

**OFFICER DELEGATION SCHEME - HEAD OF PLANNING**

1. To determine the following matters, subject to the limitations set out in Section 2:
  - (a) Categories of Planning Application and Related Matters
    - (i) Development within the curtilage of an existing residential property including extensions, alterations, ancillary buildings and works.
    - (ii) New and altered vehicular and pedestrian accesses onto highways.
    - (iii) Single dwellings.
    - (iv) Non-residential buildings, extensions, alterations or ancillary buildings or works within the curtilage of non-residential buildings where the gross floor area proposed, does not exceed 500 sq. metres or more than 20% of the gross floor area of the existing buildings, whichever is the smaller.
    - (v) Agricultural buildings, plant and equipment not exceeding 1,000 sq. metres, including notifications under Part 6 of Schedule 2 to the Town and Country Planning General Development Order 1991 (as amended).
    - (vi) Alterations to or the installation of shopfronts and fascias.
    - (vii) Advertisements.
    - (viii) Minor engineering works, the installation of plant and equipment and the erection of structures, including walls, fences and aerials.
    - (ix) Alterations or extensions to Listed Buildings and minor demolition (including the demolition of out-buildings, later additions and demolition required to carry out an approved scheme of alterations or extensions).
    - (x) Demolition of a non-Listed Building including determining whether the Council wishes to request details.
    - (xi) Felling or lopping of trees covered by a Tree Preservation Order or Conservation Area protection.
    - (xii) Temporary buildings or caravans for a period of up to five years.
    - (xiii) Renewal of temporary permissions where the circumstances are essentially unchanged.

- (xiv) Approval of details pursuant to an Outline Planning Permission.
- (xv) Approval of details required by a planning condition.
- (xvi) Relaxation or removal of a planning condition.
- (xvii) Minor changes of use including the conversion of one dwellinghouse into two flats.
- (xviii) Development which falls into the above categories which is proposed by Milton Keynes Council, under the Town and Country Planning General Regulations 1992.
- (xix) Changes to approved housing schemes involving only changes in housetypes and/or minor alterations to the layout.

(b) Consultations

- (i) Consultations by the Commission for the New Towns on detailed development proposals, submitted for approval under Section 7(2) of the New Towns Act 1981.
- (ii) Observations on applications submitted to other Local Planning Authorities for their determination.
- (iii) Observations on Crown development and development proposed by other outside bodies, referred to this Council as a consultee authority.
- (iv) Observations on development and ancillary works proposed by statutory undertakers, telecommunications code system operators and other organisations having permitted development rights under the Town and Country Planning General Development Order 1988 (as amended).

(c) Procedural Matters

- (i) Finalising the conditions and reasons for refusal which appear on decision notices.
- (ii) Finalising the details of legal agreements, in consultation with the Head of Legal and Property Services, within the terms of the Development Control Committee's resolution.
- (iii) Agreeing to accept or not accept minor amendments to Planning Permissions.
- (iv) Determining the need for information required to make a decision on a planning application, including the need for an Environmental Impact Assessment.
- (v) Deciding the charge to be made for the provision of information where the normal scale of charges is inappropriate (e.g. information requiring research and/or to be used for commercial purposes).

- (vi) Deciding the method for dealing with appeals (written representations, informal hearing or public inquiry).
  - (vii) Compliance with the departure procedures contained in the Town and Country Planning Development Plans (England) Direction 1992.
  - (viii) Making (but not confirming) Tree Preservation Orders.
  - (ix) Determining whether Planning Permission, Listed Building Consent, Conservation Area Consent, Advertisement Consent, Tree Preservation Order Consent and Hazardous Substances Consent, is required.
- (d) Enforcement
- (i) Determining applications for certificates of lawfulness of existing use or development and certificates of lawfulness of proposed use or development.
  - (ii) Determining applications for established use certificates, in consultation with the Head of Legal and Property Services.
  - (iii) Service of planning contravention notices.

## 2. Limitations on Delegated Authority

- (a) The scheme of delegation relating to planning applications and related matters shall be limited solely to the items set out in paragraph 1 above.
- (b) No delegated decision shall be made where the development in the opinion of the officer is likely to be of a controversial nature.
- (c) No delegated decision shall be made which is materially in conflict with any approved planning policies.
- (d) No delegated decision on a planning application shall be made until a minimum of 27 days has expired from the date of registration of the application.
- (e) No delegated decision on a planning application shall be made if a written request of the Head of Planning is received within 28 days of registration from a Member of the Authority, stating that in his or her opinion the application should be submitted to the Development Control Committee for determination.
- (f) An application shall not be approved under the scheme of delegation if there is an unresolved planning objection in writing from Town, Parish or Neighbourhood Councils received within 28 days of registration of the application.
- (g) Applications known to be made by, or on behalf of, Members or officers of the Council are excluded from the delegation scheme.
- (h) When the Head of Planning delegates authority to the Area Planning Officers, the Area Planning Officers are not authorised to refuse planning

applications nor to determine matters falling into the following categories contained in paragraph 2:

(i) Categories of Planning Applications and Related Matters

- Categories (iii) Single dwellings  
(xvii) Changes of use  
(xviii) Milton Keynes Council development

(ii) Consultations

- Categories (ii) Applications submitted to other authorities  
(iii) Crown, County Council etc. development

(iii) Procedural Matters

- Categories (ii) Legal Agreements  
(v) Charging fees  
(vi) Method of dealing with appeals  
(vii) Departure procedures

(iv) Enforcement

All categories.