

Delegation Agreement (April 2017)

All applications for Certificate of Lawful Use or Lawful Development will be determined by the Head of Service or his/her designated Officers under delegated powers and will not be referred to planning committee.

All other planning applications (and associated applications, consents and authority including those relating to listed buildings, conservation area consents, enforcement actions and prosecutions) are considered to fall within the delegation scheme and will be determined by the Head of Service or his/her designated officers unless;

1. Any Member of the Council requests in writing within 21 days of the circulation of details of the application, that the application should be the subject of consideration by the Planning Committee.
2. The application would be contrary to the provisions of the adopted Development Plan including the Council's own Supplementary Planning Guidance and Supplementary Planning Documents, or any other relevant guidance.
3. In the opinion of the Head of Service or those with such designated authority, the application:-
 - (i) Is potentially controversial
 - (ii) Is likely to be of significant public interest
 - (iii) Would have a significant impact on the environment
 - (iv) Is subject to significant material objections that have not been addressed, resolved or mitigated to his satisfaction following consultation with the Chair or Vice Chair.
4. The application is submitted by, or on behalf of a Councillor of the authority (or their spouse/partner or a member of their household) or by any DMBC staff member (or their spouse/partner or a member of their household) whose job involves providing advice, processing, assessing or determining planning applications.
5. The application is subject to an objection by a staff member of the Development Directorate or a member of their household.
6. The application is submitted by or on behalf of the Council for its own development, except for the approval of routine minor developments.

All determinations of applications and other related matters by way of delegated powers are subject to the following limitation: No planning application or other related matter shall be determined under delegated powers prior to the completion of all necessary statutory publicity and consultation.

Delegate to the Assistant Director of Development the conduct of planning appeals including the withdrawal of a reason for refusal where:

- (i) The reason for refusal is one of several reasons for refusal and the appeal will still proceed on other reasons, and
- (ii) On receipt of written advice from Counsel that the reason for refusal is unsustainable and cannot be supported on appeal, and
- (iii) Subject to agreement with Planning Committee Chair and Vice Chair.