

APPENDIX C of Report to Cabinet

Scheme of Delegation to Officers agreed 18 July 2007

The following powers are delegated to the Joint Planning Director (Growth Areas) in respect of planning and development control. The Joint Planning Director (Growth Areas) may authorise any other officers within the participating Councils to exercise these powers on his/her behalf. Any officer so authorised may in turn delegate further. Such delegations need not be evidenced in writing.

1. To determine, and to make decisions in connection with the determination of, all forms of planning and other applications, and all forms of consent and other notifications (as set out in the attached schedule) submitted under the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the Planning (Listed Buildings and Conservation areas) Act 1990 within the terms of reference of the Joint Development Control Committee except in any of the following circumstances:	
a)	Where the application is for Outline or Full Permission or is a reserved matters application in respect of: 1. The provision of dwelling-houses where: (a) the number of dwelling-houses to be provided is 10 or more; or (b) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the number of dwellings will be 10 or more 2. The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; 3. Development carried out on a site having an area of 1 hectare or more. 4. Ancillary development related to any of the above. 5. Waste development 6. Regulation 3 development for all new facilities
b)	Where: <ul style="list-style-type: none">- There are any parish council representations that are contrary to the officer recommendation for approval or;- There are other third party representations that are contrary to the officer recommendation for approval that cannot be addressed by conditions or;- The officer recommendation is for refusal, irrespective of the nature of any third party representations received, except where the application is contrary to the development plan.
c)	The application is advertised as a formal departure from the Local Development Framework and where the officer recommendation is for approval.
d)	The application is submitted by a Member or Chief Officer or planning officer of any member of the Councils or a Board Member, Chief Executive or Directors of Cambridgeshire Horizons.

e)	The application is one where, within 21 days of being notified of the application or within 14 days of receipt of any subsequent material amendment to the proposal, any Member of the City Council or of the District Council or any member of the County Council representing a ward within the City of Cambridge or South Cambridgeshire requests in writing (including e-mail), that the application should be determined by Committee, stating the planning grounds on which the request is based.
f)	The application is one that officers consider should be determined by Committee because of special planning policy or other considerations.

2. In respect of or arising out of Major or ancillary developments (as defined in the Committee's terms of reference) exercise the Committee's planning enforcement powers (apart from serving enforcement notices under S 171) (subject to prior consultation with the relevant Council's Chief Legal Officer). and to instruct the relevant Council's Chief Legal Officer to commence legal proceedings relating to planning enforcement other than commencing prosecutions provided that any action taken is reported to Committee thereafter.

3. To act on behalf of the Committee (after consultation, if practicable with the Chair of the Committee and the Chief Planning Officers of the three Councils) in cases of urgency or emergency. Any such action is to be reported as soon as possible to the Committee.

Note: Notwithstanding the provisions contained within this Scheme of Delegation, officers will use their discretion and judgment to decide whether to refer any matter contained within this Scheme to Committee for determination, which in their view raises contentious, sensitive or significant policy issues, or where it would be otherwise beneficial for the decision to be made by Members.

Schedule referred to in Delegation 1 above

Applications and other forms of consent/notification referred to in Delegation A1 include:

a)	Outline and full planning permission and any subsequent pre- and post-decision amendments.
b)	Reserved matters following outline planning permission and any pre- and post-decision amendments.
c)	Renewals of planning permission and any pre- and post-decision amendments.
d)	Removal/variation of planning conditions.
e)	Discharge of conditions.
f)	Advertisement consent.
g)	Lawful Development Certificates.
h)	Regulation 3 applications.
i)	Settling the terms of planning agreements under section 106, Town and Country Planning Act 1990 and other legislation in accordance with the terms of any resolution or decision to grant planning consent.
j)	Listed Building Consent.
k)	Conservation Area Consent.
l)	Screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, or any subsequent amendment to those Regulations.