

Appendix 1: Amendments to the Planning Delegations.

Table 4 - Delegations to the Deputy Chief Executive and Director for Economy, Infrastructure and Skills		
No.	Delegation Responsible Body	Overall
PLANNING		
16	Unless the observations which the Deputy Chief Executive and Director for Economy, Infrastructure and Skills proposes to give would represent a material departure from a planning policy for which the County Council is responsible:	Council / Cabinet (Local Choice)
	To give the County Council's observations to District Councils, adjoining authorities, Government Departments / Agencies and Statutory Undertakers / Public Utilities in response to consultations on planning, planning-related or environmental applications or policy documents	
	To give the County Council's observations to the Environment Agency in response to consultations on Environmental Permits and policy documents	
	To give the County Council's observations to District Councils on highway and highway-related matters	
17	To refer to the Secretary of State for ~~Levelling Up, Housing and Communities~~ Ministry of Housing, Communities and Local Government (MHCLG (or as amended)) any District Council's proposal for its own development which would be detrimental to the County Council's interests or which would be contrary to the County Council's views	Council
18	To authorise the Peak Park Authority to discharge the County Council's powers and functions under the Ancient Monuments and Archaeological Areas Act 1979 in respect of that part of the Peak District National Park which is within Staffordshire, without prejudice to the exercise concurrently by the County Council within that area of their powers under the Act.	Council
19	~~Where there is no material planning objection to the application or matter in question from:~~	Council / Cabinet (Local Choice)
	In accordance with the National Scheme of Delegation, where the Schedule 2 application or Own Interest application (as set out in the Town and County Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026) :	
	~~The Chairperson of the Planning Committee or the nominated opposition spokesperson; or~~	
	Does not involve the development of a substantial new site; or	
	~~The relevant District Council or Parish Council; or~~	
	Does not involve a significant extension to an existing site; or	
	~~The Local Member of the County Council; or~~	
	Does not raise one or more issues of economic, social or environmental significance to the local area; or	
	~~A statutory consultee in accordance with the requirements listed in Planning Practice Guidance (Table 2) and no more than 4 representations raising objections on material planning grounds have been received~~	
	Does not raise one or more significant planning matters having regard to the development plan and any other material considerations	
	~~then the Director may (subject to the Director's discretion to consult with the Chairperson or Vice-Chairperson of the Planning Committee) decide:~~	
	then the Director may (subject to the decision of the nominated member and the nominated officer (as set out in the Planning Scheme of Management) not to refer the Schedule 2 application or Own Interest application to the Planning Committee) decide:	

	To grant planning permission for the County Council's own development (Own Interest application); To grant planning permission for minerals and waste developments, including the approval of Schemes of Conditions under the Environment Act which do not involve the development of a substantial new site or a significant extension to an existing site; To refer applications to the Secretary of State when necessary in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 (Circular 02/2009) 2024 or subsequent directions where the application involves Green Belt development, development outside town centres, world heritage sites development, playing field development or flood risk area development in accordance with the relevant statutory consultation arrangements; To refuse planning permission or not approve the matter in question, except in the case of a substantial new site or a significant extension to an existing site.	
20	Subject to first consulting the Monitoring Officer:	Council
20.1.1	To grant or refuse a Certificate of Lawfulness of Existing Use or Development (CLEUD) for minerals and/or waste development.	Council
20.1.2	To grant or refuse a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for minerals and/or waste development	Council
20.1.3	To determine whether it is expedient or not to take formal action	Council
20.1.4	To issue or withdraw an Enforcement Notice, or waive or relax any requirements of the Notice	Council
20.1.5	To approve the commencement of legal proceedings for non-compliance with any notice	Council
20.2.1	To serve a Planning Contravention Notice	Council
20.2.2	To issue notices seeking details of the ownership of a site	Council
20.2.3	To serve a Breach of Condition Notice	Council
20.3.1	To seek an Injunction in respect of an actual breach or an apprehended breach of planning control	Council
20.4.1	To serve a Temporary Stop Notice	Council
21	To sign decision notices following the decision of the Planning Committee or (as authorised) by officers.	Council
22	To authorise the serving of a Stop Notice in conjunction with an Enforcement Notice, subject to the approval of the Chairperson or (in their absence) the Vice-Chairperson of Planning Committee and to consultation with the Monitoring Officer and the Local Member.	Council
22.1	To authorise the serving of Minerals Planning Orders including Modification, Revocation, Discontinuance, Prohibition, Suspension and Supplementary Suspension Orders and refer to the Secretary of State as appropriate subject to the approval of the Chairman or (in their absence) the Vice-Chairperson of Planning Committee and to consultation with the Monitoring Officer and the Local Member.	Council
23	To consider any representations or offers received from any person upon whom a Planning Contravention Notice has been served and to make decisions as to what action should be taken in response to those representations.	Council

Home	Table 4 - Delegations to the Deputy Chief Executive and Director for Economy, Infrastructure and Skills	
No.	Delegation Responsible Body	Overall
24	To determine, subject to the limitations referred to in 19 above:	Council
	Reserved Matters following the grant of outline planning permission	
	Details submitted pursuant to conditions imposed by the planning permissions	
	Minor material amendments and non-material amendments to planning permissions	
	Details submitted pursuant to a Planning Obligation / Memorandum of Understanding (MoU)	

	Modifications to a Planning Obligation / MoU	
25	To determine submissions by mineral undertakers and the Coal Authority under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and subsequent orders (the Order); and, to determine applications for prior notification and prior approval under the Order.	Council
25.1	In accordance with the relevant parts of Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017 and Schedule 17 of the High Speed Rail (West Midlands - Crewe) Act 2021 (HS2) to determine: the conditions related to the disposal of waste or spoil or the excavation of bulk material from borrow pits – specifically the arrangements relating to the 'ancillary matters' (ref, Schedule 17, Part 1, Paragraph 4 (4) and Schedule 17, Paragraph 4 (4)); the plans or specifications submitted by the nominated undertaker related to waste and spoil disposal and excavation of bulk material from borrow pits (ref. Schedule 17, Part 1, Paragraph 7 (2) and Schedule 17, Part 1, Paragraph 7 (2));	Council
26	In relation to a particular application/scheme of conditions/planning or enforcement appeal to: Issue a 'screening opinion' on the need for an Environmental Impact Assessment Issue a 'scoping opinion' on the range of matters to be addressed in the Environmental Impact Assessment Screen and when necessary necessary make an 'appropriate assessment' of the implications of the development on the conservation of European sites and determine Regulation 77 applications in accordance with the Conservation of Habitats and Species Regulations 2017	Council
27	In the case of extreme urgency and in consultation with the Chairperson of the Planning Committee to issue directions under the Town and Country Planning (General Permitted Development) Order 1995 and subsequent orders with regard to a restriction of permitted development	Council
28	To give, in consultation with the Chairperson of the Planning Committee, a Direction that a Tree Preservation Order shall have immediate effect without previous confirmation, subject to and under Section 201 of the Town and Country Planning Act 1990	Council
29	To arrange for a site visit to be held in connection with any development management matter where in the opinion of the Deputy Chief Executive and Director for Economy, Infrastructure and Skills the consideration of that matter would be facilitated or enhanced by such visit; and on any such site visit to arrange for the attendance of the Chairperson of the Planning Committee and such Members of the Planning Committee as may be appropriate, and the local member(s) of the County Council affected by the matter, and where the Deputy Chief Executive and Director for Economy, Infrastructure and Skills considers it appropriate, for the relevant District Council and/or Parish Council to be represented, provided that no decision in relation to that matter shall be taken on the site visit	Council
30	In relation to Schemes of Conditions under the Environment Act 1995, in accordance with government guidance, to: Determine requests to postpone the date for the submission of Schemes of Conditions; or Make requests to extend the date for determination of Schemes of Conditions	Council
31	To authorise developers under the terms of the Great Crested Newt District Licence granted by Natural England to Staffordshire County Council to carry out authorised development	Council
32	To determine applications for hazardous substances consent, and related powers	Council

The following Delegations to the Deputy Chief Executive and Director for Economy, Infrastructure and Skills in respect of Planning be amended accordingly:

- a. Delegation 17 - Change the wording of delegation 17 and the Government reference to Secretary of State (SoS). Delete SoS for Levelling Up, Housing and Communities and instead refer to SoS for 'Ministry of Housing, Communities and Local Government (MHCLG (or as amended))'

- b. Delegation 19 - Change the wording of delegation 19 to remove trigger points and instead refer to the National Scheme of Delegation as set out in Appendix 1 to this report:

Take out reference to the Chairperson or nominated opposition.

Take out reference to the Local Member

Take out reference to no more than 4 representations raising objections

To clarify Delegation No. 19 would be amended to remove call in power to Planning Committee if a material planning objection to the application or matter in question is received from:

The Chairperson of the Planning Committee or the nominated opposition spokesperson; or

The relevant District Council or Parish Council; or

The Local Member of the County Council; or

A statutory consultee in accordance with the requirements listed in Planning Practice Guidance (Table 2) and no more than 4 representations raising objections on material planning grounds have been received.

Instead reword the delegation 19 to state:

In accordance with the National Scheme of Delegation, where the Schedule 2 application or Own Interest application (as set out in the Town and County Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026) :

- Does not involve the development of a substantial new site; or
- Does not involve a significant extension to an existing site; or
- Does not raise one or more issues of economic, social or environmental significance to the local area; or
- Does not raise one or more significant planning matters having regard to the development plan and any other material considerations

then the Director may (subject to the decision of the nominated member and the nominated officer (as set out in the Planning Scheme of Management) not to refer the Schedule 2 application or Own Interest application to the Planning Committee) decide:

- To grant planning permission for the County Council's own development (Own Interest application);
- To grant planning permission for the minerals and waste developments, including the approval of Schemes of Conditions under the Environment Act;
- To refer applications to the Secretary of State when necessary in accordance with the [Town and Country Planning \(Consultation\) \(England\) Direction 2024](#) or subsequent directions where the application involves Green Belt development, development outside town centres, world heritage sites development, playing field development or flood risk area development in accordance with the relevant statutory consultation arrangements;
- To refuse planning permission or not approve the matter in question, except in the case of a substantial new site or a significant extension to an existing site.

- c. Insertion of an additional delegation that applications for hazardous substances consent can be determined under delegated powers, rather than referring these to Planning Committee. The wording:

To determine applications for hazardous substances consent, and related powers.