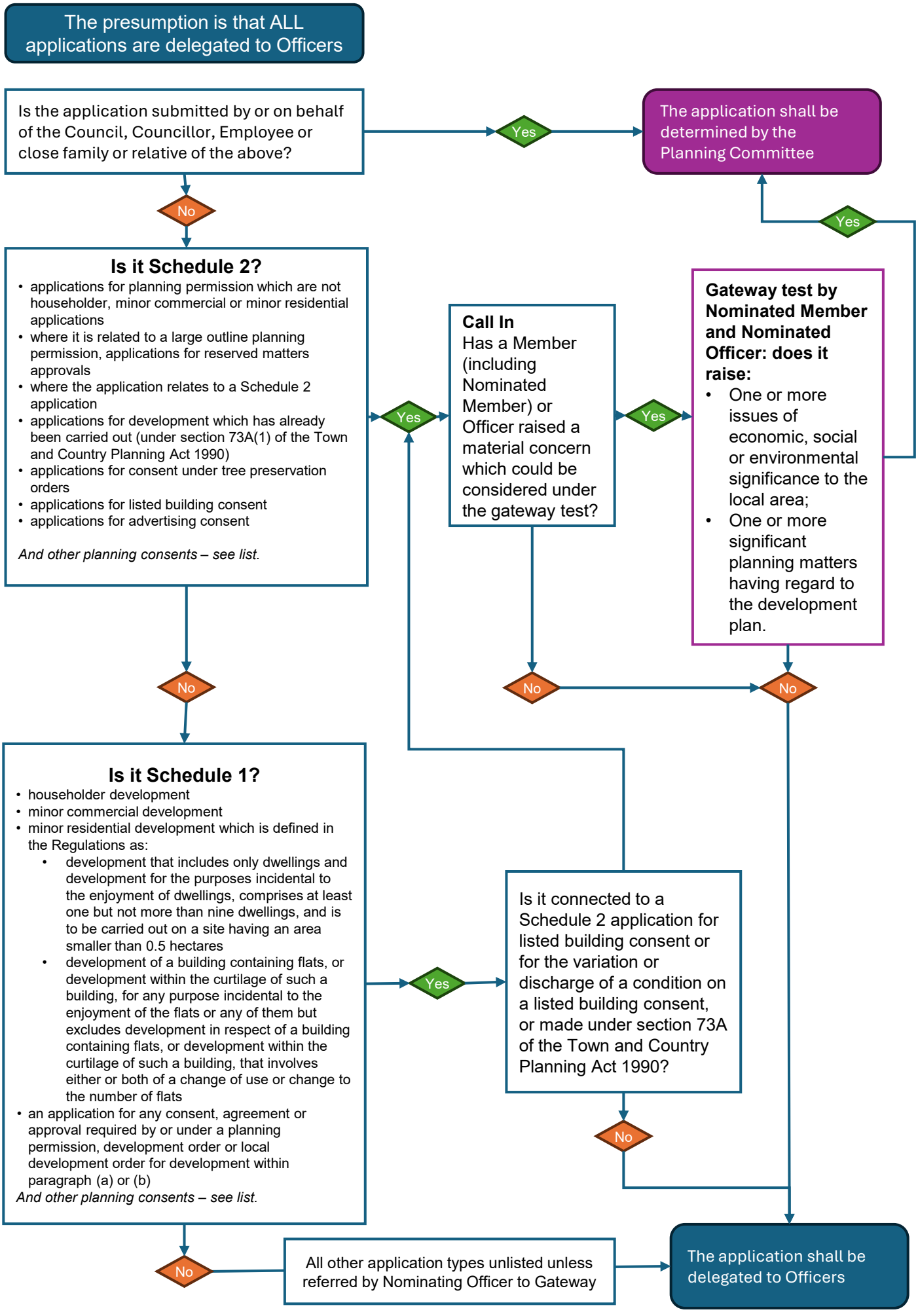

The presumption is that ALL applications are delegated to Officers
Is the application submitted by or on behalf of the Council, Councillor, Employee or close family or relative of the above?
Yes
The application shall be determined by the Planning Committee
Yes
No
Is it Schedule 2?
• applications for planning permission which are not householder, minor commercial or minor residential applications
• where it is related to a large outline planning permission, applications for reserved matters approvals
• where the application relates to a Schedule 2 application
• applications for development which has already been carried out (under section 73A(1) of the Town and Country Planning Act 1990)
• applications for consent under tree preservation orders
• applications for listed building consent
• applications for advertising consent
And other planning consents – see list.
Yes
Call In
Has a Member (including Nominated Member) or Officer raised a material concern which could be considered under the gateway test?
Yes
Gateway test by Nominated Member and Nominated Officer: does it raise:
• One or more issues of economic, social or environmental significance to the local area;
• One or more significant planning matters having regard to the development plan.
No
No
No
Is it Schedule 1?
• householder development
• minor commercial development
• minor residential development which is defined in the Regulations as:
• development that includes only dwellings and development for the purposes incidental to the enjoyment of dwellings, comprises at least one but not more than nine dwellings, and is to be carried out on a site having an area smaller than 0.5 hectares
• development of a building containing flats, or development within the curtilage of such a building, for any purpose incidental to the enjoyment of the flats or any of them but excludes development in respect of a building containing flats, or development within the curtilage of such a building, that involves either or both of a change of use or change to the number of flats
• an application for any consent, agreement or approval required by or under a planning permission, development order or local development order for development within paragraph (a) or (b)
And other planning consents – see list.
Yes
Is it connected to a Schedule 2 application for listed building consent or for the variation or discharge of a condition on a listed building consent, or made under section 73A of the Town and Country Planning Act 1990?
No
No
All other application types unlisted unless referred by Nominating Officer to Gateway
The application shall be delegated to Officers

Schedule 1

17. Schedule 1 of the Regulations sets out all the functions which must be delegated to officers for a decision (unless it is an own-interest application). These include a number of categories of applications for planning permission for:

- householder development (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015)
- minor commercial development (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015)
- minor residential development which is defined in the Regulations as:
    - development that includes only dwellings and development for the purposes incidental to the enjoyment of dwellings, comprises at least one but not more than nine dwellings, and is to be carried out on a site having an area smaller than 0.5 hectares
    - development of a building containing flats, or development within the curtilage of such a building, for any purpose incidental to the enjoyment of the flats or any of them but excludes development in respect of a building containing flats, or development within the curtilage of such a building, that involves either or both of a change of use or change to the number of flats
    - an application for any consent, agreement or approval required by or under a planning permission, development order or local development order for development within paragraph (a) or (b)

18. It also contains a range of other planning consents:

- to develop land without compliance with conditions previously attached) in respect of which the previous planning permission was a Schedule 1 planning permission (applications under section 73(1) of the Town and Country Planning Act 1990)
- reserved matters approval in respect of an outline planning permission other than a large outline phase permission (i.e. one which grants permission for development involving the provision of at least 500 dwellings or a building or buildings where the floorspace to be created by the development is 50,000 square metres or more) (applications under Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015)
- discharge of conditions (applications under Article 27(1) of Town and Country Planning (Development Management Procedure) (England) Order 2015)
- prior approval for permitted development rights (applications under Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015)
- permission in principle (as referred to in section 58A of the Town and Country Planning Act 1990)
- where a local planning authority considers a planning obligation is connected to a Schedule 1 application, requests to agree to modify or discharge a planning obligation (under section 106A(1)(a) of the Town and Country Planning Act 1990)
- where local planning authority considers a planning obligation is connected to a Schedule 1 application, modification or discharge of a planning obligation (applications under section 106A(3) of the Town and Country Planning Act 1990)
- non-material changes to planning permission or permission in principle (applications under section 96A(4) of the Town and Country Planning Act 1990)
- certificates of lawfulness of existing use or development (under section 191(1) of the Town and Country Planning Act 1990)
- certificates of lawfulness of proposed used or development (under section 192(2) of the Town and Country Planning Act 1990)
- certificates of lawfulness for proposed works to listed buildings (under section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990)
- biodiversity gain plan (duty to approve under paragraph 14 of Schedule 7A to the Town and Country Planning Act 1990)
- certificates of appropriate alternative development (applications under section 17 of the Land Compensation Act 1961)

Schedule 2

20. The functions which fall within Schedule 2 of the Regulations are:

- applications for planning permission which are not householder, minor commercial or minor residential applications
- applications for planning permission which would otherwise fall into Schedule 1 but are connected to a Schedule 2 application for listed building consent or for the variation or discharge of a condition on a listed building consent
- applications to develop land without compliance with conditions previously attached in respect of which the previous planning permission was a Schedule 2 planning permission (under section 73(1) of the Town and Country Planning Act 1990)
- applications for development which has already been carried out (under section 73A(1) of the Town and Country Planning Act 1990)
- where it is related to a large outline planning permission, applications for reserved matters approvals (under Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015)
- where a local planning authority considers a planning obligation is connected to a Schedule 2 application, requests to agree to modify or discharge a planning obligation (under section 106A(1)(a) of the Town and Country Planning Act 1990)
- where a local planning authority considers a planning obligation is connected to a Schedule 2 application, application for modification or discharge of a planning obligation (under section 106A(3) of the Town and Country Planning Act 1990)
- applications for listed building consent (under section 10 of the Planning (Listed Buildings and Conservation Areas) Act 1990)
- applications for the variation or discharge of conditions of listed building consent (under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990)
- applications for advertisement consent (under regulation 9 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007)
- applications for consent under tree preservation orders (under regulation 16 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012)

AND Schedule 1 applications where:

- a local authority considers that the application for planning permission is connected to a Schedule 2 application for listed building consent or for the variation or discharge of a condition on a listed building consent
- the application is made under section 73A of the Town and Country Planning Act 1990