

### **C 1.5 Head of Built Environment Services**

1. The issue of directions and imposing of conditions restricting applications for planning permission affecting classified roads (other than trunk roads) and unclassified roads required to be made by the Council in accordance with the Harborough Highways Partnership arrangements within the Leicestershire County Council.
2. Approval, subject to adequate estimate provision of grants for Environmental Plant Scheme and the Amenity Plant Scheme which comply with Council Policy.
3. Application delegated for determination:
  - 3.1 The following applications are delegated for determination, subject to 3.2 (a)-(f), where delegation is removed:
    - (a) all applications for planning permission, including applications for the discharge and variation of conditions and requests for minor amendments or applications for lawful use or development (Town and Country Planning act 1990);
    - (b) all applications for listed building consent or conservation area consent (Town and Country Planning Listed Buildings and Conservation Area act 1990);
    - (c) all applications for advertisement consent (Town and Country Planning Control of Advertisement Regulations 1992);
    - (d) all agricultural, telecommunications and other 'prior notifications' (Town and Country Permitted Development Order 1995);
    - (e) all applications for 'hedgerow removal' (Hedgerow Regulations 1997);
    - (f) all applications to undertake works to trees subject to a Tree Preservation Order or within a Conservation Area (Town and Country Planning Trees Regulations 1999);
    - (g) all applications for remedial notices in respect of high hedges (Anti Social Behaviour Act 2003);
    - (h) all applications by other local authorities, for example, Leicestershire County Council and observations on 'County Matters' applications (Town and Country Planning General Regulations 1992);
    - (i) all applications for Hazardous Substances Consent (Planning Hazardous Substances Act, 1990).**

In addition, Officers may exercise the power, on behalf of the Council, not to determine 'repeat applications' to give determinations in relation to 'permitted

development' and Non Material Amendments to confirm intended Tree Preservation Orders, to enter into legal agreements under Section 106 of the Town and Country Planning Act, to exercise the discontinuance of a use of land and the power to serve a building preservation notice and other related actions to secure the integrity of a listed building **and to process planning appeals subject to notification of ward member(s) if departing from a planning committee decision**

3.2 Circumstances by which delegation to Officers is removed:

- (a) applications where any Member has requested determination of the application by the Planning Committee, using the Request for Call-in form within 28 days of the date of the weekly list on which that application appears. N.B. The request for consideration may be withdrawn at any time, and the application returned to delegated authority (subject to compliance with the other criteria explained below).
  - (b) applications where the intended decision would depart from currently adopted development plan policy and/ or Supplementary Planning Guidance and/ or applications where the Development Control Manager considers that determination by the Planning Committee would be appropriate.
  - (c) applications to which the following level of counter-representation has been received:
    - i. Five letters representing different households and, in the case of letters of objection, raising valid points relating to planning;
    - ii. a petition of counter representation containing 10 or more signatures.
  - (d) applications submitted **other than notifications and approvals under 3.1(d), including agriculture defined by the General Permitted Development Order 1995, and 3.1 (f)** in which current Members or Officers of the Council, or members of their household and immediate past Officers and members of their household have a beneficial interest (delegation being removed when that interest is declared).
  - (e) applications where the intended decision would depart from the advice given by the highway authority.
  - (f) applications for 10 or more dwellings and for commercial floor space of 10,000 m<sup>2</sup> or more.
4. The responsibility and duties of the Council in respect of the determination of applications in accordance with the provision of the Building Regulations 2000.
5. Building Regulation Control - type approval:
- (a) issue of certificates to type approval for Building Regulation purposes;

- (b) acceptance of type approval certificates issued by members of the Shire Counties Building Control Consortium when plans are deposited under Building Regulations.
6. Setting of charges for the carrying out of the Building Control function as necessary in response to the dictates of market force and other relevant circumstances in order to achieve a financially neutral position with regard to fee earning work under the Building Regulations.
  7. Taking urgent action in respect of dangerous buildings within the statutory provisions of the Building Act **2004 including but not limited to Sections 77 and 78.**
  8. Issue of certificates of statutory renumbering of property.
  9. Operation of the Property Shop to advertise all social housing properties available.
  10. Provide advice to people in housing need, and maintain a register of those needing housing.
  11. Provide accommodation to those declaring themselves homeless.
  12. Run a family Hostel for those needing temporary and emergency accommodation.
  13. Maintain a Housing Strategy.