

Planning Committee Report

London Thames Gateway Development Corporation

Planning Scheme of Delegation: November 2007 Review

Report of the Director of Planning

1 Purpose of Report

- 1.1 This report reviews the operation of the existing scheme of delegation on planning matters to the Director of Planning and/or the Planning Development Manager and Chief Executive (see Appendix 1). The scheme was revised and agreed by the Committee in November 2006 and it was agreed that it be reviewed annually.
- 1.2 The Committee is recommended to agree that the scheme continues, and be reviewed annually.

2 Background

- 2.1 The scheme of delegation was first agreed in November 2005 and revised last year. It is appropriate to have such an arrangement to ensure that an effective planning service can be provided and also that the Planning Committee agenda is of an appropriate length and can focus on those matters of particular interest and concern to Members.
- 2.2 Given that the Committee agenda can include reports on responses to other bodies and policy/strategy issues as well as planning applications, it was agreed to have two sections in the delegation agreement which reflect these two main elements.

3 Analysis

- 3.1 It is considered that the current agreement has worked well in terms of striking a balance between ensuring that the Planning Committee considers reports where significant and/or controversial matters are involved and that other applications/requests for responses are dealt with appropriately. The Director of Planning and the Planning Development Manager continue to be very mindful of the criteria regarding the referral of reports to the Committee.
- 3.2 An analysis of decisions made under the scheme of delegation in the last twelve months reveals the following in terms of applications. Of the 101

delegated cases, 90 were related to approvals of details following previous permissions (many of these permissions were issued by the Boroughs but the approval of details fall to the LTGDC to consider). The other 11 were mainly small scale developments with exception of two which fully complied with policy involving a change of use of a large warehouse to general industry/warehouse and rebuilding of a burnt out B1c, B2/B8 building. Several representations were also made to the Boroughs on LDF documents although the significant documents were considered by the Board and/or Planning Committee.

4 Recommendation

4.1 The Committee is recommended to **AGREE:**

4.1.1 to continue with the Scheme of Delegation as attached at Appendix 1; and

4.1.2 that it be reviewed annually.

Date: 30 October 2007

London Thames Gateway Development Corporation

Planning Committee: Scheme of Delegation (November 2006)

There are DELEGATED to:

- (a) the Director of Planning with the Planning Development Manager; or
- (b) if either of them shall be absent, that officer who is present with the Chief Executive; or
- (c) in the absence of both the Director of Development and the Planning Development Manager, the Chief Executive alone (or in each case such officer as may from time to time succeed or replace them)

the following:

1 Planning Applications

1.1 Any town and country planning matter for which the Development Corporation is the local planning authority and identified as a planning function of the Development Corporation in the London Thames Gateway Development Corporation (Planning Functions) Order 2005 (or such other legislation as may amend or replace it) under Articles 4(1) to (3) and articles (5) and (6) UNLESS that matter:

1.1.1 conflicts to a material extent with policies contained in the development plan affecting the relevant matter; and/or

1.1.2 conflicts to a material extent with the Corporation's strategies; and/or

1.1.3 is of a nature that the officers of the Corporation consider to be significant and controversial by virtue of such matters as the size, location, scale or impact of the matter in question.

1.2 The authority to negotiate, complete, discharge and vary any agreement or part of any agreement under Sections 106 and/or 106A of the Town and Country Planning Act 1990 and/or Section 16 of the Greater London Council (General Powers) Act 1974 and/or any other powers governing the conclusion of agreements relating to highways.

1.3 The authority to agree to the imposition of a condition (and to impose a condition) in place of an obligation under Section 106 of the Town and Country Planning Act 1990 and vice versa.

Appendix 1

- 1.4 The grant of planning permission or other approvals as local planning authority for matters which would otherwise be excluded from this delegation by paragraphs 1.1.1 to 1.1.3 above but only where it is necessary to grant planning permission or give an approval for reasons of urgency and where in the opinion of the officers in question it is not practical to submit the matter to the Development Corporation's planning committee having regard to those reasons of urgency and the time available.

2 Matters relating to policy and screening/scoping opinions

- 2.1 Responses and/or submissions to new and/or amended policies and/or proposals of other persons or bodies whether public authorities or otherwise, including the response to submissions made by other parties including screening and scoping opinions, whether in areas in, adjoining or the Development Corporation's planning functions area or elsewhere UNLESS in the judgement of the Director of Planning or the Planning Development Manager such responses:
 - 2.1.1 are of a significant and/or controversial nature; and/or
 - 2.1.2 are likely to affect existing or emerging policies and strategies of the Development Corporation, the Borough Councils within the planning functions area and/or the Greater London Authority.