

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

REVISED 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 Services 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 one or more of the following i) an up to date development plan, ii) emerging planning policy or iii) current national planning policy affecting the matter; or
 - (b) conflicts to a material degree with the strategies of the corporation; or
 - (c) gives rise to significant local community interest
 then the delegation under this scheme shall cease.

Level to which powers delegated

(A) Principal Development Managers

- (i) Representing the Corporation at planning appeals relating to applications falling within this Section A (or any other Appeal where directed by the Director of Planning Services, Head of Development Management or Development Team Manager).
- (ii) The determination of submissions pursuant to planning conditions associated with all development proposals.
- (iii) The determination of non-material and material amendments to planning and related consents for development.
- (iv) The determination of applications to vary conditions attached to planning permissions.
- (v) The determination of submissions to discharge obligations forming part of S106 agreements.
- (vi) Managing and addressing any other issues incidental or supplementary to those items listed in this section A.

(B) Director of Planning Services, Head of Development Management and Development Team Manager

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 between 200 and 500 houses/residential units;
- (b) reserved matter submissions for residential development
- (c) full or outline planning applications for non-residential developments of between 2500 sq.m. and 5000 sq.m. floor space or if no floor space is specified, on sites between 2 hectares and 4 hectares;
- (d) reserved matter submissions for non residential development.
- (e) full or outline planning applications for mixed use developments comprising between 2500 sq.m and 5000 sq.m of non-residential floor area and including less than 500 residential units. Where no floor space is specified nor any number of residential units the site area is between 2 hectares and 4 hectares.
- (f) reserved matter submissions for mixed use development
- (g) any other application for development;

where in the opinion of one of the following: the Director of Planning Services, the Head of Development Management or the Development Team Manager the development does not give rise to the circumstances outlined in paragraph 2 above.

- (ii) The modification or addition of condition(s) and the related reason(s) following the resolution of the Planning Committee to grant planning permission ahead of the issuing of the decision notice to address non-material drafting or practical delivery matters.
- (iii) The negotiation, instruction and conclusion of Section 106 Agreements and unilateral undertakings on behalf of the Corporation and the variation of all Section 106 Agreements and unilateral undertakings.
- (iv) 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.
- (v) The determination of the procedures and protocol for Committee meetings (including site visits).
- (vi) The issuing of directions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- (vii) The disposal of unduly longstanding applications, where the applicant has demonstrated no inclination to progress them to a conclusion, under the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2010 Part 7 36 (13)
- (viii) Managing and addressing any other issues incidental or supplementary to those items listed in this section B.

Restricted Delegation

- (ix) In relation to the Director of Planning Services 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(ix)(a) and (b) above to the Board of WNDC where appropriate.