Report to	Planning applications committee	**Item**
	10 October 2019	5
Report of	Interim director of regeneration and development	
Subject	Review of the scheme of delegation	

Purpose

This report proposes to amend the committee's current scheme of delegated powers which enables certain applications to be determined at officer level without referral to committee, in order to reflect a change in staffing arrangements within the planning service and to ensure that the scheme is factually correct.

Recommendation

To approve for use with immediate effect the changes to the scheme of delegation as set out in Appendix A.

Corporate and service priorities

The report helps to meet the corporate priorities of great neighbourhoods, housing and environment and inclusive economy.

Financial implications

There are no direct financial implications arising from this report.

Ward/s: All wards

Cabinet member: Councillor Stonard, cabinet member for sustainable and inclusive growth

Contact officers

Graham Nelson, interim director of regeneration and development	01603 212530
David Parkin, area development manager	01603 212505
Mark Brown, area development manager	01603 212542

Background documents

None

Report

Background

1. At its meeting on 11 October 2018, the committee approved the current scheme of delegation that enables decisions to be determined at officer level without referral to committee.

2. The officer level stipulated in the scheme of delegation is head of planning services. The head of planning services has been appointed to the post of interim director of regeneration and development and the post of head of planning services has not been filled.

Proposal

3. In order to ensure that the scheme of delegation reflects the management structure within the planning service it is proposed that the officer level delegation is made by the area development managers, currently Mark Brown and David Parkin. No other changes to the scheme of delegation are proposed.

4. A revised scheme of delegation amended by deleting “head of planning services” and replacing with “area development managers” is appended to this report.

5. In practice this will only change the name issued on decision notices and will not affect daily operations or who signs off decision notices. The head of planning has always delegated the daily signing off of delegated decisions. Therefore in practice almost all delegated decisions are signed off by the area development manager and this will not change. Senior Planners occasionally assist with this and can sign off the delegated reports of more junior planning staff.

APPENDIX A

REVISED SCHEME OF DELEGATION

A. Planning applications, conservation area applications, listed building applications and hazardous substances consent applications

All applications will be determined by the area development managers with the exception of the following:

(1) approval of major[1] planning applications if:

(a) subject to one or more objection raising material planning issues provided that said objections are received within the statutory consultation period or, in the case of revised plans, any subsequent formal consultation period; or

(b) the proposal would represent a serious departure from the development plan.

(2) approval of non-major[2] applications if:

(c) subject to two or more objections from neighbours and/or other third parties citing material planning issues provided that said objections are received within the statutory consultation period or, in the case of revised plans, any subsequent formal consultation period;

(d) there is a petition signed by 50 or more local residents (identically worded letters will be treated as a petition); or

(e) the proposal would represent a significant departure to the approved development plan.

(3) Where a member of the city council requests, within 14 days of the publication of the weekly lists, and an appropriate planning justification is made, that the application be referred to the committee for decision.

(4) Applications submitted by a member of the city council, a member of staff employed in the planning service or who works in a professional capacity in a field closely related to the planning service or their immediate family defined as husband / wife / partner / son / daughter / mother / father / brother / sister /and equivalent in-laws as either applicant or agent.

B. Prior notifications

All applications will be determined by the area development managers with the exception of the following:

(1) In the case of telecoms cabinets, masts or antennae under Part 25 of The Town and Country Planning (General Permitted Development) Order 2015 as amended which

---

[1] major is defined by central government as applications for 10 or more dwellings, outline applications for residential development on sites over 0.5ha, or offices, research, industrial, warehousing or retail development over 1,000 sq m or over 1ha for outline applications.
[2] the opposite of major as defined above.

are subject to two or more objections from neighbours and/or other third parties citing issues of siting and/or appearance (these being the only matters for which prior approval is required) that the head of planning's decision must be subject to consultation with the chair and vice chair of the planning applications committee if one or more ward councillors so request within 21 days of advertisement, neighbour consultation or publication of the weekly list.

C. Planning enforcement

All decisions will be made by the area development managers

D. Tree Preservation Orders (TPOs) and applications for tree works in conservation areas or protected by TPOs

All decisions will be made by the area development managers with the exception of:

(1) The confirmation of a tree preservation order served where there are 5 or more objections to that order UNLESS the order relates to a site upon which there is an existing order.

E. Applications for Permission in Principle and for Technical Details Consent

All decisions will be made by the area development managers

F. Other

Any Items which the director of regeneration and development considers appropriate to refer to the planning applications committee.