

## **1. THE CITY OF EDINBURGH COUNCIL LOCAL DEVELOPMENTS SCHEME OF DELEGATION**

- 1.1. The Council, as planning authority, has made this Scheme of Delegation for the purposes of section 43A of the Town and Country Planning (Scotland) Act 1997 (the Act) and Part 2 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the Regulations). It provides for the determination of local developments by the Chief Planning Officer subject to certain exceptions.
- 1.2. The Council has delegated other planning functions to the Executive Director of PLACE and the Chief Planning Officer under section 56 of the Local Government (Scotland) Act 1973. These are listed in the Council's Scheme of Delegation to Officers published on the Council's website.

## **2. APPOINTED OFFICER**

- 2.1. For the purposes of section 43A (1) of the Act, the Council authorises the Chief Planning Officer to appoint suitable officers to determine applications for local developments in accordance with this Scheme.

## **3. DELEGATED POWERS**

- 3.1. Subject to the qualifications and exceptions listed below, the Council delegates authority to the appointed officer to determine:

- applications for planning permission<sup>1</sup>
- applications for consent, agreement or approval required by a condition imposed on a grant of planning permission
- in respect of local developments, as defined by Sections 3A(4)(b) and 26A of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

## **4. QUALIFICATIONS AND EXEMPTIONS**

- 4.1. In exercising authority under this Scheme, the appointed officer should be satisfied that: -

- 4.1.1. the decision is in accordance with the statutory Development Plan.

- 4.2. An appointed officer shall not determine an application which has been submitted:

- 4.2.1. by, or on behalf of, an elected member of the Council or by the partner, close friend or relative of an elected member of the Council;

- 4.2.2. by, or on behalf of, an officer involved in the statutory planning process or by a partner, close friend or relative of such officer.

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<sup>1</sup> The meaning of "application" shall be taken to include applications for planning permission; planning permission in principle; applications for consent, agreement or approval required by condition imposed on a grant of consent for local developments.

- 4.3. An appointed officer shall not determine an application:
  - 4.3.1. which an elected member has requested referral of the application to the Development Management Sub-Committee for material planning reasons, within 21 days, as set out in the relevant guidance note for elected members;
  - 4.3.2. which has outstanding unresolved objections from statutory consultees, where requested to be statutory consultees, including community councils (where they have requested to be a statutory consultee), in relation to applications recommended for approval;
  - 4.3.3. which the Chief Planning Officer considers the application requires to be determined by Development Management Sub-Committee for any valid planning reasons;
  - 4.3.4. which has more than 20 individual letters of representation (with petitions counting as one representation) which include a material planning consideration in opposition to the Chief Planning Officer's recommendation;
- 4.4. An appointed officer can determine whether changes to an approved local development are material or not.
- 4.5. Applications which are exempt from this Scheme by virtue of sections 4.1 – 4.4 above shall be determined by the Development Management Sub-Committee.

## 5. EFFECTIVE DATE

- 5.1. This Scheme was adopted by the Council on 27<sup>th</sup> January 2026 following approval from Scottish Ministers and will take effect from that date.
- 5.2. The Council will review the Scheme from time to time at intervals of no greater than five years or if required to do so by the Scottish Ministers.