

SECTION 3 - SPECIFICALLY DELEGATED FUNCTIONS TO INDIVIDUAL CHIEF OFFICERS

3.9 DIRECTOR OF PLANNING AND PLACE

The exercise of the following functions, **in line with relevant Council policies**, is delegated to the Director of Planning and Place:

3.9.1 The functions listed below in relation to the legislation set out in Appendix B and legislation made thereunder for which the Planning Committee has responsibility:

- (a) determining applications for small scale office development (up to 200sq metres);
- (b) minor alterations and extensions to, residential, community/civic, commercial or industrial premises;
- (c) determining applications for minor works such as works required for the purposes of providing disability access; the erection of smoking shelters etc;
- (d) determining applications for the alteration and extension for residential purposes to existing residential units to include residential garages or sheds within the curtilage of an existing dwelling;
- (e) determining applications for developments of up to four dwellings;
- (f) determining applications for the display of advertisements;
- (g) determining applications for change of use excluding those relating to purpose build student accommodation, houses of multiple occupation, amusement arcades and hot food bars;
- (h) determining applications for works to buildings or structures in conservation areas and areas of townscape character;
- (i) determining applications for listed building consent, excluding demolition;
- (j) determining applications for landscaping, car parking and other minor works to the main use of the land on which they are to be located;

- (k) enforcing all regulations, orders and bye-laws made under the said legislation;
- (l) instituting legal proceedings, in consultation with the Town Solicitor, on behalf of the Council;
- (m) authorising officers pursuant to relevant legislation for the purpose of exercising statutory powers;
- (n) issuing and serving certificates of lawful development;
- (o) varying and removing conditions except when the variation and removal relates to, or constitutes, a major development;
- (p) exercising all powers in relation to the issue and renewal (but not refusal) of permits and licences except those permits or licences that relate to, or constitute, a major development;
- (q) effecting (but not cancelling or refusing to effect) registrations and maintaining statutory registers;
- (r) registering notices and charges in the Statutory Charges Register;
- (s) exercising the Council's powers in relation to the preservation of trees;
- (t) executing works in default of compliance with any notice or order and in an emergency where empowered by statute and recovering the costs of so doing;
- (u) temporary listing of buildings in urgent cases;
- (v) lodging objections, in consultation with the Town Solicitor, in relation to planning applications where the Council has been notified as part of the neighbourhood notification scheme;
- (w) deeming as refused, any application where all of the necessary supporting documentation has been reasonably requested but not provided, without reasonable excuse, to the Council within six weeks from the date of receipt of that application;
- (x) generally enforcing all other statutory powers connected to the exercise of the planning functions which have been conferred upon the Council.

- 3.9.6 Negotiating contributions from developers subject to obtaining Committee consent in respect of those agreements in which the contribution exceeds £30k.
- 3.9.7 The delegated functions set out above do not apply to the following planning applications:
- (a) Those made by elected members;
 - (b) Those made by Council staff;
 - (c) Those made by the Council;
 - (d) Those in which the Council has an interest or estate.
- 3.9.8 All other applications or permissions which are not specifically listed in paragraph 3.9.5 shall be deemed to be delegated unless otherwise provided for within this Scheme.
- 3.9.9 Where a function is normally delegated but raises issues which the Director believes should be considered by the Committee, that application will be referred to the Committee.
- 3.9.10 The Town Solicitor, in consultation with the Director, may refer a decision back to Committee for reconsideration.