

Planning Matters

Ref No.	Function	Authorised Officer	Consultation/ Limitation
P1	<p>In those cases where the proposed development is in accordance with approved Development Plans and where no adverse representations of a valid planning nature have been received, the grant of permission, approval or consent, in respect of application for:</p> <ul style="list-style-type: none"> i) Planning permission; ii) Listed Building Consent; iii) Consent to display advertisements; iv) Approval of reserved matters, or to make observations on behalf of the Borough Council in respect of: v) proposals by Government Departments; vi) statutory undertakers, or vi) Proposals received by other local authorities. 	Chief Executive	
P2	Authority to determine that no Tree Preservation Orders should be made where notice of intention to carry out work on a tree in a conservation area is received.	Chief Executive	
P3	Where planning permission has been refused, authority to decide that an appeal to the Secretary of State for the Environment should be resisted and to agree in what form the appeal shall be conducted.	Chief Executive	
P4	Authority to approve requests for minor amendments to planning conditions made under S73 and 96A of the Town and Country Planning Act 1990 in respect of applications previously determined by the Planning Committee.	Chief Executive	
P5	Authority to make observations on behalf of the Borough Council as District Planning Authority in respect of proposals by Nottinghamshire County Council for which deemed permission was being sought under the Town and Country Planning General Regulations.	Chief Executive	
P6	Authority to exercise judgement and discretion as to when consultations with interested bodies should be carried out in connection with planning applications and likewise the question of re-consultation with residents, Parish Councils and other bodies where amendments are negotiated to planning applications as originally submitted.	Chief Executive	
P7	Authority to make observations on behalf of the Borough Council in respect of proposals by statutory undertakers for which deemed permission is being sought under the Town and Country Planning General Regulations.	Chief Executive	

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P8	Authority to approve the renewal of a planning permission where there has been no change in circumstances.	Chief Executive	
P9	Authority to determine applications made under Section 198 of the Town and Country Planning Act 1990 for the topping, lopping or cutting down of any tree subject to a Tree Preservation Order.	Chief Executive	
P10	Authority to determine applications for consent under a Tree Preservation Order under Section 198 of the Town and Country Planning Act 1990 for the topping or lopping of trees, after consultation, where necessary.	Chief Executive	
P11	Authority: i) To issue a Hedgerow Retention Notice where he is satisfied that the hedgerow is important and should be retained; ii) To authorise the Monitoring Officer to make an application for an Injunction where the removal of an important hedgerow is apprehended.	Chief Executive	
P12	Authority to determine applications received under Section 64 of the Town and Country Planning Act 1990 relating to development within the curtilage of dwelling houses.	Chief Executive	
P13	Authority to serve Planning Contravention Notices under Section 171(c) of the Town and Country Planning Act 1990 and to enter into discussions with the recipient of such a Notice about how any suspected breach of control might be remedied.	Chief Executive	
P14	To take decisions with regard to publicity for reserved matters and amendments to planning applications.	Chief Executive	
P15	Authority to deal with requests to withdraw an Enforcement Notice where no objections are received and to serve Breach of Condition Notices	Chief Executive	
P16	Authority to exercise the general powers of entry conferred on a local planning authority by Section 196A of the Town and Country Planning Act 1990.	Chief Executive	
P17	Authority to authorise the Monitoring Officer to discharge Section 106 Agreements and to release Bonds in support of such Agreements upon being satisfied that the Agreement has been fully complied with and that it would be appropriate for such agreement to be discharged if it no longer serves a useful purpose and was not capable of having any effect in the future.	Chief Executive	
P18	Authority to determine in respect of the Town and Country Planning Environmental Impact Assessment Regulations 2017: 1. Whether or not an environmental statement was needed prior to a developer submitting an application; 2. To determine where or not schemes comprising Schedule 2 development require an environmental statement.	Chief Executive	

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P19	Within the area of his responsibility, power to authorise the service of Notices and the enforcement thereof in the event of default including recovering costs.	Chief Executive	
P20	To consider all planning applications which do not fall to be decided by them under their other delegations and to decide which of these applications they will determine and which they will refer to the Planning Committee for determination provided that this delegation shall not apply to: <ul style="list-style-type: none"> a) Applications proposing 5,000 or more square metres of new commercial floor-space, the determination of which is reserved to the Planning Committee. b) Applications proposing ten or more residential dwellings, the determination of which is reserved to the Planning Committee. 	Chief Executive	In consultation with the Planning Delegation Panel
P21	Authority to enter land without a warrant under Regulation 12 of the Hedgerows Regulations 1997.	Chief Executive	
P22	Authority to determine all applications of the extension of time limits.	Chief Executive	
P23	Authority to issue and serve a Temporary Stop Notice	Chief Executive	
P24	Authority to exercise the powers to require proper maintenance of land pursuant to Section 215 (i) Town and Country Planning Act 1990, including the power to take action in default.	Chief Executive	
P25	Within the area of his responsibility, power to authorise the service of Notices and the enforcement thereof including the recovery of costs insofar as they may relate to non-executive responsibilities.	Chief Executive	
P26	Authority to delegate to appropriate Officers the service of Notices and taking of action in default insofar as they may relate to non-executive responsibilities.	Chief Executive	
P27	Power to authorise the commencement of legal proceedings within the area of his responsibility insofar as they may relate to non-executive responsibilities.	Chief Executive	In consultation with the Monitoring Officer
P28	Power to authorise persons, whether employed by the Council or not, to act in a statutory role as appropriate to undertake duties and responsibilities, including powers of entry, under statutes and regulations and orders within the area of his responsibility and insofar as they may relate to non-executive responsibilities.	Chief Executive	
P29	Authority to enter into Agreements within the area of his responsibility and to release Bonds in support of such Agreements upon being satisfied that the Agreement has been fully complied with and that it would be appropriate for such agreement to be discharged if it no longer serves a useful purpose and was not capable of having any affect in the future.	Chief Executive	

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P30	Within the ambit of the Planning Committee to authorise the advertising of proposals in the press affecting large numbers of people in the Gedling Borough area.	Chief Executive	
P31	Authorised to instruct that proceedings be instituted in cases where unacceptable unauthorised banner advertisement signs are erected.	Chief Executive	In consultation with the Vice-Chair of Planning Committee
P32	Authority to approve the making and confirmation of a Tree Preservation Order under Sections 197 - 201 of the Town and Country Planning Act 1990	Chief Executive	In consultation with the Chair or Vice-Chair of Planning Committee
P33	Authority to serve Building Preservation Notices.	Chief Executive	In consultation with the Chair or Vice-Chair of Planning Committee
P34	Authority to determine any requests for Revocation Orders and to refer them to Committee only where they would merit consideration by the Committee.	Chief Executive	In consultation with the Chair or Vice-Chair of Planning Committee
P35	Authority to make determinations in relation to whether prior approval is required for development permitted under the Town and Country Planning (General Permitted Development) Order 2015, (as amended) and to agree details and specifications where prior approval is required and give other consents and approvals in relation to that Order.	Chief Executive	
P36	Authority to determine an application for a Certificate of Lawfulness of existing use or development and a Certificate of Lawfulness of proposed use or development of land under Sections 191 and 192 of the Town and Country Planning Act 1990.	Monitoring Officer	In consultation with the Chief Executive
P37	Authority to negotiate and conclude Agreements made under Section 106 of the Town and Country Planning Act 1990. The sealing of any Agreement under the authority of this Section shall be an authorised delegation for the purposes of the Council's Constitution.	Monitoring Officer	In consultation with the Chief Executive
P38	Authority to determine applications under Section 64 of the Town and Country Planning Act 1990 as to whether the carrying out of operations on land or the making of any change in the use of land would constitute or involve development of the land, and if so, whether an application for planning permission in respect thereof would be required having regard to the provisions of the Town and Country Planning General Development Order 1972 or of any amendments thereof.	Monitoring Officer	In consultation with the Chief Executive

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P39	Authority for the endorsement of Tree Preservation Orders as to their confirmation, modification, variation or revocation.	Monitoring Officer	
P40	Authority to modify section 106 agreements which have been previously agreed by the Planning Committee, except where in the opinion of the Head of Development and Place it is of significant public interest, has a significant impact on the environment or is likely to be widely controversial; in which case it will be referred to Planning Committee.	Chief Executive	
P41	Authority to determine when it is expedient to investigate alleged breaches of planning control	Chief Executive	