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**BLACKPOOL COUNCIL**

**DEVELOPMENT MANAGEMENT – SCHEME OF DELEGATION AND DECISION-MAKING**

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**1.0 Purpose of document**

- 1.1 This document details the working of the scheme of delegation and decision-making relating to all Development Management functions.
- 1.2 In all but the circumstances outlined in paragraph 3.4.1 planning applications will be dealt with under delegated authority conferred on the officers listed in paragraph 3.3.1.
- 1.3 The broad principle remains that the majority of planning applications are dealt with under delegated powers and only those applications with significant policy issues or relevant objections need be considered by the Planning Committee.

**2.0 Operation of the scheme of delegation for Development Management**

- 2.1 Use of the authority conferred by the Constitution must be subject to the judgement of officers, in particular the Head of Development Management, in the interests of probity and good governance.
- 2.2 The following arrangements are therefore to be adhered to in using the authority conferred relating to Development Management.
- 2.3 Officers to use Delegated Authority
- 2.3.1 The only officer roles to determine applications are:
- (i) Head of Development Management
  - (ii) Principal Planner
  - (iii) Senior Planner
- 2.3.2 In the event of the Head of Development Management being absent for a significant period for any reason. A temporary or interim appointment may be made who would be granted full authority to determine applications.
- 2.4 Applications
- 2.4.1 All planning applications may be determined by delegated authority except for the following:

- (a) Major category planning applications recommended for refusal where the Chair or Vice- Chair (in their absence) of Planning Committee has not provided express permission for a delegated decision in writing.
- (b) Planning and Listed Building Consent applications recommended for approval where:
  - (i) a valid planning objection(s) has been received from the owners or occupiers of properties directly affected by the proposal and
  - (ii) the Chair (or Vice-Chair) requests the application to be decided by the Planning Committee due to policy considerations or public interest.
- (c) Planning applications recommended for approval involving either a formal departure from the Development Plan or which would require referral to the Secretary of State.
- (d) Where the Head of Development is of the opinion that there are significant policy or public interest considerations that require a determination by the Planning Committee.
- (e) At the request of one of the relevant Ward Councillors under the terms of the Ward Referral scheme, where that request is made within ten days of the publication of the application on the Council's website.
- (f) Planning applications submitted by or on behalf of:
  - (i) An elected Member of the Council or a company in which they have a controlling interest.
  - (ii) An immediate relative of a Member of the Council (parent, spouse/partner, sibling, child) or a company in which they have a controlling interest.
  - (iii) An employee of the Council
  - (iv) An immediate relative of an employee of the Council (parent, spouse/partner, sibling, child) or a company in which they have a controlling interest.

3.4.2 For the avoidance of doubt, all applications relating to the following will always be determined by delegated authority and will not be considered by the Planning Committee:

- (a) Permission in Principle – Stage 1 (permission in principle consent)
- (b) Permission in Principle – Stage 2 (technical details consent)
- (c) Advertisement Consent
- (d) Tree Preservation Order
- (e) Prior Approvals
- (f) Prior Notifications
- (g) Discharge of Conditions
- (h) Non-Material Amendments
- (i) Certificates of Lawfulness

- (j) Hazardous Substances
- (k) Environmental Impact Assessment Screening Opinion requests
- (l) Environmental Impact Assessment Scoping Opinion request

2.4.3 The Town and Country Planning Act makes provision for the disposal of applications without determination once the statutory determination period and any relevant period for appeal against non-determination has elapsed. This provision is used very rarely, it is typically only pursued in cases where substantive communication and collaboration has ceased and no progress is being made towards a positive determination. Applications may be disposed of by the Head of Development Management. In the case of major applications this would be after consultation with the Chair or Vice-Chair of the Planning Committee.