

DELEGATION PROCEDURE FOR THE DETERMINATION OF PLANNING APPLICATIONS

Authority to determine the following matters set out in paragraphs 1.1 to 1.44 below except planning applications submitted by current Members and Chief Officers, which must be determined by the Planning Committee:

- 1.1 All domestic alterations and extensions within the curtilage of existing dwelling houses.
- 1.2 Residential development for up to 2 dwellings on infill sites within settlement boundaries.
- 1.3 Residential development for up to 10 dwellings on sites which have been allocated for residential purposes in the Local Plan(s).
- 1.4 Subdivision of dwellings into flats.
- 1.5 Extension of residential curtilages, where no major departure from established policy is concerned.
- 1.6 Formation of pedestrian / vehicular accesses to roads.
- 1.7 Fences, walls and other means of enclosure.
- 1.8 Extensions and alterations to shops, offices.
- 1.9 New industrial and commercial developments within existing established areas.
- 1.10 All changes of use.
- 1.11 Erection of temporary buildings of a minor nature and / or the stationing of caravans for periods not exceeding 2 years, provided no major departure from established policy is concerned.
- 1.12 Farm buildings and related structures, e.g. slurry stores.
- 1.13 All industrial developments on allocated and established sites.
- 1.14 Renewal of planning consents where there has been no change in planning circumstances.
- 1.15 Proposals to amend detail plans where consent for similar proposals have been previously granted.
- 1.16 Reserved matters applications.
- 1.17 Removal of, or alteration to, conditions.
- 1.18 Applications for operational development from "opted-out" schools and NHS trust hospitals (formerly dealt with under County Council "observations only" procedures or exempted by reason of Crown land immunity).
- 1.19 All overhead lines.

- 1.20 Applications for consent to display advertisements.
- 1.21 Installation of satellite dishes.
- 1.22 Listed Building Consent and Conservation Area Consent applications.
- 1.23 Fences and other means of enclosure.
- 1.24 Proposals to top, lop, prune and fell trees including the felling of trees affected by Tree Preservation Orders and / or within Conservation Areas.
- 1.25 All applications relating to the Prior Notification procedures (agriculture / forestry developments, demolitions, telecommunications).
- 1.26 Applications under sections 64, 191 and 192 of the Town and Country Planning Act 1990, in consultation with the Director of Legal, Public Protection and Housing Services.
- 1.27 Any replies, to consultations in respect of planning applications notified by adjacent Local Planning Authorities; to County Matter (minerals related proposals) and County Council Regulation 3 consultations; and to consultations in respect of proposals by Government bodies and departments.
- 1.28 Authority to discharge the functions of the Council to determine the following mineral planning matters:
 - (a) Determination of details submitted in discharge of Part 19 of the General Permitted Development Order (GPDO) 1995, including:
 - (i) Class A: Quarry processing plant;
 - (ii) Class B: Ancillary plant e.g. ready mixed concrete and coating plants.
 - (b) Applications for plant, machinery, offices etc., at quarries outside the scope of the GPDO, including retention of plant following the cessation of mineral working.
 - (c) Applications for mineral exploration not permitted by Part 22 of GPDO 1995 (boreholes, seismic surveys etc.).
 - (d) Applications for revised working schemes required by the Review of Mineral Sites set up by the Environment Act 1995 (Schedules 13 and 14).
 - (e) Applications for schemes in discharge of registered Interim Development Orders pursuant to the Planning and Compensation Act 1991.
 - (f) Amendments / variation to conditions of mineral permissions.
 - (g) Schemes in discharge of conditions of mineral permissions.
 - (h) Consultations by adjoining authorities on mineral working proposals in their areas.
 - (i) Determination of the need for an Environmental Assessment to be submitted with any application (this is mandatory for mineral extraction areas greater than 2.5ha).

- (j) Amendment to, and determination of, details in discharge of requirements of Section 106 Agreements at quarries.

Subject to where any Member of the Council requires that a particular application shall be subject to approval by the Planning Committee, the application will be referred to the Committee for consideration subject to the Member contacting a senior Planning Officer within fourteen days of the application appearing in the weekly list and subject also to such request being substantiated by a good planning reason or demonstration that strong local objections had been received and in the case of a difference of opinion between the relevant officer and any Member the matter shall be referred to the Chairman of the Planning Committee for consideration.

- 1.29 Sign and issue decision notices.
- 1.30 Advertise planning applications where necessary.
- 1.31 Decide whether planning contravention notices / breach of condition notices should be issued under the Planning and Compensation Act 1991 and to instruct the Director of Legal, Public Protection and Housing Services to issue such notices, if appropriate.
- 1.32 To authorise the issue of stop notices, after consultation with the relevant Cabinet Member, where reference to the Cabinet would occasion detrimental delay.
- 1.33 To exercise the Council's powers and to take action under Sections 224 and 225 of the Town and Country Planning Act 1990 (enforcement of control over advertisements and any regulations made thereunder); the exercise of these delegated powers to be reported from time to time to the Cabinet.
- 1.34 To deal with the control of unlawful advertisements in accordance with the Town and Country Planning Act 1990 (as amended).
- 1.35 Deal with minor amendments to planning applications.
- 1.36 Determine building regulation applications submitted in accordance with the relevant provisions of the Building Act 1984.
- 1.37 Serve notices under the Building Act 1984 in respect of
- (a) Section 71 - entrances, exits etc., to be required in certain cases;
 - (b) Section 72 - means of escape from fire;
 - (c) Section 77 - dangerous building(s);
 - (d) Section 78 - dangerous building - emergency measures;
 - (e) Section 79 - ruinous and dilapidated buildings and neglected sites;
 - (f) Section 81 - local authority's power to serve notice about demolition.
- 1.38 Sell materials from demolished buildings in accordance with the provisions of Section 100 of the Building Act 1984.
- 1.39 Implement the Building Regulations.
- 1.40 Determine applications for the relaxation and dispensation of Building Regulations.

- 1.41 Authority to determine grant applications under the Historic Buildings Grants Programme.
- 1.42 Authority to determine Hedgerow Removal Notices and to serve Hedgerow Retention Notices. (For details of specific officers authorised to have rights of entry under Regulation 12 of the Hedgerows Regulations 1997, see Minute 512(3), 1997/98.)
- 1.43 Authority to instruct the Director of Legal, Public Protection and Housing Services to revoke decisions in relation to Tree Preservation Orders and / or within conservation areas.
- 1.44. In consultation with the Cabinet Member for Planning and Transportation, to agree any minor typographical errors in the Statement of Decisions or Proposed Modifications documents prior to the commencement of the deposit period for the Unitary Development Plan (Minute No. C520 (8), 2002/03).