

## **Planning Scheme of Delegation**

### **Authorised Officers**

In relation to this scheme of Delegation the authorised officer shall be the Service Manager – Development Control (Head of Planning) and any officer duly authorised in writing by the Service Manager to act on their behalf.

### **The Scheme: -**

All decisions, responses or determinations arising in relation to applications, approval of reserved matters, prior approvals, consents and consultations, submitted to or received by the Council in accordance with all Town and Country Planning, Listed Building and related or associated legislation (including subordinate legislation and any consolidation, re-enactment or amendment thereto) shall be delegated to the Authorised Officer(s) as specified above, except the following:

- i) Any application which is a departure from the Local Plan and the NPPF must be taken to the Planning Committee where it is the officer's recommendation to approve the application. Where the Local Plan is silent on matters, but a proposal is in conformity to the NPPF, then an application can be determined through the Scheme of Delegation.
- ii) In respect of any particular ward, any application for planning permission, approval of reserved matters, conservation area consent, tree works approval or listed building consent where a Councillor from that ward (or in the event of a conflict of interest the Portfolio Holder for Planning) has requested, in writing within four weeks of the date of validation of the application, that the application be considered by Committee, such a request shall be accompanied by a statement demonstrating significant community concern (either for or against the proposal) related to sustainable planning reasons as to why the proposals need to be considered by Committee. A list of related Local Plan policies, shall accompany such requests for consideration by the Service Manager – Development Control (Head of Planning) who shall assess and determine the matter in consultation with the Council Leader, Chair of Planning Committee, and the Monitoring Officer (or their nominated deputies). Any such requests shall be acknowledged in writing and any decisions shall be recorded in writing and shall include a statement of the reasons for the decision reached.
- iii) Any application of any type where the intended recommendation is to approve and where there are significant local objections, unless in the view of the Authorised Officer(s), the points raised by the objectors are withdrawn or dealt with by amendments to the application, or by the imposition of planning conditions or obligations, or are not planning matters.
- iv) Any application or consultation or like matter where the Authorised Officer(s) considers a decision should be taken by Committee.

- v) In those cases where strict, statutory time limits are involved for making decisions or taking action, for example in cases of agricultural buildings, demolitions, telecommunications determinations and notifications of works to trees in Conservation Areas, where non-determination within a set period automatically gives consent, any objections(s) received will be addressed by the Authorised Officer and at his discretion efforts will be made to resolve the objection(s) before the expiry period, but the existence of the objection(s) will not alter his authority in those instances to make a decision. In such cases the officer shall in far as reasonably practicable shall report the matter to the next Planning Committee for noting.

The term significant local objections is defined where a development impact is greater than upon immediate neighbours and is of community-wide interest: -

- vi) Delegation of Planning Decision Making to Parish/Town Councils. A Parish or Town Council can assume a function delegated by the District Council under Section 101 of the Local Government Act 1972. Any such delegation must be subject to the consent of Full Council. East Lindsey District Council has agreed the delegation of some Planning decision making powers to Horncastle Town Council under the terms as defined within the bespoke Delegation Agreement.