

# Payhembury Parish Council

## Scheme of delegation – planning matters

### 1. Scheme of Delegation

- 1.1. A Scheme of Delegation for a Parish Council describes what decisions can be delegated, to whom and any restrictions on that delegation.
- 1.2. The Local Government Act 1972, section 101, gives a Parish Council the power to delegate decisions to a committee, a sub-committee reporting to a committee, or the Clerk, being the council's proper officer.

### 2. Planning Matters

- 2.1. East Devon District Council (EDDC) are the planning authority covering Payhembury Parish. EDDC decide whether to approve or refuse planning applications.
- 2.2. Payhembury Parish Council is a statutory consultee for all planning applications within the parish and are therefore able to comment on those planning applications on behalf of the community. The Parish Council has no powers to decide whether to approve or refuse planning applications.
- 2.3. Payhembury Parish Council meets bi-monthly and therefore has limited opportunities to discuss and respond to planning applications in a timely manner. In order to respond to planning applications, the Scheme of Delegation for planning matters (see below) should be followed.
- 2.4. Site visits, to assess planning applications, will be arranged by the Clerk if requested by the Chairman, or two or more Councillors. A minimum of three Councillors are required for a site visit. The Scheme of Delegation for planning matters (see below) should be followed after any site visit.

### 3. Scheme of Delegation for planning matters

- 3.1. All major planning applications will be dealt with at Parish Council meetings. EDDC define a major planning application as 10 new properties or more, or more than 1000 m<sup>2</sup> of floor space.
- 3.2. All planning application consultations, whose deadline for consultee responses expire after the next scheduled meeting, will be dealt with at Parish Council meetings.
- 3.3. The Clerk will endeavour to obtain extensions for planning application consultation deadlines which fall shortly before the next scheduled meeting. If an extension beyond the date of next scheduled meeting is not possible refer to clause 3.6 below.
- 3.4. Planning matters of a controversial nature will be dealt with at Parish Council meetings. The Clerk will discuss and agree the nature of the application and the necessity to hold an extra ordinary meeting with the Chairman.
- 3.5. The Chairman, or two or more Councillors, may call for an extra ordinary meeting at any time to discuss planning matters as they arise.

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- 3.6. The Parish Council delegates all planning application consultations not covered by the above clauses (3.1 to 3.5) to the Clerk in discussion with the Parish Councillors. Discussion may be by correspondence, including email, or in person.
- 3.6.1. Comments should be returned as soon as possible to the Clerk for determination of the Parish Council's response within the prescribed consultation period.
- 3.6.2. Comments from at least three Councillors are required to enable a collated and agreed response to be submitted to EDDC planning department.
- 3.6.3. Comments received from Councillors for a response under delegation to a planning application will be published under the Planning section of the Parish Council website.
- 3.6.4. Decisions made under delegation will be reported to and minuted at the next Parish Council meeting.