

Practice Advice Note 4

Scheme of Delegation – Planning Committee



Building Control	
Function	Delegation
Determination of Building Regulations applications	Corporate Director Regeneration & Community Services
All enforcement matters including procedures concerning Dangerous Structures	Corporate Director Regeneration & Community Services
Fee setting	Corporate Director Regeneration & Community Services

Planning	
Function	Delegation
Screening and scoping opinions relating to Environmental Impact Assessment	Corporate Director Regeneration & Community Services
To offer professional planning advice under the local or national scheme for preliminary planning advice. Includes responding to pre-application (PAC) consultations for DNS.	Corporate Director Regeneration & Community Services
Consultation by neighbouring Local Planning Authority	Corporate Director Regeneration & Community Services
Determination of all planning and related applications unless otherwise specified in the scheme of delegation. This shall include TPO, listed buildings, adverts, lawful development certificates, CAAD, CAC, s73, discharge of conditions, non-material amendments, prior notifications, reserved matters and hazardous substances consent. To include cases where s106 obligations are applicable.	Corporate Director Regeneration & Community Services
To decline to entertain an application when s70A of the Act applies	Corporate Director Regeneration & Community Services
Major residential applications of 10 or more units or site area 0.5ha or more.	Planning Committee
Approval of applications that are deemed to be a material departure from the Local Development Plan.	Planning Committee
Applications for non-domestic renewable energy schemes (solar, hydro and wind) which give rise to concerns of noise, visual impact or other material concerns.	Planning Committee
Local Impact Report relating to Development of National Significance <i>(Members wishing to express a view on the merits of a scheme to submit representations direct to the Inspector by the prescribed deadline)</i>	Corporate Director Regeneration & Community Services

Applications in the opinion of the Service Manager are of wider public interest. Planning Committee

Where a Member submits a written request (within 21 days of application appearing on the published weekly list) citing material planning reasons that an application be heard at Planning Committee. Planning Committee
(Subject to call in request being approved by the Chair)

Applications submitted by an Officer of the Development & Estates team, an officer directly involved in the planning process or an elected Member of the Council (or on land/buildings in their ownership). Planning Committee

To agree extensions of time on planning and related applications Corporate Director Regeneration & Community Services

To respond to consultations from Welsh Government on changes to policy, regulations and primary legislation. Corporate Director Regeneration & Community Services

Planning Enforcement

Function

Delegation

The service of a planning contravention notice (or other requisition for information), enforcement notice, breach of condition notice, s215 notice or enforcement under advertisement regulations. Corporate Director Regeneration & Community Services

Determination that no further action be taken where it is considered no breach or that it is not expedient to take enforcement action. Corporate Director Regeneration & Community Services

In emergencies, the service of a stop notice or injunction. Corporate Director Regeneration & Community Services (in consultation with Chair and Chief Legal Officer)

To instigate proceedings for non-return or non-compliance with a notice. Corporate Director Regeneration & Community Services

Cases which in the opinion of the Service Manager are of wider public interest given the circumstances of the case. Planning Committee

RIPA Authorisations Appropriate authorised officer signatory

Note 1: where authority is delegated to the Corporate Director Regeneration & Community Services, this may be cascaded to other officers within the Team commensurate with seniority and experience.

Note 2: This note only deals with planning and building control functions. There are other services that fall under the remit of Planning Committee not covered in this note e.g. rights of way matters.