

2.0 Responsibility for Council Functions

Function	Body/Individual with Delegation	Terms of Delegation
A Relating to Town & Country Planning and Development Control	Council	<p>To approve, for the purpose of its submission to the Secretary of State for independent examination under Section 20 of the Planning & Compulsory Purchase Act 2004, a development plan document.</p> <p>To adopt Local Development Documents after consultation and independent public examination and subject to any direction imposed by the Secretary of State.</p>
<p>1 In connection with the discharge of functions under Sections 28-31 of the Planning & Compulsory Purchase Act 2004 to:</p> <p>a) Agree to the making of an Agreement to prepare one or more joint development plan documents</p> <p>b) Agree the making of an Agreement to establish a joint committee to be for the purposes of Part 2 of the 2004 Act to be the Local Planning Authority</p>	Council	<p>To determine all matters referred to in 1(a) to (c)</p>

Function	Body/Individual with Delegation	Terms of Delegation
c) Agree the making of a request to the Secretary of State for the revocation as the Local Planning Authority for any area or in respect of any matter		
2 Power to determine applications for planning permission	Development Management Committee	To exercise all powers referred to in paragraphs A2-A36
3 Power to determine applications to develop land without compliance with conditions previously attached	Group Head of Place Shaping, Head of Planning and Building Control , and Development Management Team Leader	To exercise all powers referred to in paragraphs A2-A14 and A26- A34 except (in the case of paragraphs A2-A4): 1 where more than 4 objections have been received unless the application is to be refused or
4 Power to determine applications for planning permission for development already carried out		2 where the development is for non-residential purposes (whether an increase of an existing use or a new development) of more than 1,000 square metres or
5 Power to decline to determine application for planning permission		3. where the development is for 10 or more residential units
6 All matters relating to the processing of applications and their determination and the making of any appropriate administrative charge related to the	Principal Planning Officers	4. Where the Development Management Team Leader is the case officer To exercise all powers referred to in paragraphs A2-4,A7-8 A10,A12,A26-29,A35 and A37 except (in the case of A2 -4):

Function

exercise of these powers (as provided for by s303 of the Town and Country Planning Act 1990 and s 93 of the Local Government Act 2003) including:

- a) the giving of directions requiring additional information from an applicant in accordance with s63(3) of the Town & Country Planning Act 1990.
- b) determination as to whether an application requires to be referred to the County Planning Authority as a "county matter" under s.1 and Schedule 1 of the Town and Country Planning Act 1990.
- c) determination as to whether the County Planning Authority requires to be consulted on an application under s.1 and Schedule 1 of the Town and Country Planning Act 1990.

Body/Individual with Delegation**Terms of Delegation**

1. where more than 4 objections have been received or
2. where the development is for non residential purposes (whether an increase of an existing use or a new development) of more than 1,000 square metres or
3. where the development is for 10 or more residential units or
4. where the Principal Planning Officer is the case officer

Function	Body/Individual with Delegation	Terms of Delegation
d) determination of the appropriate fee for planning and other applications.		
e) determination as to whether and how planning or other applications are required to be advertised.		
f) all powers and duties under the Town and country Planning (Environmental Impact Assessment) Regulations 2011		
g) determination as to whether and what material open to public inspection should be permitted to be copied, and the making of reasonable charges for copies supplied.		
h) determination as to whether the Council's case at an appeal should be dealt with by way of public inquiry, hearing or written representations.		
i) responding to consultations on		

Function	Body/Individual with Delegation	Terms of Delegation
<p>planning and other applications from neighbouring planning authorities under Article 16 the Town and Country Planning (Development Management Procedure) (England) Order 2010</p>		
<p>j) responding to consultations concerning development with government authorisation under s90 of the Town and Country Planning Act 1990</p>		
<p>k) responding to consultations from the Forestry Commission under the Forestry Act 1967 and related legislation.</p>		
<p>l) responding to consultations under the Mission and Pastoral Measure 2011.</p>		
<p>m) the making of a Direction under Article 4 of the Town and Country Planning General</p>		

Function	Body/Individual with Delegation	Terms of Delegation
Permitted Development Order 2015 (as amended)		
7 Power to determine applications for planning permission made by a Local Authority, either alone or jointly with others		
8 Power to make determinations, give or refuse prior approvals and agree other matters relating to the exercise of permitted development rights set out in schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995		
9 Power to enter into agreements and accept unilateral undertakings regulating development or use of land under s106 of the Town and Country Planning Act 1990		
10 Power to determine applications for a certificate of existing		

Function	Body/Individual with Delegation	Terms of Delegation
or proposed lawful use or development		
11 Power to serve a completion notice		
12 Power to determine applications for the display of advertisements		
13 Power to authorise entry onto land under the Planning Acts		
14 Power to require the discontinuance of a use of land or the alteration or removal of buildings or works		
15 Power to serve a planning contravention notice, breach of condition notice, stop notice or temporary stop notice	Group Head of Place Shaping, Head of Planning and Building Control and Development Management Team Leader	To exercise all powers referred to in paragraphs A15-A25
16 Power to issue an enforcement notice	Planning Enforcement Team Leader	To exercise all powers referred to in paragraphs A15-25,A32 and A37 except where the Planning Enforcement Team Leader has been the case officer
17 Power to make an application for a		

Function	Body/Individual with Delegation	Terms of Delegation
planning enforcement order		
18 Power to apply for an injunction restraining a breach of planning control		
19 Power to serve a notice to require the proper maintenance of land		
20 Power to authorise the execution of works required by an enforcement notice, a listed building enforcement notice or an enforcement notice in relation to the demolition of an unlisted building in a conservation area, or for the enforcement of a discontinuance order		
21 Power to issue a listed building enforcement notice		
22 Power to issue an enforcement notice in relation to the demolition of an unlisted building in a conservation area		
23 Power to enforce control over		

Function	Body/Individual with Delegation	Terms of Delegation
<p>advertisements in accordance with ss224-225E of the Town and Country Planning Act 1990 and related legislation</p>		
<p>24 Power to remedy defacement of premises in accordance with ss225F-225J of the Town and Country Planning Act 1990 and related legislation</p>		
<p>25 Power to determine that no enforcement action be taken either because either (a) there is no breach of planning control (b) it would not be expedient to pursue any action or (c) the breach of planning control previously identified has been remedied</p>		
<p>26 Power to determine applications for hazardous substances consent and related matters</p>		
<p>27 Power to determine applications for conservation area</p>		

Function	Body/Individual with Delegation	Terms of Delegation
consent and related matters		
28 Power to determine applications for listed building consent and related matters		
29 Duties relating to applications for listed building consent and conservation area consent		
30 Power to serve a building preservation notice and related matters		
31 Power to acquire a listed building in need of repair and to serve a repair notice		
32 Power to apply for an injunction in relation to a listed building or a building in a conservation area		
33 Power to execute urgent works under s54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and related matters		
34 Power to approve or refuse the issue of certificates of appropriate alternative development		
35 Power to determine applications for (a) the	Group Head of Place shaping,	To exercise all powers referred to in paragraph A35

Function	Body/Individual with Delegation	Terms of Delegation
discharge of planning and listed building conditions and (b) non material amendments to permissions and consents	Head Planning and Building Control Development and Management Team Leader	
36 Powers relating to the preservation of trees	Group Head of Democracy and Governance	To make, seal and confirm Tree Preservation Orders
37 Powers relating to the administration of the Community Infrastructure Levy under the Community Infrastructure Regulations 2010 (as amended) or any subsequent legislation repealing or replacing those regulations	Group Head of Place Shaping, Head of Planning and Building Control and Development Management Team Leader	To exercise all powers relating to the collection and enforcement of the Community Infrastructure Levy.