



Bassetlaw

DISTRICT COUNCIL

— North Nottinghamshire —

Scheme of delegation for determining planning applications

Introduction

The key objective of this scheme is to provide clarity about the circumstances in which applications will be dealt with using delegated powers, referred to Planning Consultation Group (PCG) or referred to Planning Committee.

Any Member of the Council is able to request that applications are considered by Planning Committee. To aid this process the standard form must be completed by Members so that the Call in request is recorded properly. The form will be presented to PCG for consideration before a decision is made to refer the application to Planning Committee. The completed form will be added to the application file. Any requests via email will not be accepted as a Member Call in unless the Standard Form is attached (this form can be completed via Member iPad technology).

In the interest of transparency, the Officer report to PCG will include minutes summarising any relevant issues arising from the discussion at PCG and noting any specific points that Members wish to be recorded. The minutes will be available for inspection as a record of the considerations taken into account in determining the application.

The scheme of delegation sets out the criteria to be used to determine:

- The circumstances in which delegated powers can be used;
- The applications that should automatically be referred to PCG;

- The applications that should automatically be referred to Planning Committee.

When considering applications that do not obviously meet these criteria. Officers will use their judgement to determine whether the applications raise issues that justify consideration at PCG or Committee.

The scheme of delegation for determining planning applications, and related matters as approved by Planning Committee, is set out below.

Extent of delegation to Officers

Officers will have the following delegated powers.

Determination of applications for permission, approval or consent, requirements for assessment, issuing of notices and completion or modification of agreements or obligations under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, the Planning and Compensation Act 1991 and the Environment Act 1995, or any subordinate rules, orders or regulations made under such legislation.

Officers will also have delegated powers to determine all other matters required to be dealt with as part of the management and administration of the Council's Planning function and powers, including (but not exclusively):

- Amendments to Planning Permissions;
- Details submitted pursuant to conditions imposed on Planning Permissions and other consents;
- Matters relating to protected trees;
- Consultation with other bodies on planning matters;
- Enforcement of planning control (in consultation with the Head of Regeneration);
- Appeals;
- Screening opinions under the 2017 Environmental Assessment Regulations.
- Scoping opinions under the 2017 Environmental Assessment Regulations.
- All minor County Matter applications

Applications that should automatically be referred to Planning Consultation Group (PCG) for consideration

- Applications made by elected Members of the Council or by Officers of the Council or close relatives.
- All major County Matter applications
- Applications where a request is made in writing on the required form, by an elected Member of the Council, on planning grounds, that an application be decided by Planning Committee;
- Applications that have received up to 10 objections, on material planning grounds, where the recommendation is to grant permission;
- Applications subject to a Parish Council objection on valid planning grounds where the recommendation is to grant permission or applications explicitly supported by the Parish Council where the recommendation is to refuse;

- Applications subject to a Neighbourhood Planning Group objection on valid planning grounds where the recommendation is to grant permission or applications explicitly supported by the Parish Council where the recommendation is to refuse
- Applications where the recommendation is to grant where there are objections raised by a Statutory Consultee;
- Applications for material amendments and to vary conditions (under Section 73 applications) to planning permissions previously approved at Planning Committee;
- Applications for reserved matters where the outline planning permission was granted by Planning Committee.
- Confirmation of Tree Preservation or other Orders or Directions, which are the subject of a valid objection.
- All applications for Planning Permission in Principle (PiP)
- All applications for Technical Details Consent (TDC) related to a Planning Permission in Principle
- Any written reports, representations or statements to be submitted in respect of Nationally Significant Infrastructure Projects (NSIP).

Applications that should automatically be referred to Planning Committee

- Major Planning Applications that require referral to the Secretary of State;
- Applications accompanied by an Environmental Impact Assessment;
- Applications for residential development or conversions for the following:
 - 20 or more dwellings in Harworth, Worksop and Retford where the recommendation is to grant planning permission;
 - 10 or more dwellings elsewhere in the district where the recommendation is to grant planning permission:
- Applications for renewable energy generation where the application site exceeds 5 hectares in area
- Employment proposals classified as major schemes not within an existing employment site;
- Applications where more than a total of 10 letters of objection have been received (Members of the public and Parish Councils) where the recommendation is to grant permission.
- Free standing chimneys, towers, masts or similar structures, other than structures intended for removal within less than 1 year, higher than 20 metres. In the case of turbines the height refers to the height of the turbine hub.