

APPENDIX A

Planning, Regulation, Licensing and Registration

| Nature of Decision | Officers | Conditions |
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| <p>All matters relating to Town & Country Planning functions as set out in the planning and related Acts, are delegated to the relevant senior planning officer to determine, other than the exceptions listed</p> | <p>Director of Place and Economy</p> | <p>Delegated authority should not be exercised for planning applications, which in the opinion of the relevant senior planning officer should be referred to the relevant Planning Committee. This may be for reasons such as (but not exclusively):</p> <ul style="list-style-type: none"> (i) Applications where a national or local planning policy is being tested for the first time within the Council's area (ii) Applications which have a finely balanced officer recommendation (iii) Applications by or on behalf of a Planning Officer who has recently left the organisation (or one of the preceding councils) for any property or land in which they have a financial interest (iv) Applications that the relevant senior planning officer considers are potentially contentious and raise material planning issues, or would affect the wider public interest (v) Applications which the senior responsible planning officer considers would need to be advertised as a departure from policy, in which the officer is minded to recommend for approval. |
| | | <p>Delegated authority should not be exercised where a town or parish council has submitted a written objection to an application for major development (as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any amendment thereto) * that is contrary to the officer's proposed decision subject to the criteria below: -</p> <ul style="list-style-type: none"> (i) The written objection was received by the Planning Authority within the statutory period specified for consultation; and (ii) The written objection is from a relevant town or parish council in which the development proposal is located or partly located; and (iii) The written objection contains a matter(s) relating to substantive material planning consideration(s); and (iv) That an attempt has been made by the Planning Authority to liaise with the town or parish council to seek withdrawal of said objection(s) by means of explanation, |

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| | | <p>amendment to the proposal or by means of condition; and</p> <p>(v) That the Chair, Vice Chair, and a senior planning officer agree that the objection received from a town or parish council contains a substantive material planning consideration determination of which cannot be resolved outside of a committee resolution.</p> |
| | | <p>Delegated authority should not be exercised for applications submitted by, or on behalf of, a Councillor or direct family (spouse or civil partner) of a Councillor for any property or land in which they have a financial interest.</p> |
| | | <p>Delegated authority should not be exercised for applications submitted by, or on behalf of, a current Officer working within the Planning & Development Service or at Tier 4 level and above or direct family (spouse or civil partner) of Officers identified above for any property or land in which they have a financial interest.</p> |
| | | <p>Delegated authority should not be exercised for applications where the Council is the applicant or landowner (in whole or part), except where the proposal is for minor development which accords with relevant planning policy and to which no objection has been made.</p> |
| | | <p>Delegated authority should not be exercised for Planning applications for major development (as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any amendment thereto) * where there is a written holding objection from a statutory consultee that is contrary to the officer's proposed recommendation, and that the officer has been unable to satisfactorily resolve with the consultee</p> |
| | | <p>Delegated authority should not be exercised where a minimum of 5 objectors (non-major planning applications) or 10 objectors (major planning applications) have submitted a written objection that is contrary to the officer's proposed decision subject to the criteria below: -</p> <p>(i) The written objection(s) were received by the Planning Authority within the statutory period specified for consultation; and</p> |

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| | | <p>(ii) The written objection was from a resident or business which could be affected by living or located in the area served by the committee, in which the development proposal is located or partly located; and</p> <p>(iii) The written objection contains a matter(s) relating to substantive material planning consideration(s); and</p> <p>(iv) That an attempt has been made by the Planning Authority to liaise with the objector(s) to seek withdrawal of said objection(s) by means of explanation, amendment to the proposal or by means of condition; and</p> <p>(v) That the Chair, Vice Chair, and a senior planning officer agree that the objection received from an objector contains a substantive material planning consideration determination of which cannot be resolved outside of a committee resolution</p> |
| | | <p>Delegated authority should not be exercised where an application has been “called in”. To be called in, the following criteria shall be met:</p> <p>The NNC Ward Councillor shall submit the request in writing, setting out the material planning issue/s.</p> <p>The request shall be received by the relevant senior planning officer within 21 calendar days from the date the application was first published on the Council’s website and notified to Councillors, or during any further notification period required following receipt of amendments to the scheme.</p> <p>The request shall be considered by the Chair or Vice Chair of the relevant Planning Committee in consultation with the senior planning officer and upon agreement that the referral contains a material planning issue the application shall be called in.</p> |

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*The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines “major development” as “development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more”