

Annex B1

The Council adopts the statutory scheme of delegation established by the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (the "Planning Delegation Regulations" or the "PD Regulations").

Applications shall be determined in accordance with PD Regulations 4, 5 and 6 and shall be determined by an officer of the authority unless referred to the Planning Committee in accordance with PD Regulation 5 or PD Regulation 6 or by any other statutory requirement.

Schedule 1 applications and Schedule 2 applications not referred to the Planning Committee shall be determined by the Senior Officer Responsible for Planning or an officer authorised by them.

In this section of the scheme of delegation the following abbreviations have been applied:

SOP	Senior Officer Responsible for Planning
Authorised Officer	means an officer authorised under Part C4 to exercise planning powers.
Development Plan	has the meaning given by planning legislation.
Gateway Request	means a written request submitted by a Member in accordance with the Planning Protocol.
HLS	Head of Legal Services
Nominated Member	means the Member nominated by the Council under Regulation 3 of the PD Regulations.
Nominated Officer	means the officer nominated by the Council under Regulation 3 of the PD Regulations.
Own Interest Application	has the meaning given within the PD Regulations.
PCttee	means the Planning and Licensing Committee.
Schedule 1 Application	means an application identified as Schedule 1 within the PD Regulations.
Schedule 2 Application	means an application identified as Schedule 2 within the PD Regulations.

No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
Unless specified otherwise, titles in the third column indicate full delegation to the named officer			
1	General		
A	To respond on behalf of the Council to consultations from Government, Government agencies, the Local Government Association, other local authorities (except with respect to planning applications and similar consultations - see below), professional bodies and all other similar organisations, relevant to the work of the PCttee and so long as: (i) it is not possible to assess and present the matter to the PCttee within the prescribed time for response; or, (ii) the matter is considered to be of a relatively minor or straightforward nature not requiring prior debate by the Planning Committee.	SOP and any authorised officer	
B	To provide verbal and written pre-application advice.	SOP and any authorised officer	
C	The scope of delegation may be amended by a majority of the Members present at a meeting of the PCttee to which a report is submitted and there will be no requirement to comply with the procedure for amending the constitution. Changes to officer titles, onward delegations and minor drafting changes can be made without referral back to the PCttee.	SOP	

No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
2	Right of Entry onto Land		
	To exercise the Council's powers with respect to rights of entry onto land and into buildings under the relevant planning, historic building conservation, environmental and Local Government (Miscellaneous Provisions) legislation.	SOP and any authorised officer	Such powers shall be exercised only in accordance with the relevant statutory requirements.

3	Dealing with Planning and other related Applications and Notifications		
	Function	Responsibility	Decision Maker, Exceptions and Conditions
A	Schedule 1	To determine applications of a type specified in Schedule 1 to the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 ("the Regulations"), including: i. An application under section 17(1) of the Land Compensation Act 1961 for a certificate of appropriate alternative development. ii. An application under section 26H(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for a certificate of lawfulness of proposed works. iii. A householder application. iv. A minor commercial application. v. A minor residential application.	SOP and any authorised officer Except where: (a) the application is an own-interest application and the nominated member and nominated officer agree that it should be referred to PCttee in accordance with regulation 6. "Own-interest application" has the meaning given by regulation 6 of the Regulations and includes an application made by or on behalf of the Council, a member or an officer, or an application in which the nominated member and nominated officer consider that the Council, a member or an officer otherwise has an interest.

		vi. An application for permission in principle. vii. A section 73 application to develop land without complying with conditions, where the original planning permission was a Schedule 1 planning permission. viii. An application under section 96A for a non-material change to a planning permission or permission in principle. ix. A request or application to modify or discharge a planning obligation connected with a Schedule 1 approval. x. An application under section 191 for a certificate of lawfulness of an existing use or development. xi. An application under section 192 for a certificate of lawfulness of a proposed use or development. xii. The submission of a Biodiversity Gain Plan. xiii. A reserved matters application relating to an outline planning permission other than a "large outline permission". xiv. An application made under a planning condition, including the discharge or approval	
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		of details required by a condition. xv. An application under the General Permitted Development Order for prior approval or a determination as to whether prior approval is required Subject to regulation 6 of the PD Regulations concerning own-interest applications, every Schedule 1 application must be determined by an authorised officer. The application descriptions above are provided for ease of reference. The classification of an application shall be determined in accordance with the PD Regulations, which shall prevail in the event of any inconsistency.	
B	Schedule 2	To determine applications of a type specified in Schedule 2 to the PD Regulations, including: i. Applications for listed building consent. ii. Applications to vary or discharge conditions attached to listed building consent. iii. Planning applications that the authority considers connected with an application for listed building consent or the variation or	SOP and any authorised officer Except where: (a) the nominated member and nominated officer agree, in accordance with regulation 5 of the Regulations, that the application should be referred to PCttee because it raises: (i) one or more issues of economic, social or environmental significance to the local area; or (ii) one or more significant planning matters, having regard to the development plan and any other material considerations; or (b) the application is an own-

		discharge of listed building conditions. iv. Applications for planning permission that are not: • householder applications; • minor commercial applications; or • minor residential applications. • Section 73 applications where the original permission was a Schedule 2 planning permission. v. Retrospective planning applications under section 73A. vi. Requests or applications to modify or discharge a planning obligation connected with a Schedule 2 approval. vii. Reserved matters applications relating to a "large outline permission". viii. Applications for advertisement consent. ix. Applications for consent to carry out works to trees protected by a Tree Preservation Order. The application descriptions above are provided for ease of reference. The classification of an application shall be determined in accordance with the PD Regulations, which shall prevail in the event of any	interest application and the nominated member and nominated officer agree that it should be referred to PCttee in accordance with regulation 6 of the Regulations. A Ward Member may request consideration of a Schedule 2 application within 28 days of notification. The request must identify the material planning matter and explain why it meets the Gateway Test. Submission of a request shall not of itself require referral of the application to PCttee.
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No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
4.	Power to Decline to determine Application		
	To exercise the Council's statutory powers to decline to determine an application for planning permission, permission in principle or listed building consent, including repeat, overlapping or retrospective applications, under sections 70A, 70B and 70C of the Town and Country Planning Act 1990 and sections 81A and 81B of the Planning (Listed Buildings and Conservation Areas) Act 1990, and under any legislation amending, replacing or re-enacting those provisions.	SOP and any authorised officer	Prior consultation with HLS where the application raises a novel or significant legal issue. The decision to decline to determine an application must be made only where the applicable statutory requirements are satisfied and reasons must be recorded.
5.	Environmental Impact Assessments		
A	Power to carry out all publicity and other actions related to the relevant Environmental Impact Assessment (EIA) legislative framework.	SOP and any authorised officer	
B	Authority to require an Environmental Statement under the Environmental Impact Assessment) Regulations (or any other legislation amending or revoking and replacing that legislation) and to offer screening and scoping opinions	SOP and any authorised officer	

No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
6	(Section 106) Planning Agreements/Obligations		
A	To negotiate and finalise the Heads of Terms of Section 106 agreements, (agreements regulating development or use of land), Deeds of Variation and other planning agreements, including the details thereof.	SOP	Subject to prior consultation with HLS
7	Disposal of Applications		
	To finally dispose of applications for planning permission, in accordance with article 40(13) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 , and under any legislation amending, replacing or re-enacting those provisions.	SOP	
8	Planning Appeals		
	To consider information, including amended plans, submitted by appellants and vary the Council's case accordingly.	SOP	If circumstances dictate, and following reasonable endeavours to consult, in consultation with the HLS, the Chair (Vice-Chair) and Ward Member(s).
9	Enforcement of Planning Control		
A	To consider requests for an Article 4 direction, assess whether a direction is justified, and undertake all associated consultation, publicity, notification and administrative requirements.	SOP and any authorised officer	
B	To determine whether a breach of planning control or other contravention has occurred and	SOP and any authorised officer	

	whether it is expedient to take enforcement action, including decisions to take no further action, seek voluntary resolution, invite or require the submission of an application, or continue monitoring the matter.		
C	Where enforcement action has been determined to be expedient, to authorise, issue and serve any notice or take any other formal enforcement action available under relevant planning, listed building, advertisement and tree legislation.	SOP and any authorised officer, in consultation with HLS	Where enforcement action is proposed in respect of a Councillor, Council employee, or relative of a Councillor, the Head of Legal Services and Local Ward Member must be consulted before delegated authority is exercised. Where the Local Ward Member is directly affected, the Cabinet Member for Planning must be consulted instead.
D	To vary, waive or extend periods for compliance with an enforcement notice or other formal requirement, where legislation permits and where this would not materially prejudice the Council's enforcement objectives.	SOP and any authorised officer	
E	To withdraw, vary or cancel an	SOP and any	

	enforcement notice or other formal notice where it has served its purpose, is no longer necessary or appropriate, contains a defect, or its withdrawal, variation or cancellation is otherwise considered expedient.	authorised officer, in consultation with HLS	
F	To institute or authorise a prosecution, administer an official caution, seek an injunction or pursue civil or criminal proceedings under relevant planning, listed building, advertisement and tree legislation.	HLS, in consultation with SOP	Where enforcement action is proposed in respect of a Councillor, Council employee, or relative of a Councillor, the Head of Legal Services and Local Ward Member must be consulted before delegated authority is exercised. Where the Local Ward Member is directly affected, the Cabinet Member for Planning must be consulted instead.

No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
10	Article 4 Directions		
A	To consider requests for an Article 4 direction, assess whether a direction is justified, and undertake all associated consultation, publicity, notification and administrative requirements.	SOP and any authorised officer	
B	To make and bring into effect an immediate Article 4 direction where urgent action is necessary, and to make any minor or non-substantive amendment which does not materially alter the geographical extent of a direction or the permitted development rights affected.	SOP	Prior consultation with HLS and, where reasonably practicable, the Chair of PCttee and relevant Ward Member or Members
C	To confirm, modify, cancel or withdraw an immediate Article 4 direction, and to make, confirm, modify, cancel or withdraw a non-immediate Article 4 direction.	SOP	Prior consultation with HLS and, where reasonably practicable, the Chair of PCttee and relevant Ward Member or Members
11	Rights of Way and Highways		
A	To receive and determine applications and requests relating to the creation, stopping up or diversion of public rights of way, and to exercise the Council's functions in relation to the making, confirmation, variation, abandonment and bringing into operation of Public Path Orders under the Town and Country Planning Act 1990 and the Highways Act 1980, including all associated consultation, notification and procedural requirements.	SOP, in consultation with HLS	Any Public Path Order subject to an objection which is not withdrawn shall be submitted to the Secretary of State for determination where required by the relevant legislation.

B	To deal with consultations from Gloucestershire County Council on	SOP	
No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
C	Definitive Map Orders, Public Path Orders and reviews of Roads used as Public Paths – there is no requirement for Officers to undertake consultation as, if necessary, this will be done by Officers of the County Council.		
12	Trees and Forestry		
A	To exercise the Council's powers relating to the serving, revoking, varying and confirming of Tree Preservation Orders (TPOs) under the relevant legislation.	SOP and any authorised officer	Prior consultation with HLS where required.
B	To serve Tree Replacement Notices	SOP and any authorised officer	
C	To respond to consultations from the Forestry Authority on grant applications and Tree Felling Licences (subject to there being no objections).	SOP and any authorised officer	
D	Authority to determine: any application to carry out work to a tree(s) subject to a Tree Preservation Order (subject to consultation with the Ward Member(s) in any case where the officer is recommending refusal or where objections have been received) any notification to carry out work to a tree within a Conservation Area (subject to consultation with the Ward Member(s) in any case where the officer intends serving a TPO or an objection has been received)	SOP and any authorised officer	Where the notice is submitted by or on behalf of the Council, a member or an officer, or otherwise gives rise to an actual or apparent conflict of interest, refer to the Gateway Review Meeting for agreement as to whether the decision raises significant material considered that warrant referral to Planning Committee.

E	To exercise the Council's powers under Section 23 of the Local Government (Miscellaneous Provisions) Act 1976 in	SOP	
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No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
	relation to dangerous trees, including rights of entry onto land and into buildings		
F	To determine Hedgerow Removal Notices and ancillary matters	SOP	
G	Authority to deal with complaints about High Hedges under Part 8 of the Anti-Social Behaviour Act 2003	SOP	
13	Listed Buildings at Risk		
A	Where urgent action is necessary, to exercise the Council's powers under the following Sections of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA Act). • Sections 3 and 4 (PLBCA Act) (Building Preservation Notices) • Section 54 (PLBCA Act) (urgent works for the preservation of an unoccupied listed building); • Section 55 (PLBCA Act) (recovery of costs for works carried out under Section 54).	SOP	Prior consultation with HLS
B	Powers to serve a Repairs Notice and to acquire a listed building in need of repair under Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	SOP	Prior consultation with HLS
14	Amendments to the Statutory List of Buildings of Special Architectural or Historic Interest		
A	To respond to consultations from the relevant organisations or Government departments on potential amendments to the Statutory List of Buildings of Special Architectural or Historic Interest.	SOP	

No.	Function	Responsibility/ Decision Maker	Exceptions and Conditions
B	To propose amendments to the Statutory List of Buildings of Special Architectural or Historic Interest to the relevant organisations or Government departments.	SOP	