

PLANNING AND REGENERATION

1. Building Control

Subject	Detail	Delegated by:	Delegated to:
Building Regulations – Applications	To determine applications under the Building Regulations 1991 and 2000	Council	Head of Planning and Regeneration
Building Regulation – Charges	To review and determine the scale of charges in accordance with the Building Act 1984 and the Building (Local Authority Charges) Regulations 1998	Council	Head of Planning and Regeneration
Dangerous Buildings	To take such action as is considered necessary under sections 77 and 78 of the Building Act 1984 when the condition of any building is such as to render it necessary to require the owner to make it safe for the Council to take action to remove the danger, as a matter of urgency	Council	Head of Planning and Regeneration in consultation with the relevant Portfolio Holder
Demolition	To determine applications for demolition under sections 80 and 81 of the Building Act 1984	Council	Head of Planning and Regeneration
Ground Movement	To take such action as may be necessary to deal with any events of structural distress and ground movement affecting properties in order to safeguard the public interest	Council	Head of Planning and Regeneration
Repairs	To carry out essential repairs to dwellings in the event of non-compliance with Statutory Notices served by the Council pursuant to section 26 of the Public Health Act 1961 and to take any action as may be necessary for the recovery of costs incurred	Council	Head of Planning and Regeneration

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2. Development Control			
Development Control	Detail	Delegated by:	Delegated to:
Prior Notification Procedure	To require further details from the applicant when an application for prior determination is submitted in respect of permitted development for agricultural, forestry and telecommunications development.	Planning Committee	Head of Planning and Regeneration
Article 4 Directions	To make Directions under Article 4(1) of the Town & Country Planning (General Permitted Development) Order 1995	Planning Committee	Head of Planning and Regeneration
Certificate of Lawfulness	To determine applications for Certificates of Lawfulness of Proposed Use of Development or Certificates of Existing Use of Development under sections 191 and 192 of the Town & Country Planning Act 1990	Planning Committee	Head of Planning and Regeneration
Development Proposals by other Public Authorities	To comment on proposals for development submitted by Worcestershire County Council and other public authorities	Council	Head of Planning and Regeneration
Entry of Premises – Proper Officer	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A, 196B, 214B, 324 and 325 of the Town & Country Planning Act 1990	Planning Committee	Head of Planning and Regeneration
Inspection Notices	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990	Planning Committee	Senior Solicitor
Landscaping Schemes	To approve landscaping/tree planting schemes submitted as a result of planning permissions subject to such conditions as may be appropriate	Planning Committee	Head of Planning and Regeneration
Minor Amendments	To determine applications for minor amendments to approved plans	Planning Committee	Head of Planning and Regeneration
Planning Agreements and	To negotiate with developers and to approve the amounts to be received by	Planning Committee	Head of Planning and

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Unilateral Undertakings	the Council as financial contributions in lieu of on-site provision of affordable housing or recreational facilities/open space and as contributions towards the costs of highways works, educational provision or any other kind of provision by the Council or County Council		Regeneration
Planning Agreements and Unilateral Undertakings	To negotiate the legal, drafting and all terms of the agreements and undertaking, except for those which involve planning gain, restriction of the development or use of the land, obligations relating to the land and financial contributions. To execute and complete planning agreements.	Planning Committee Planning Committee	Principal Solicitor Principal Solicitor
Planning Agreements and Unilateral Undertakings	To determine applications or requests for discharge or modification of planning agreements or undertakings (whether by approval or further agreement) unless it includes the following: <ul style="list-style-type: none"> a. Deletion, addition or variation of one or more of the heads of terms originally approved by the Planning Committee b. Significant change in the overall area of land to transferred to the Council c. Significant change in financial contributions to be provided to the Council (except where this is as a result of a subsequent decision by the Planning Committee) d. Significant change in the any obligation to be performed by the developer or any restriction on the developer or the development or use in land. e. A member makes a written request for a case to be considered by the Planning Committee 	Planning Committee	Head of Planning and Regeneration
Planning Agreements and Unilateral Undertakings	To approve the enforcement of a planning obligation	Planning Committee	Head of Planning and Regeneration

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	<p>where such conditions are:</p> <ul style="list-style-type: none"> a. necessary b. relevant to planning c. relevant to the development which has been applied for d. enforceable e. precise and; f. reasonable in all other aspects 		
<p>Listed Building and Conservation Area Consent</p>	<p>To determine applications for listed building consent and Conservation Area consent unless they are :</p> <ul style="list-style-type: none"> a. applications for dwelling houses where the number of houses to be provided is 10 or more b. applications for the provision of a building or buildings with a floor space of 1000 square metres or more c. other applications which have been called-in by a member for determination by Planning Committee provided that the application has been called-in in accordance with the procedure set out in paragraphs 6 - 7 of the introductory paragraphs to the Scheme of Delegations d. applications by serving Officers and members e. applications by the Council or by Council Service Areas or Council departments f. The Head of Planning and Regeneration considers that the application should be considered by the Planning Committee 	<p>Planning Committee</p>	<p>Head of Planning and Regeneration</p>

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Appeals	To take all action to defend the Council where there has been an appeal against a refusal to grant planning permission, listed building consent or conservation area consent	Planning Committee	Head of Planning and Regeneration in consultation with the Principal Solicitor
Revocation and modification	To revoke or modify planning permissions, listed building or conservation area consent under section 97 of the Town and Country Planning Act 1990 and sections 23 and 74 of the Planning (Listed Buildings & Conservation Area Acts) 1990	Planning Committee	Head of Planning and Regeneration
Completion Notice	To authorise and serve a completion notices	Planning Committee	Head of Planning and Regeneration
Declining Planning Applications	To decide to decline to determine application on the grounds set out in sections 70A and 70B of the Town and Country Planning Act 1990 and sections 81A and 81B of the Planning (Listed Buildings & Conservation Area Acts) 1990	Planning Committee	Head of Planning and Regeneration
Advertisements	1. To determine applications for express advertisement consent	1. Planning Committee	1. Head of Planning and Regeneration

3. Economic Development

Subject	Detail	Delegated by:	Delegated to:
Business Start-Up Grants	To approve Business Start-Up Grants of up to £1,000 per individual applications	Executive/ Leader	Head of Planning and Regeneration
Farmers' Markets	To determine applications for consent for Farmers' Markets	Executive/ Leader	Head of Planning and Regeneration in consultation with the Executive/ Leader and Deputy Executive/ Leader

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Financial Assistance to Small Businesses	<p>1. To determine applications for grants of up to £500</p> <p>2. To determine applications for grants of between £500 and £1,000</p>	<p>1. Executive/Leader</p> <p>2. Executive/Leader</p>	<p>1. Head of Planning and Regeneration</p> <p>2. Head of Planning and Regeneration in consultation with the relevant Portfolio Holder</p>
Markets	<p>1. To approve events to be held</p> <p>2. To let stalls</p>	<p>1. Executive/Leader</p> <p>2. Executive/Leader</p>	<p>1. Head of Planning and Regeneration</p> <p>2. Head of Planning and Regeneration</p>

4. Planning Enforcement

Planning Enforcement	Details	Delegated by:	Delegated to:
Article 4 Directions	To make Directions under Article 4(1) of the Town & Country Planning (General Permitted Development) Order 1995 ¹	Planning Committee	Head of Planning and Regeneration
Breach of Condition Notices	To authorise the issue and service of Breach of Condition Notices under section 187A of the Town & Country Planning Act 1990 ²	Planning Committee	Head of Planning and Regeneration in consultation with the Principal Solicitor
Cautions	To administer formal cautions to offenders as an alternative to court proceedings	Planning Committee	Officers authorised in writing by the Head of Planning and Regeneration
Enforcement Notices	To authorise the issue and service of Enforcement Notices under section 172	Planning Committee	Head of Planning and

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	of the Town & Country Planning Act 1990		Regeneration
Entry of Premises – Proper Officer	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A and 196B, 214B, 324 and 325 of the Town & Country Planning Act 1990	Planning Committee	Head of Planning and Regeneration
Inspection Notices	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990	Planning Committee	Principal Solicitor
Injunctions	To seek injunctions in the High Court under Section 187B of the Town & Country Planning Act 1990 or any other relevant statutory power restraining breaches of planning control ³	Planning Committee	Head of Legal, Equalities and Democratic Services or Principal Solicitor in consultation with, where practicable, the Chairman of Planning Committee
Listed Buildings – Enforcement Notices	<ol style="list-style-type: none"> 1. To authorise the issue and service of Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 2. To authorise the issue and service of Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in circumstances in cases of urgency when, in the opinion of Head of Planning & Environment Services, reporting to Planning Committee is impractical 	<ol style="list-style-type: none"> 1. Council 2. Planning Committee 	<ol style="list-style-type: none"> 1. Planning Committee 2. Head of Planning and Regeneration
Planning Contravention Notices	<ol style="list-style-type: none"> 1. To serve Planning Contravention Notices under section 171C of the Town & Country Planning Act 1990 (and any other statutory power which enables the Council to require 	<ol style="list-style-type: none"> 1. Planning Committee 	<ol style="list-style-type: none"> 1. Head of Planning and Regeneration

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	information about land) 2. To respond to offers to apply for planning permission or to refrain from carrying out any operations or activities following the service of a Planning Contravention Notice.	2. Planning Committee	2. Head of Planning and Regeneration
Stop Notices	1.To authorise the issue and service of Stop Notices under section 183 of the Town & Country Planning Act 1990 2.To authorise the issue and service of Stop Notices under section 183 of the Town & Country Planning Act 1990 in cases of urgency when, in the opinion of Head of Planning & Environment Services, reporting to Planning Committee is impractical	1. Council 2. Planning Committee	1. Planning Committee 2 Head of Planning and Regeneration in consultation with the Principal Solicitor
Temporary Stop Notice	The issue and service Temporary Stop Notices under ss171E-H of the Town & Country Planning Act 1990	Planning Committee	Head of Planning and Regeneration in consultation with the Principal Solicitor
Proper Maintenance of Land	1. To authorise the issue of notices under section 215 of the Town and Country Planning Act 1990 2. To serve notices under section 215 of the Town and Country Planning Act 1990	Planning Committee	1. Head of Planning and Regeneration 2. Principal Solicitor
Appeals	To take all action to defend the Council where there has been an appeal against a refusal to grant planning permission, listed building consent or conservation area consent	Planning Committee	Head of Planning and Regeneration in consultation with the Principal Solicitor
Advertisement Controls	1. To authorise the service of an advertisement discontinuance notice 2. To take action for the control of advertisements (but not including the service of a discontinuance notice) in the interest of amenity and public safety	1..Council 2. Planning Committee	1. Planning Committee 2. Head of Planning and Regeneration in consultation

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	under the Town and Country Planning (Control of Advertisements) Regulations 2007.		with the Principal Solicitor
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5. Strategic Planning			
Subject	Detail	Delegated by:	Delegated to:
Inspection Notices	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990	Planning Committee	Principal Solicitor
Local Plan Enquiry	To provide direction on behalf of the Council to any Local Plan/Local Development Framework Inquiry on policy issues and site details	Council	Head of Planning and Regeneration
Rights of Entry – Proper Officer	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under section 324 and 325 of the Town & Country Planning Act 1990	Planning Committee	Head of Planning and Regeneration

Note: All delegations to Head of Planning and Regeneration Services are to include any designated deputy, such designation to be in writing