

25 June 2015

Report of	Head of Professional Services	Author	Andrew Tyrrell
Title	Changes to the Scheme of Delegation		
Wards affected	All Wards		

This report concerns a change to the Scheme of Delegation to divide one category of delegated powers into two separate categories. Currently the discharge of conditions, non-material amendment, minor material amendment and reserved matters applications are all grouped under one power delegated to Officers. However, it is proposed to split these so that the level to which they are then delegated down can be differentiated.

1. Decision(s) Required

- 1.1 To split delegated power 2 in the existing Scheme of Delegation for Planning to both Professional Services and Commercial Services (see proposals in Section 5).

2. Reasons for Decision(s)

- 2.1 This change to the Scheme of Delegation is required to divide one category of delegated powers into two separate categories. Currently the discharge of conditions, non-material amendment, minor material amendment and reserved matters applications are all grouped under one power delegated to Officers. However, it is proposed to split these so that the level to which they are then delegated down can be differentiated.
- 2.2 Non-Material Amendments and the Discharge of Conditions are types of application that come after an initial planning permission is granted, and upon which the later decision then appends. They do not grant a new permission in its own rights and only deal with matters that have previously been agreed in principle within the original application. These matters have always been dealt with at Planning Officer level.
- 2.3 However, the Minor Material Amendment application does grant a new planning permission and is subject to consultation. The matters within a material amendment are "material" and this means that they may affect other parties (neighbours, statutory consultee bodies). The same is true of Reserved Matters applications, where these grant detailed planning permission after an Outline application has earlier agreed the principle of development.

- 2.4 Because these later two types of application grant a new permission in its own right it is considered that they should be distinguished from the earlier Conditions and Non-Material Amendments (which don't grant a new permission). The Heads of Service would then be able to limit the delegation of Minor Material Amendment and Reserved matters application to Principal Planning Officer (and not down to Planning Officer where the Discharge of Conditions and Non-Material Amendments are already delegated to. In other words, Planning Officers would not be able to authorise Minor material Amendments or Reserved matters applications without the authorisation of a Principal Planning Officer, Manager or Head of Service.

3. Alternative Options

- 3.1 The alternative option is to retain the Scheme of Delegation as it stands now, with these 4 different types of application combined into one delegated power that is delegated down to Planning Officer level.

4. Supporting Information

- 4.1 Members of the Committee will be familiar with the Scheme of Delegation already, however copies of this can be found on the Councils website.

5. Proposals

- 5.1 To change the current wording within the Scheme of Delegation as below:

"2. The determination of applications for the approval of reserved matters, details required by a condition on a planning permission and non-material or minor material amendments, unless the Planning Committee at the granting of the outline / original planning permission indicates that it requires to determine the aforementioned matter itself."

To read as two separate parts, and as follows:

"The determination of applications for the approval of reserved matters or minor material amendments, unless the Planning Committee at the granting of the outline / original planning permission indicates that it requires to determine the aforementioned matter itself."

The determination of details required by a condition on a planning permission and applications for a non-material amendment, unless the Planning Committee at the granting of the outline / original planning permission indicates that it requires to determine the aforementioned matter itself."

- 5.2 The two parts would then be numbered separately and the remaining powers from the current number 3 would then be re-numbered accordingly.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.