

WYRE FOREST DISTRICT COUNCILSCHEME OF DELEGATION TO OFFICERS

This Scheme of Delegation is to delegate to the Heads of Planning, Health & Environment and Legal & Democratic Services, or their nominated officers, authority in respect of all applications, notifications, service of notices and orders or other matters requiring a decision by the Council under the Council's published policy and practice notes and the following legislation, regulations and guidance (and to any re-enactment or replacement of the statutes, or regulations or guidance or any modifications thereof):

- Town & Country Planning Act 1990 (as amended)
- Town & Country Planning (General Permitted Development) Order 1995
- Town & Country Planning (General Development Procedure) Order 1995
- Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended)
- Building Act 1984
- Circular 5/2000: Planning Appeals: Procedures (including Inquiries into Called in Planning Applications)
- Circular 18/1984: Crown Land & Crown Development
- Town & Country Planning (Environmental Effects Impact Assessment) Regulations 1999
- Highways Act 1980
- Planning (Hazardous Substances) Act 1990
- Hedgerow Regulations 1997
- Anti-Social Behaviour Act 2003 (Part 8)
- Goods Vehicles (Licensing of Operators) Act 1995
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- Town & Country Planning (Control of Advertisements) Regulations 1992
- National Parks and Access to the Countryside Act 1949
- Wildlife and Countryside Act 1981
- Caravan Sites and Control of Development Act 1960
- Acquisition of Land Act 1981
- Telecommunications Act 1991
- Electricity Act 1989
- Planning and Compensation Act 1991
- Land Drainage Act 1991
- Ancient Monuments and Archaeological Areas Act 1979
- Local Government Planning and Land Act 1980
- Planning and Compulsory Purchase Act 2004
- Clean Neighbourhoods and Environment Act 2005

Except in the following:

1. A Wyre Forest District Councillor makes a written request for an application to be considered by the Planning (DC) Committee within 21 days of the date of validation of the application.
2. A Parish Council makes a request to speak on an application to be considered by the Planning (DC) Committee within 21 days of the date of validation of the application.
3. The Head of Planning, Health & Environment or his/her nominated officer considers that an application should be considered by the Planning (DC) Committee.
4. The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council.
5. The applicant is a serving Wyre Forest District Council Councillor or is a serving Councillor representing Wyre Forest District on Worcestershire County Council.
6. The applicant is a serving Wyre Forest District Council Officer or is an immediate family member of a serving Wyre Forest District Council officer as defined in the Officers' Planning Code of Good Practice.
7. Any 'major' planning application as defined by the Town & Country Planning (General Development Procedure) Order 1995.
8. Any planning application representing a departure from the Development Plan which is recommended for approval.
9. Any application where a statutory or non-statutory Consultee (including Parish Councils) has responded to the application in writing with a clearly made planning objection and the application is recommended for approval.
10. Any application where a request by a third party has been made to speak at the Planning (DC) Committee, within 21 days of the date of the neighbour notification letter or the site/press notice, and the request accords with the Council's published policy and procedure for speaking at Planning (DC) Committee.
11. Applications and notifications for telecommunications and other satellite equipment made by or on behalf of a recognised telecommunications operator, where the recommendation is to approve.
12. Applications involving proposed S106 obligations (except where in accordance with the adopted Supplementary Planning Document – Planning Obligations)
13. The service of Enforcement and Stop Notices (but not including Temporary Stop Notices or Enforcement Notices relating to retrospective developments where planning permission has been refused)

and subject to:

- A All delegated decisions being in accordance with the Development Plan policies.
- B The following being first agreed with the Chairman or in his/her absence, the Vice Chairman of the Planning (DC) or Planning (Enforcement) Committees as appropriate:
- Service of Building Preservation Notices
  - Service of Listed Building Enforcement Notices
  - Service of Temporary Stop Notices
- C The following consultation and/or notification (in addition to statutory or published requirements) having first been carried out:
- The relevant Parish Council and Ward Members in respect of the removal of hedgerows under the Hedgerow Regulations 1997.
  - The relevant Parish Council, neighbours and other interested parties (at the discretion of the Head of Planning, Health & Environment) in respect of 'minor' amendments made to applications previously approved.
  - The relevant Ward Members in respect of notifications made by statutory undertakers under Part 17 of the Schedule to the General Permitted Development Order 1995.
  - The relevant Ward Members and Parish Councils in respect of applications for works to trees subject to Tree Preservation Orders and S211 Notices for works to trees in Conservation Areas.