

APPENDIX 3

EXTRACT FROM THE SCHEME OF DELEGATION

PART 3 - SECTION 6: ROLES AND RESPONSIBILITIES OF COUNCIL DECISION MAKING BODIES

6.5. DEVELOPMENT MANAGEMENT COMMITTEE

Under the National Scheme of Delegation for planning decision making, the Development Management Committee has responsibility for determining applications which fall within Schedule 2 of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and which have been referred to the Committee at a Referral Meeting following an Assessment of Significance.

The Referral Meeting is held between the Chair of the Development Management Committee or their nominated deputy (usually this will be the Vice-Chair of the Committee) and the Executive Head of Property and Growth or their nominated deputy.

Schedule 2 applications may only be referred to committee where the Executive Head of Property and Growth and the Chair of the Development Management Committee both agree that the proposal will:

- raise one or more issues of economic, social or environmental significance to the local area; or
- raise one or more significant planning matters, having regard to the development plan and any other material considerations; or
- relate to an 'own interest' application

The Council's Protocol for managing decision-making under the National Scheme of Delegation and deciding applications to be determined by the Development Management Committee is set out below at para. 6.7

Matters for Committee

6.6 (1) All Planning Matters agreed to be referred to the Development Management Committee via a Referral Meeting held under the Gateway Procedure required under the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) (Regulations 2026 and in accordance with the Protocol at para 6.7 below.

(2) Planning matters* that are not listed in either Schedule 1 or Schedule 2 of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 which the Executive Head of Property and Growth wishes to refer to the Committee for decision.

(3) Updates on progress on Committee decisions, planning enforcement, and performance of the planning service with regard to the nationally set performance standards and associated matters, and reporting of decisions made under the new arrangements for Schedule 1 and Schedule 2 applications.

**Planning matters includes all town planning matters concerning the control of development and regulation and use of land under the provisions of the Town and Country Planning Act, 1990 (as amended), Town and Country Planning (Control of Advertisements) Regulations 1992, the Planning (Listed Building and Conservation Areas) Act 1990, Planning and Compensation Act 2004 and any associated or related Acts, legislation, regulations and provisions.*

Protocol for Managing Decision Making under the National Scheme of Delegation

6.7

[INSERT LOCAL PROTOCOL (APPENDIX 1 to the REPORT)]

~~The Development Management Committee is responsible for the discharge of the Council's functions in respect of the necessary statutory provisions in relation to all town planning matters concerning the control of development and regulation and use of land under the provisions of the Town and Country Planning Act, 1990 (as amended), Town and Country Planning (Control of Advertisements) Regulations 1992, the Planning (Listed Building and Conservation Areas) Act 1990, Planning and Compensation Act 2004 and any associated or related Acts, legislation, regulations and provisions.~~

~~While many matters are delegated to the Executive Head of Property and Growth (see Section 4.2 (3)), the following matters must be decided by the Development Management Committee:~~

Planning Applications

- ~~1. Deciding planning applications for 25 or more new dwellings~~
- ~~2. Deciding a planning application which is contrary to the provisions of an approved or draft development plan or adopted planning policy approved by the Council and which is recommended for approval~~
- ~~3. Deciding planning applications which any councillor requests, setting out good material planning reasons in writing to the Executive Head of Property and Growth, within 21 days of the circulation of details of the application. The referral to the Committee to be agreed by the Chair of the Committee in consultation with the Executive Head of Property and Growth and/or Service Manager (Development Management).~~
- ~~4. Deciding planning applications submitted by or on behalf of a councillor (or his/her spouse, partner or other immediate family member) or by any member of the Council's staff (or his/her spouse, partner or other immediate family member)~~

- ~~5. Deciding planning applications submitted by or on behalf of the Council for its own developments~~
- ~~6. Deciding planning applications which the Executive Head of Property and Growth considers should be presented to Committee for decision including for example, those developments that in their opinion are potentially controversial, likely to be of significant public interest, or which may have a significant impact on the Borough or its environment.~~
- ~~7. The Development Management Committee will also receive updates on progress on Committee decisions, planning enforcement, and performance of the planning service with regard to the nationally set performance standards and associated matters.~~