications for Lawful Development Certificates pursuant to Section 191-194 of the Town and Country Planning Act 1990, in consultation with the Head of Legal Services.