

**MORAY COUNCIL**  
**APPROVED SCHEME OF DELEGATION**  
**25 FEBRUARY 2014**



**Scheme of Delegation**  
**Development Management**

All categories of development applications submitted to Moray Council as Planning Authority for consideration may normally be determined for approval or refusal by the appointed officer with the exception of applications of which one or more of the following applies:

- The application falls within the category of “major development” as defined below;
- The appointed officer is minded to approve an application which is a material departure from the Development Plan where the need for a Hearing is required;
- An application is submitted by, or on behalf of, an Elected Member of the Authority or an Officer involved in the statutory planning process;
- The proposal (as a whole or in part) has previously been reported to Committee or to a Departure Hearing (Special Committee Meeting) and the appointed officer considers that significant amendments have been made to any previous application for Committee to reconsider the development;
- The application is on a housing site designated for 50 dwellings or more within the Development Plan, regardless of whether the application is for all or part of the site.

None of the above applies but the appointed officer considers, following the consultation process, that the application raises matters of wider community interest and/or planning significance. The decision to refer to Committee rests with the appointed officer and this discretion to refer may be exercised where, for example, all ward members and the chair consider that an application raises matters of wider community interest.

1. **Major Development Applications** (defined on the basis of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2008 (the Hierarchy Regulations) which came into force on 06 April 2009). *All Schedule 1 Developments mentioned in the EIA (Scotland) Regulations 1999;*
2. *Applications for 50 or more dwelling houses (applications for 10-49 dwelling houses will only be approved under delegated powers if they are in accordance with the development plan);*
3. *Any development where the gross floor space of the building, structure or other erection constructed as a result of the proposal exceeds 2000 sq.metres. (This will include, but is not limited to, business & general industry, storage and distribution, retail, leisure and entertainment, education, healthcare, community facilities, transport interchanges, transport infrastructure projects, water and drainage developments and other similar projects);*
4. *Electricity Generation (including wind farm developments) where the generating station has a capacity of or exceeding 20 MW;*
5. *Waste Management Facilities where the facility has a capacity of or exceeding 25,000 tonnes per annum;*
6. *Any other application where the overall area of the proposed site exceeds a maximum of over 2 hectares.*