

J. CHIEF OFFICER: PLANNING, AND TRANSPORT AND COUNTRYSIDE

1. Subject to the exceptions and reservations set out in paragraph 2 below the Chief Officer: Planning, and Transport and Countryside is authorised to exercise the functions of the Council as Local Planning Authority and contained in all other legislation relating to Town and Country Planning (including Listed Buildings and Conservation Areas) save for functions in respect of Tree Preservation Orders and hedgerows.

2. Exceptions and Limitations

(a) ~~applications (including applications to vary planning obligations or for a building to be listed but not including applications for Certificate of Lawful Use) which any single Member of the Council expressly requests should be determined by the Planning Committee, provided that the request is supported, in writing, by a valid planning reason. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 1995 (or any order revoking or re-enacting that Order with or without modification).~~

(b) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting more than five valid planning objections from different households or other organisations before a delegated decision is made, may not be allowed by the Chief Officer: Planning, Transport and Countryside. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification).

(c) applications (including applications to vary planning obligations or for a building to be listed but not including applications for Certificate of Lawful Use) attracting between three and five valid planning objections from different households or other organisations before a delegated decision is made, where valid planning objections arise from not more than five households and/or organisations, may only be allowed by the Chief Officer: Planning, Transport and Countryside. Where there are between three and five valid planning objections from households and/or organisations, applications may only be allowed by the Chief Officer: Planning, Transport and Countryside if he^[MB1] considers it appropriate to do so following reference^[BP2] to the Chairman of the Planning Committee and Ward Councillors. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 1995 (or any order revoking or re-enacting that Order with or without modification).

(de) Determination of whether an application under 2 (a) or (b) above from a member of Council staff whose role involves working directly with the Planning division should be referred to the Planning Committee. (Refer to Protocol for Members dealing with Planning matters for consideration of Applications from any Council Chief Officer)

(ed) vary or release agreements made pursuant to Section 52 of the Town & Country Planning Act 1971 (whether made pursuant to other legislation or not) which either any single Member requests should not be determined by the Chief Officer or objections arise from more than three^[BP3] households and/or organisations

(fe) applications which, if approved, would be contrary to the Development Plan.
(f) applications for buildings to be listed where there is significant public interest.

(gg) applications for schemes which the Chief Officer – Planning, ~~and~~ Transport and Countryside is responsible for promoting.

(hh) authority to authorise the Borough Solicitor to issue/withdraw/waive or relax Enforcement Notices, Stop Notices and Listed Building Enforcement Notices shall only be given following consultation with the Chairman of the Planning Committee.

(ii) the final approval of Local Development Documents and in respect of Development Plan Document approval for submission for examination in public.

(jj) the designation of Conservation Areas.

(kk) the revocation of planning permission.

(ll) the approval of a Supplementary Planning Document for public inspection.

(mm) decisions to modify a planning permission under Section 97 of the 1990 Act are not delegated, and

(nn) non-material amendments to a planning permission or approved plans should not be approved other than pursuant to an application under Section 96A of the 1990 Act.

(oo) confirmation of decisions to remove or restrict Permitted Development rights.