



Planning: Scheme of Delegation (National Scheme of Delegation Implementation) July 2026

Introduction:

In accordance with section 101 of the Local Government Act 1972 and sections 319ZZC–319ZZF of the Town and Country Planning Act 1990 (as inserted by the Planning and Infrastructure Act 2025), the following scheme of delegation is adopted to implement the National Scheme of Delegation of planning functions. This scheme supersedes and replaces the Council’s previous planning delegation and call-in arrangements to the extent that they conflict with the national framework.

The scheme applies to the determination of all applications and related planning matters where the Council is the Local Planning Authority (LPA). It must be read in conjunction with and interpreted in compliance with the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (“the Regulations”) and the statutory guidance Planning Committees and the National Scheme of Delegation of Planning Functions (DLUHC, 1 June 2026).

A. Applications that must be delegated to Officers (Schedule 1 Functions):

In line with Regulation 4 of the 2026 Regulations, the Council must delegate determination of all “Schedule 1” applications to an authorised planning officer. These applications cannot be referred to Planning Committee. They include the following categories (as defined in relevant legislation and the Regulations) which must always be decided by officers:

	Application Type	Explanation:
1.	Householder applications	Alterations or extensions to an existing dwelling, development within the curtilage of a dwelling.
2.	Minor commercial applications	Small-scale non-residential development below the thresholds for “major” development).
3.	Minor residential applications	“Minor Residential” is defined as proposals comprising up to 9 dwellings (and associated incidental development) on a site less than 0.5 hectares, and certain small-scale developments involving existing flats, as per the 2026 Regulations
4.	Permission in Principle	As set out under section 58A of the Town and Country Planning Act 1990.
5.	Section 73 variations (if original permission was Schedule 1)	As set out under section 73 of the Town and Country Planning Act 1990 (variation or removal of conditions) where the original planning permission was granted on a Schedule 1 application.
6.	Non-material amendments	As set out under section 96A(4) of the Town and Country Planning Act 1990 for non-material changes to an existing planning permission or permission in principle.
7.	Section 106A modifications (Schedule 1)	Requests or applications under section 106A(1)(a) or 106A(3) of the Town and Country Planning Act 1990 to modify or discharge a planning obligation (Section 106 agreement) where the obligation is connected to a Schedule 1 application or approval.
8.	Certificates of Lawfulness (planning)	Applications under section 191(1) or section 192(2) of the Town and Country Planning Act 1990 for Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUD/CLPUD).
9.	Certificate of Lawfulness of Proposed Works to Listed Building	Applications under section 26H(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for a certificate of lawfulness of proposed works to a listed building.
10	Biodiversity Gain Plan	Submissions of a Biodiversity Gain Plan under Schedule 7A to the Town and Country Planning Act 1990 (pursuant to the mandatory Biodiversity Net Gain requirements).
11.	Certificate of Appropriate Alternative Development	Applications under section 17(1) of the Land Compensation Act 1961 for a Certificate of Appropriate Alternative Development.
12.	Reserved Matters (non-large outline)	Reserved matters applications (under article 6 of the Town and Country Planning (Development

		Management Procedure) (England) Order 2015) pursuant to an outline planning permission other than a “large” outline permission. Note: Large outline permissions are those authorising 500+ dwellings or ≥50,000 m² commercial floorspace; reserved matters for such large outlines are treated as Schedule 2 – see below.
13.	Discharge of Conditions	Applications under article 27(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 made pursuant to a condition on a planning permission (applications for approval of details required by planning conditions).

Important Note – Schedule 1 Applications subject to reclassification

For the avoidance of doubt, an application which would otherwise fall within Schedule 1 must instead be treated as a Schedule 2 application in the following circumstances, in accordance with the National Scheme of Delegation and the 2026 Regulations:

1.	Connected Listed Building Matters	Where the local planning authority considers that a Schedule 1 application for planning permission is connected to a Schedule 2 application for listed building consent, or to an application for the variation or discharge of a condition attached to listed building consent.
2.	Retrospective Applications	Where an application would otherwise fall within Schedule 1 but is made under section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out).
3.	Own-Interest Applications	Where an application would otherwise fall within Schedule 1 but is made by or on behalf of: • the local planning authority; • a member or officer of the local planning authority; or • an entity owned or controlled (whether wholly or partly) by the authority or by any of its members or officers.

B. Applications that may be determined by a Committee or by an Officer
(Schedule 2 Functions)

All planning applications *not* identified above as Schedule 1 (or otherwise specifically reserved to Full Council by law) are classified as “Schedule 2” applications under Regulation 5. These are delegated to officers to determine by default, unless the statutory test is met in regulation 5(3) of the Regulations and a decision is made to refer the application to Planning Committee. Schedule 2 functions are set out below

1.	Planning applications not in Schedule 1	All planning permission applications which are not householder, minor residential or minor commercial (i.e. “major” developments, larger-scale or more complex proposals beyond the thresholds for minor applications).
2.	Retrospective applications	Applications for planning permission for development already carried out (under section 73A(1) of the Town and Country Planning Act 1990).
3.	Reserved Matters (large outline)	Applications for approval of reserved matters under an outline permission that is a “large” outline (500 or more dwellings, or 50,000 m ² + floorspace).
4.	Section 73 variations (if original permission was Schedule 2)	– Applications under section 73(1) of the Town and Country Planning Act 1990 to develop land without compliance with conditions (i.e. to vary or remove planning conditions) where the original planning permission was granted on a Schedule 2 application (major or other non-minor development).
5.	Section 106A modifications (Schedule 2)	Requests or applications under section 106A(1)(a) or 106A(3) of the Town and Country Planning Act 1990 to modify or discharge a planning obligation where the obligation is connected to a Schedule 2 application or approval.
6.	Listed Building consents	Applications for Listed Building Consent under section 10(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7.	Variation of Listed Building conditions	Applications under section 19(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to vary or discharge conditions attached to a Listed Building Consent.
8.	Advertisement consents	Applications for express consent to display an advertisement (under regulation 9(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007).
9.	Tree Preservation Order consents	Applications for consent to carry out works to a tree protected by a Tree Preservation Order (under regulation 16(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012).

C. Referral of Schedule 2 (and Own-Interest) Applications to Planning Committee

Process:

In accordance with Regulation 5, a Schedule 2 application will only be referred to Planning Committee for determination if both the Nominated Officer and the Nominated Member agree that the application raises one or more issues of significance under the statutory referral criteria.

The criteria (from Regulation 5(3)) are:

- **A: where the application raises a significant planning matter having regard to the development plan and any other material considerations**
- **B: where the application raises an economic, social or environmental issue of significance to the local area**

If neither A nor B is satisfied, or if the Nominated Officer and Nominated Member fail to agree on referral, the application must be determined under officer delegation (per Regulation 5(2)).

When considering referrals, the Nominated Officer and Nominated Member must have regard to the statutory guidance and the intention that only exceptional cases of significant local importance should be referred, with all other Schedule 2 applications being determined by officers.

Notes:

- 1.1 Own-Interest Applications: In accordance with Regulation 6, any “own-interest” application (i.e. made by or on behalf of the Council, a Councillor or a Council officer, or where the Council or any of its Members/officers has another interest in the proposal) is also delegated by default. The Nominated Officer and Member may agree to refer an own-interest application to Committee (for reasons of transparency or propriety) even if it may not meet the above Criteria A or B, but there is no automatic requirement or presumption that all own-interest applications must go to Committee. If an own-interest application is not agreed for referral, it will be determined under officer delegation, with a different senior officer substituting as Nominated Officer where any conflict of interest might otherwise arise.
- 2.1 Nominated Roles (Officer and Member): For the purposes of the above referral process, the Council designates the Head of Development Management (or equivalent Chief Planning Officer) as its Nominated Officer and the Chair of Planning Committee as its Nominated Member, with appropriate substitutes (e.g. Vice Chair and another senior planning officer) identified to act where the primary nominees are unavailable or have a conflict of interest in a particular case.
- 2.2 The Nominated Officer and Member will jointly consider those Schedule 2 and own-interest applications which they or other senior officers believe warrant potential referral, and will determine (by agreement) whether such applications meet the criteria for Committee consideration.

- 2.3 While the Nominated persons may develop local protocols for efficient triage (for example, focusing on the relatively few cases likely to meet the criteria), the statutory expectation is that most Schedule 2 and own-interest applications will not require referral and will be decided by officers, in order to maintain timely decision-making and focus Committee time on the most significant matters.
- 3.1 Removal of Local Call-In / Referral Triggers: Under this national framework, previous local call-in powers or referral triggers (such as those enabling a Ward Member or Town/Parish Council to automatically refer an application to Committee, or automatic referral based on volume of objections or specific triggers like S.106 agreements) no longer apply to any applications within the scope of this delegation scheme.
- 3.2 Planning Committee consideration is now strictly governed by the statutory criteria and referral process outlined above. Ward Members and Town/Parish Councils may continue to make representations on planning applications through the standard consultation process, but they cannot compel an application to be heard by Committee unless it qualifies and is agreed for referral in line with the National Scheme of Delegation.
- 4.1 Transparency and Reporting: In accordance with the statutory guidance, the Council will maintain a clear audit trail of referral decisions. A record will be kept of all Schedule 2 and own-interest applications considered under the Nominated Officer/Member process, noting whether each was referred to Committee or determined under delegation (and succinctly why). This information will be periodically reported to Planning Committee and published, to ensure ongoing oversight and public transparency regarding the operation of the National Scheme of Delegation at the local level.
- 5.1 Committee Composition: The Planning Committee (and any sub-committee thereof) that determines applications under this scheme shall comprise no more than 13 Members, in accordance with the statutory maximum set by the Regulations. (The Council's Planning Committee already complies with this requirement.)