

**DELEGATED POWERS TO HEAD OF PLANNING APPLICATIONS
AS AGREED BY PLANNING APPLICATIONS COMMITTEE 18th NOVEMBER 2015**

Decisions to be taken by the Planning Applications Committee
1. The determination of any application not delegated to officers as set out below or which relate to land or buildings managed by the Director of Environment Planning and Enforcement or to which there are material planning objections - except where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case.
2. Any actions which might give rise to liability to pay compensation.
3. Responses to Government advice or consultations of particular relevance to the operation of the Development Management service by the Planning Applications Committee.
4. Any matter referred to the Committee by officers or by the local member with the agreement of the request of the Committee Chairman.

Decisions normally to be taken by Head of Planning Applications Group
1. To determine any application (including details submitted under condition and non-material amendments) for which there has been no relevant planning objection raised by consultees or as a result of publicity, or where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case.
2. To determine an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD)
3. To determine a screening* or scoping opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) or any subsequent order amending, revoking and re-enacting these regulations.
<i>*Local Planning Authorities are required under the Regulations to adopt a Screening Opinion within 3 weeks of receipt of the request, unless a longer period is agreed in writing, for example, if additional information is required.</i>
4. To determine an Appropriate Assessment application pursuant to The Conservation of Habitats and Species Regulations 2010 (as amended) or any subsequent order amending, revoking and re-enacting these regulations, where Natural England has advised the County Council that it is satisfied that the proposal will not affect the conservation objectives of the designated site or that the mitigation measures proposed are acceptable.

5. To refuse applications and to not approve details submitted under conditions where such submissions meet any of the following criteria:

- The proposal does not accord with the Development Plan and there are no overriding material reasons for granting permission or approving the details;
- Insufficient detail or information has been submitted to:
 - (i) enable proper consideration of an application for planning permission; or
 - (ii) satisfy the terms of a condition or conditions, in the case of an application to discharge a condition or conditions; or
 - (iii) enable technical issues raised by consultees to be resolved, either to determine an application for permission or to discharge a condition or conditions;
- The applicant has not agreed a reasonable extension of time to otherwise allow, within the required timescale:
 - (i) proper consideration of any further information submitted; or
 - (ii) completion of a legal agreement; or
 - (iii) resolution of any other outstanding matters;
- The applicant has failed to complete a legal agreement upon which a resolution by the Planning Applications Committee to grant planning permission is dependent within 6 months of such a resolution being made;
- The application is retrospective and is aimed at rectifying a breach of planning control against which Enforcement proceedings including Court prosecutions have already been instigated;
- The application is a repeat application within 12 months of a previous refusal or withdrawal and does not address the grounds of refusal or concerns raised by the earlier proposal.

Such decisions in relation to 5 above will only be issued following consultation with the Chairman, Vice Chairman and Lead Spokesperson for each political group prior to a decision being taken unless reasons of urgency make this impracticable. The consultation period shall usually be 2 working days.

Any decision taken in respect of 5 above is to be reported to the Committee, including the reason that (exceptionally) it had been impractical to consult the Chairman, Vice-Chairman and Lead Spokesperson for each political group.