

**THE MORAY COUNCIL  
SCHEME OF DELEGATION  
AS APPROVED BY PLANNING AND REGULATORY SERVICES  
COMMITTEE 26 May 2009**



**Scheme of Delegation  
Development Management**

All categories of development applications submitted to The Moray Council as Planning Authority for consideration may normally be determined for approval or refusal by the appointed officer with the exception of applications for 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 application is made by the planning authority or relates to land in which the planning authority have a financial interest;
- 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;
- 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.

**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).

1. *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.*