

West Northamptonshire Development Corporation
Scheme of Delegation to Officers of the Corporation

EXISTING SCHEME OF DELEGATION

Northampton, Towcester and Daventry Urban Development Areas

Delegation

The following powers are delegated by the Board:

The powers to determine, through an officer of appropriate seniority as specified below, those matters set out below for those areas identified in the map attached to the Order provided that:

- 1 The seniority of the officer to whom a matter may be delegated will be determined by the Director of Planning and Development or, in his absence, the Chief Executive, and will be reported at the next planning committee meeting.
- 2 At each level set out below, where the relevant officer at any time considers that the matter:
 - (a) conflicts to a material degree with policies contained in an up to date development plan affecting the matter; or
 - (b) conflicts to a material degree with the strategies of the corporation; or
 - (c) is likely to be significant or controversial
 then the delegation under this scheme shall cease.

Level to which powers delegated

(A) Team Leaders:

- (i) The registration and determination of all planning applications classed as “minor” and “other” in the PS2 returns made to the Department of Communities and Local Government (or successor body) where no more than 5 independent objections to the application are received.
- (ii) The approval or refusal of reserved matters applications for schemes falling within the thresholds set out at A(i) above which are in accordance with any approved design code document.
- (iii) The negotiation, instruction and conclusion of agreements and unilateral undertakings made pursuant to section 106 of the Town and Country Planning Act 1990 ("**Section 106 Agreements**") on behalf of the Corporation in respect of applications falling within A(i) above.
- (iv) Representing the Corporation at planning appeals relating to applications falling within this Section A (or any other Appeal where directed by the Planning and Development Director, Head of Strategic Planning Projects, Special Projects Manager or Development Control Manager).
- (v) The determination of submissions pursuant to planning conditions associated with all development proposals.
- (vi) The determination of minor amendments to planning and related consents for development falling within A(i) above.

- (vii) Managing and addressing any other issues incidental or supplementary to those items listed in this section A.

(B) Special Projects Manager, Development Control Manager, the Head of Strategic Planning Projects and Director of Planning and Development

General Delegation

- (i) In addition to those matters in section A the determination of all planning and related applications which meet the following criteria:
 - (a) full or outline planning applications for development comprising less than 250 houses/residential units;
 - (b) full or outline planning applications for developments of less than 2500 sq.m. of commercial floor space;
 - (c) full or outline planning applications for developments for less than 2500 sq.m of business (Use Class B1, B2, B8);
 - (d) applications for development comprising telecommunications equipment;
 - (e) full or outline planning applications for mixed use developments comprising no more than 250 residential units and 2500 sq.m non residential floor space on sites with an area of less than 10 ha;
 - (f) any other application for development;

where in the opinion of the Director of Planning and Development, Development Control Manager the Special Projects Manager or the Head of Strategic Planning Projects the development does not give rise to the circumstances outlined in paragraph 2 above.

- (ii) The modification of conditions and/or reasons following the resolution of the Planning Committee and prior to the grant of planning permission to address minor drafting or practical delivery matters.
- (iii) The negotiation, instruction and conclusion of Section 106 Agreements and unilateral undertakings on behalf of the Corporation in respect of applications falling within B(i) above and the variation of all Section 106 Agreements and unilateral undertakings.
- (iv) The discharge of conditions attaching the planning permissions and obligations contained within Section 106 Agreements.
- (v) Managing any inquiry or appeal or High Court or Court of Appeal proceedings including the preparation of evidence on behalf of and representing the Corporation at planning inquiries and appeals and in the High Court or the Court of Appeal.
- (vi) The determination of minor amendments to any planning and related permissions where the amendment gives rise to no new strategic issues, and of applications to vary or amend conditions attaching to planning consents.
- (vii) The determination of the procedures and protocol for Committee meetings (including site visits).
- (viii) The approval or refusal of reserved matters applications of any size which are in accordance with an approved design code document.
- (ix) The issuing of directions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- (x) The registration of all applications.

- (xi) The determination of the validity of any application made to the Corporation under Part III of the Town and Country Planning Act 1990.
- (xii) Managing and addressing any other issues incidental or supplementary to those items listed in this section B.

Restricted Delegation

- (xiii) In relation to the Director of Planning and Development only:
 - (a) the submission of observations on behalf of WNDC in respect of consultations (on planning matters) by government departments, other local authorities, local government associations and statutory or regulatory bodies;
 - (b) the preparation of responses to consultations by statutory and non statutory bodies and agencies that relate to development proposals which fall within this scheme of delegation; and
 - (c) reporting the observations and responses submitted under B(xiii)(a) and (b) above to the Board of WNDC where appropriate.
- (xiv) In relation to the Special Projects Manager only, the delegation of those functions set out in this section B will be subject to the discretion and direction of the Director of Planning and Development. The Special Projects Manager will only be delegated those functions from this section B which are expressly confirmed as delegated by the Director of Planning and Development.