

DELEGATIONS TO PLANNING COMMITTEE

1. OLD CONSTITUTION (May 2016)

2.2 Development Management (North) Committee

Matters delegated to the Committee:

Those matters falling within The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, regulations 2 and 3 and Schedule 1 Part A paragraphs 5-31, Part I paragraphs 46-47A and Schedule 2 paragraphs 16-18 and as may be amended

2.3. Development Management (South) Committee

Matters delegated to the Committee:

(a) Those matters falling within The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, regulations 2 and 3 and Schedule 1 Part A paragraphs 5-31, Part I paragraphs 46-47A and Schedule 2 paragraphs 16-18 and as may be amended.

(b) Those matters referred to in an agreement between South Downs National Park and Horsham District Council, having effect from 1st April 2011 until 31st March 2014.

2. NEW CONSTITUTION (December 2016)

“3.2 Scheme of delegation of responsibilities to Committees of the Council

Article 8 establishes the Committees of the Council, this scheme allocates responsibilities to those Committees.

3.2.2 Functions of the Planning Committees

EXISTING CONSTITUTION 2016

a) Discharge those functions falling within The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, regulations 2 and 3 and Schedule 1 Part A paragraphs 5-31, Part I paragraphs 46-47A and Schedule 2 paragraphs 16-18 and as may be amended.

b) Those matters referred to in an agreement between South Downs National Park and Horsham District Council, having effect from 1 April 2011, will be discharged by the Planning Committee (South) only.

c) Determination of applications as follows:

- i. Applications made by or on behalf of, the Council.
- ii. Where the application has been made by a Member or an officer or a member of their immediate family.

- iii. Where a Member of the relevant Planning Committee requests; such request to be in writing (to include e-mail) and received by the Development Manager within 35 days of the date of validation of the application.
- iv. Where eight or more persons in different households or bodies make a written representation (to include email), which discloses a material planning consideration within the consultation period and is inconsistent with the Development Manager's recommendation.
- v. Any application that is defined as a departure application under the Town & Country Planning (Development Management Procedure)(England) Order 2015, where the recommendation of the Development Manager would represent a departure to the development plan.
- vi. Where the Parish or Neighbourhood Council makes a written representation (to include email) which discloses a material planning consideration and is inconsistent with the Development Manager's recommendation, within the consultation period, and wishes to address the Planning Committee.
- vii. Where the Development Manager considers the application should be presented to the Development Management Committee for a decision."

DELEGATION TO DIRECTOR OF PLANNING

Old Constitution (October 2015)

Part 3F (Article 13)

SCHEME OF DELEGATION TO OFFICERS

10. POWERS DELEGATED TO HEAD OF PLANNING & ENVIRONMENTAL SERVICES

10.1 Regulatory Functions

The exercise of the Council's regulatory functions relating to:

- (a) amenities on the highway;
- (b) animal welfare;
- (c) caravan sites;
- (d) environmental protection;
- (e) fitness and standards of housing;
- (f) food safety and hygiene;
- (g) gambling;
- (h) gaming permits;
- (i) hackney carriages and drivers;
- (j) health and safety at work;

- (k) houses in multiple occupation;
- (l) house to house collections;
- (m) highways management;
- (n) licensable activities under the Licensing Act 2003;
- (o) lotteries;
- (p) markets;
- (q) motor salvage operators;
- (r) pest control;
- (s) pleasure boats;
- (t) private hire vehicles, drivers and operators;
- (u) public health;
- (v) public safety;
- (w) registration plates;
- (x) residential accommodation;
- (y) scrap metal dealers;
- (z) shops and Sunday trading;
- (aa) street collections;
- (bb) street trading;
- (cc) water and sewerage
- (dd) smoke-free regulations

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[10.2 Housing Fitness](#)

The determination of any matter affecting the fitness or standards of housing.

[10.3 Building Control](#)

[Applications](#)

The determination of the following :

- (a) Applications for building regulations approval including the passing or rejection of plans;
- (b) Application for the relaxation of building regulations.

[10.4. Building Control](#)

[Enforcement](#)

Without prejudice to Paragraphs 2.8(b) above, the issue and service of notices pursuant to the Building Act 1984, and Building Regulations and the carrying out of works in default.

[10.5 Planning Agreements](#)

The entering into of planning or other agreements regulating or controlling the use or development of land (except where the determining body for any associated planning application is a committee

[10.6 Applications for Planning](#)

[Permission](#)

Subject to Paragraph 11.9, the determination of applications for planning permission pursuant to the Planning Acts Including

- (a) Development specified in the GPDO where express planning permission is required by reason of limitations or conditions imposed by that Order;
- (b) Determinations in connection with the prior notification procedure under GPDO.

10.7 Applications for Consent - Planning

Subject to Paragraph 11.9, the determination of applications for consent pursuant to the Planning Acts.

10.8 Planning Consultations and opinions

Subject to Paragraph 10.9 the determination of the Council's stance in respect of consultations and opinions concerning matters referred to in Paragraphs 10.6 and 10.7.

10.9 Non-Delegated Planning Matters

The determination of the following applications mentioned in Paragraphs 10.6 to 10.8 above shall not be delegated:

(a) departure applications within the meaning of the Town and Country (Development Plans and Consultations) (Departures) Directions 1999;

(b) applications requiring reference to the Secretary of State (but not applications for listed building consent);

(c) applications for development requiring an environmental impact assessment (but not the requirement for an environmental impact assessment or matters in connection with an environmental impact assessment);

(d) applications made by, on behalf of, jointly with or promoted by the Council;

(e) where the application has been made by a Member or an officer or a member of their immediate family;

(f) where the appropriate Development Control Committee directs otherwise;

(g) where a members of the relevant Development Control Committee requests; such request to be in writing (to include email) and received by the Head of Service within 35 days of the date of validation of the application;

(h) where five or more persons in different households or bodies make a representation (to include email), which discloses a material planning consideration within the consultation period and is inconsistent with the Head of Service's recommendation;

(i) where the Parish or Neighbourhood Council makes a written representation (to include email) which discloses a material planning consideration and is inconsistent with the Head of Service's recommendation within the consultation period and wishes to address the Committee;

(j) where the Head of Service considers the application should be presented to the Committee for a decision.

10.10 Planning - Lawful Development Certificates

The determination of applications for lawful development certificates (TCPA ss 191, 192).

10.11 Planning - Miscellaneous Planning Applications

The determination of applications under the Local Government (Miscellaneous Provisions) Act 1972 s 37 (temporary markets).

10.12 Planning - Orders etc. under the Planning Acts

The giving, making and confirmation of any order or direction under the Planning Acts.

10.13 South Downs National Park

Those matters referred to in an agreement between South Downs National Park and Horsham District Council having effect from 1st April 2011 until 31st March 2014.

10.14 Enforcement Action and Notices under the Planning Acts Etc.

Without prejudice to Paragraph 2.8(b) above the issue, service, modification and withdrawal of any notice under the Planning Acts and the carrying out of works in default including notices concerning ruinous and dilapidated buildings and neglected sites (Building Act 1984, s 79).

10.15 High Hedges

The determination of application and the taking of any action under the Anti- Social Behaviour Act 2003 Part 8.

10.16 Regulation of Investigatory Powers Act 2000

The grant, review, renewal and cancellation of authorisations.

10.17 Goods Vehicle Operators' Licences

The determination of the Council's stance relating to Goods Vehicle Operators' Licences

New Constitution (December 2016)

3.4 Scheme of delegation to officers

3.6.2 Director of Planning, Economic Development and Property

Within the overall resources allocated by the Council and in direct support of the Council's objectives act on behalf of the Council on all operational and administrative matters relating to the discharge of the Council's functions relating to the following service delivery functions, unless that function has been specifically delegated to another Officer or elsewhere within this constitution: Planning Policy, Development Management, Building Control, Housing Strategy and Economic Development and specifically:

a) Administer, subject to the Key Decision framework, the acquisition, re-use, appropriation and disposal of the Council's land and buildings, together with the granting or taking assignment or surrender of leases, tenancies, licences, easements, wayleaves

and variations of rent of the Council's land and buildings and all consequent operational and administrative matters.

b) Exercise all the functions of the Council relating to town and country planning matters, including development management, **except for** those matters reserved to a committee in part three of this constitution.

c) Refer to Full Council if he is of the opinion that the relevant Planning Committee is minded to make a decision in which there are likely to be significant cost implications.