

PLANNING DECISION DELEGATION — SCHEDULE 1 AND SCHEDULE 2

The new national delegation scheme is built on a presumption that planning officers determine planning applications. Elected councillors have lost their former “call-in” powers. A strict national rule-set now defines when a planning committee may determine an application.

A **designated planning officer** and a **designated councillor** (typically the senior planning officer and the Chair of the committee or Lead Councillor) jointly assess whether an application meets the criteria for committee referral. All applications fall into Schedule 1 or Schedule 2.

Schedule 1 — Mandatory Delegation

These applications must be decided by officers. No level of public interest, policy conflict, or councillor request can send them to committee. Such applications include:

- Minor residential development (1–9 dwellings)
- Reserved matters, discharge/approval of conditions
- Section 73 / Section 96A amendments
- Listed building conditions/details, certificates of lawfulness, prior approvals

These categories are always delegated, without exception.

Schedule 2 — Discretionary Referral

These applications may go to committee, but only if both the designated officer and designated councillor agree. Only these types of applications may be decided by committee:

- Major residential development (10+ dwellings)
- Main listed building consents (excluding conditions/details)
- Certain development plan departures, meaning departures from the Local Plan or Neighbourhood Plan
- Specific statutory triggers: EIA development, SSSIs, Conservation Areas

If either the officer or nominated councillor declines referral, the application is delegated.

Public and Member Rights

Councillors and the public retain full rights to submit comments and raise material planning considerations, but comments alone cannot force committee referral. All Schedule 1 applications remain delegated regardless of objection volume or political interest.

Anti-Fragmentation Rule

Developers cannot avoid scrutiny by splitting proposals into multiple small applications. Linked schemes must be assessed cumulatively, ensuring that fragmentation into less than 10 dwellings cannot bypass major-development rules.

Reserved Matters and Outline Planning Applications

Under the new delegation rules: all Reserved Matters and all conditions are Schedule 1 and therefore always decided by officers. Even when the outline application itself was decided by committee. This means the officers determine what is built (design, layout, access, landscaping, drainage, materials, ecology).

Section 106 Agreements

These are legal mechanisms outside Schedule 1 and Schedule 2. If a Schedule 2 application is taken to committee, the committee may decide the terms of the S106. If an application (Schedule 1 or Schedule 2) is not taken to committee, the planning officer negotiates and finalises the S106. Councillors retain influence only through Local Plan policy, infrastructure priorities, and political oversight, not through veto powers.