APPENDIX B

Proposed Scheme of Delegation

Reference to Regulations in this document is a reference to the "Statutory Instrument 2026 No. 854 "The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026"

The following applications must be delegated to officers as set out in the regulations under Schedule 1

1. An application made under section 17(1) of the Land Compensation Act 1961 (certificates of appropriate alternative development)(**a**).

2. An application made under section 26H(1) of the Listed Buildings Act (certificate of lawfulness of proposed works)(**b**).

3. A householder application.

4. A minor commercial application.

5. A minor residential application.

6. An application for permission in principle(**c**).

7.— (1) An application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 1 planning permission.

(2) In this paragraph—

"original planning permission" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions were granted under section 73(1) of TCPA 1990;

"Schedule 1 planning permission" means a planning permission granted pursuant to an application which is of a kind specified in this Schedule.

8. An application made under section 96A(4) of TCPA 1990 (non-material changes to planning permission or permission in principle)(**d**).

9.— (1) In respect of a planning obligation that the authority concerned considers is connected with a Schedule 1 approval—

(a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations)(**e**);

(b) an application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations)(**f**).

2) In this paragraph, "Schedule 1 approval" means any permission, agreement, consent or approval (other than a planning obligation) pursuant to an application which is of a kind specified in this Schedule.

10. An application made under section 191(1) of TCPA 1990 (certificate of lawfulness of existing use or development)(g).

11. An application made under section 192(1) of TCPA 1990 (certificate of lawfulness of proposed use or development)(h).

12. The submission of a biodiversity gain plan under paragraph 13(2)(a) of Schedule 7A to TCPA 1990(i).

13. A reserved matters approval application in respect of an outline planning permission other than a large outline permission.

14. An application made under article 27(1) of DMPO (applications made under a planning condition).

15. An application pursuant to provision in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015(j) for—

(a) prior approval, or

(b) a determination as to whether prior approval is required.

(a) 1961 c. 33. Section 17 was substituted by section 232(3) of the Localism Act 2011 (c. 20) and was amended by section 189(3) of the Levelling-up and Regeneration Act 2023 (c. 55).
(b) Section 26H(1) was inserted by section 61 of the Enterprise and Regulatory Reform Act 2013 (c. 24).
(c) For the definition of "permission in principle", see section 336(1) of the Town and Country Planning Act 1990 (c. 8).
(d) Section 96A was inserted by section 190(2) of the Planning Act 2008 (c. 29). Subsection (4) was amended by regulation 3(4)(c) of S.I. 2017/276.
(e) Section 106A was inserted by section 12(1) of the Planning and Compensation Act 1991 (c. 34); section 106A(1)(a) was amended by section 34(2) of the Greater London Authority Act 2007 (c. 24)
(f) Section 106A(3) was amended by section 34(3) of the Greater London Authority Act 2007 (c. 24).
(g) Section 191 was substituted by section 10(1) of the Planning and Compensation Act 1991 (c. 34)
(h) Section 192 was substituted by section 10(1) of the Planning and Compensation Act 1991 (c. 34)
(i) Schedule 7A was inserted by paragraph 2 of Schedule 14 to the Environment Act 2021 (c. 30).
(j) S.I. 2015/596

The following applications may be determined by a committee or by an officer as set out in the regulations under Schedule 2 which will be subject to agreement between the nominated officer and member

1. An application for listed building consent made under section 10(1) of the Listed Buildings Act (making of applications for listed building consent).

2. An application made under section 19(1) of the Listed Buildings Act (variation or discharge of conditions of listed building consent).

3. An application for planning permission that the authority concerned considers is connected with an application of a kind specified in paragraph 1 or 2.

4. An application for planning permission that is not—

(a) a householder application,

(b) a minor commercial application, or

(c) a minor residential application.

5.—(1) An application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission.

(2) In this paragraph— "original planning permission" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions were granted under section 73(1) of TCPA 1990;

"Schedule 2 planning permission" means a planning permission granted pursuant to an application which is of a kind specified in this Schedule.

6. An application made under section 73A(1) of TCPA 1990 (planning permission for development already carried out)(a).

7.—(1) In respect of a planning obligation that the authority concerned considers is connected with a Schedule 2 approval—

(a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations);

(b) an application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations).

(2) In this paragraph, "Schedule 2 approval" means any permission, agreement, consent or approval (other than a planning obligation) pursuant to an application which is of a kind specified in this Schedule.

8. A reserved matters approval application in respect of a large outline permission.

9. An application made under regulation 9(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (application for express consent to display advertisement)(b).

10. An application made under regulation 16(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order)(c).

11. All applications within Schedule 2 development can be refused by officers without referral to the nominated officer and Member for consideration

12. Own interest applications as set out in the regulations