

**Northumberland National Park Authority**  
**Revised Delegation Scheme for dealing with**  
**Planning Applications**

**Version: October 2007 – reflecting new Authority Committee structures**

**1. Determination of Applications**

- 1.1 The Chief Executive or relevant Director are authorised to determine all planning and related applications and to carry out duties relating to such applications as required by The Town and Country Planning Acts, The Listed Building Act 1990 and other associated legislation, apart from in those circumstances set out below when the proposal is to be determined by the Development Control Committee.

**Applications to be determined by the Development Control Committee**

- 1.2 The Development Control Committee shall determine those applications defined in the Government's annual digest of Development Control statistics relating to the following:
- a) Proposals for development which are contrary to the Development Plan and/or adopted Supplementary Planning Guidance/Supplementary Planning Documents and which are recommended for approval. Exceptions to this are minor departures relating to :
    - i) Proposals involving development within the curtilage of a dwelling house and which is incidental to the use of the dwelling, and
    - ii) Proposals for development not exceeding 4 metres in height or 200 cubic metres in volume ( measured externally ).
  - b) Proposals which are potentially controversial or likely to be of significant public interest. This category is to include any proposals where the recommendation is contrary to the views of more than two members of the public commenting on the proposal within the statutory period for notification and publicity; i.e. if there are three or more objections to an application, and the application is recommended for approval, it will be considered by the Development Control Committee.
  - c) Proposals that are recommended for approval contrary to the views of a statutory consultee received within the statutory consultation period.
  - d) Proposals submitted by or on behalf of the Authority for its own development, or on land owned by the Authority.
  - e) Proposals in which a member of the Authority or any employee of the Authority has, within 14 days of the date on which the application first appeared on the weekly list of new applications, notified an interest.

- f) Proposals that a member of the Authority has, within 14 days of the date on which the application first appeared on the weekly list of new applications, requested in writing be presented to the Development Control Committee for determination.
- g) Proposals involving the creation of 3 or more dwellings.

Applications to be delegated to the Chief Executive or relevant Director, Development Control Manager, Chairman of Development Control Committee, and Deputy Chairman (or another Member authorised by them)

- 1.3 Matters to be determined by the Development Control Manager and Chief Executive or relevant Director in consultation with two Members:

Where, in the opinion of the Development Control Manager, a proposal raises issues which members would wish to be made aware of, the matter will be determined by the Chief Executive in consultation with the Chairman and the Deputy Chairman of the Development Control Committee. Such matters will include the following :

- a) Proposals where the recommendation is for refusal or objection,
- b) Proposals where the recommendation is contrary to the views of one or two members of the public commenting on the application
- c) Proposals for development which, in the opinion of the Development Control Manager, are contrary to the Development Plan and/or adopted Supplementary Planning Guidance, that are recommended for approval but which are not of a scale or type falling to be determined by the Development Control Committee under Section a) of Para 1.2 above.
- d) Proposals involving the construction of non residential buildings or structures with a footprint of more than 1000 square metres (measured externally) and/or a height of more than 15 metres.

## **2. Planning Enforcement**

2.1 The Development Control Manager is authorised to remove fly posting and to serve the following notices:

- a) Notice authorising entry onto land
- b) Requisition for information notice
- c) Planning Contravention Notice

Where there is a breach of planning control which, in the opinion of the Development Control Manager, requires urgent action to protect the public interest, the Development Control Manager is authorised to take the following actions in consultation with the Chairman or Deputy Chairman of the Development Control Committee and after seeking appropriate legal advice, to serve :

- a) Stop Notices
- b) Enforcement Notices (including Listed Building Enforcement Notices)
- c) Breach of Condition Notices
- d) Building Preservation Notices

And to take any necessary legal proceedings including seeking an injunction.

## **3. Tree Preservation Orders**

The Development Control Manager is authorised to confirm a Tree Preservation Order where no objections are received within the period given.

When trees are known or suspected to be under threat, the Development Control Manager is authorised to make a Tree Preservation Order.

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