

Scheme of Planning Delegations

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v.3.0	September 2014	Amended with changes resulting from terminology changes to the titles of 'the Authorised Planning Officers'	Approved
v.4.0	June 2018	Amended with (i) changes to Part B to extend the definition of 'Authorised Planning Officers' to include Principal Planning Development Managers (ii) changes to Part C – minor changes to wording to ensure that the planning terminology used is up to date and reflects that in national planning guidance and policy, including with explicit reference to neighbourhood planning	Approved

SCHEME OF PLANNING DELEGATIONS

The Board of the London Legacy Development Corporation (the "Corporation") will discharge some of its town and country planning functions and responsibilities through delegation to the Planning Decisions Committee and Planning Officers as follows:

- A. Delegations to the Planning Decisions Committee – relating to town and country planning development management as set out under heading "A" below;
- B. Delegations to Planning Officers – relating to town and country planning development management as set out under heading "B" below; and
- C. Delegations to Planning Officers – relating to town and country planning policy and the Community Infrastructure Levy as set out under heading "C" below.

For the avoidance of doubt, the Board has not delegated its functions in relation to agreeing local planning policy, including community infrastructure levy charging schedules, to the Planning Decisions Committee, though the Committee will advise the Board on these matters.

A Delegations to the Planning Decisions Committee - relating to town and country planning development management decisions

- 1. The Board of the London Legacy Development Corporation delegates the following town and country planning development management functions and responsibilities to the Planning Decisions Committee of the Corporation:
 - 1.1 all functions and responsibilities of the Corporation relating to town and country planning development management decisions on any town and country planning matter within the powers of the Corporation as local planning authority that fall within the Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (other than powers relating to the declaration of conservation areas), the Electricity Act 1989, the Planning and Compulsory Purchase Act 2004 and all secondary legislation pursuant to the same including, in relation to such planning applications, the power on behalf of the Corporation as local planning authority to negotiate, complete, discharge and vary any agreement under sections 106 and 106A of the Town and Country Planning Act 1990 and/or other appropriate powers (including under relevant highways legislation) and the power to impose conditions to any planning permission granted pursuant to such planning applications;
 - 1.2 all functions and responsibilities of the Corporation relating to town and country planning enforcement action, including the overseeing and monitoring of town and country planning enforcement action taken by the Corporation through the provision of regular reports by planning officers; and
 - 1.3 giving responses concerning or of interest to the Corporation as local planning authority (as statutory or other consultee or otherwise) to any other authority or person on applications, notifications and certificates outside of the development area as defined in The London Legacy Development Corporation (Planning Functions) Order 2012 (and any legislation amending or replacing the same).

B Delegations to Planning Officers relating to town and country planning development management decisions

- 1. Except in relation to the functions and responsibilities specified in paragraph 2 (Exceptions) of this Section B below, the Board of the Corporation delegates the

following town and country planning development management functions and responsibilities of the Corporation to the Director of Planning Policy and Decisions or in his or her absence the following Planning Officers of the Corporation (together "the Authorised Planning Officers"):

- (a) Head of Development Management;
- (b) Head of Planning Policy;
- (c) Principal Planning Development Managers* (see paras 2.4-2.6 below)

- 1.2 town and country planning development management decisions on any town and country planning matter within the powers of the Corporation as local planning authority that fall within the Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (other than powers relation to the declaration of conservation areas), the Electricity Act 1989), the Planning and Compulsory Purchase Act 2004 and all secondary legislation pursuant to the same, including the power on behalf of the Corporation as local planning authority to negotiate, complete, discharge and vary any agreement under sections 106 and 106A of the Town and Country Planning Act 1990 and/or section 16 of the Greater London Council (General Powers) Act 1974 and/or other appropriate powers (including under relevant highways legislation) and the power on behalf of the Corporation as local planning authority to impose (as far as lawfully possible) conditions to any planning permission granted pursuant to such planning applications; and
- 1.3 town and country planning enforcement action; and
- 1.4 giving responses concerning or of interest to the Corporation as local planning authority (as statutory or other consultee or otherwise) to any other authority or person on applications, notifications and certificates outside of the development area as defined in The London Legacy Development Corporation (Planning Functions) Order 2012 (and any legislation amending or replacing the same).

2. Exceptions to Planning Officers' delegations

The following matters shall be excepted from the delegation of functions and responsibilities to Planning Officers set out in paragraph 1 of this Section B above:

- 2.1 Planning applications made by Corporation members or planning officers as applicant or agent;
- 2.2 Planning applications which a Corporation Planning Decisions Committee Member or a Corporation Board Member has requested in writing to the Director of Planning Policy and Decisions within 21 days of the registering of receipt of the application by the Corporation as local planning authority should be determined by the Corporation's Planning Decisions Committee; and
- 2.3 Planning applications which in the opinion of the Director of Planning Policy and Decisions or in his or her absence his or her Authorised Planning Officers which:
 - 2.3.1 are of a significant or potentially contentious nature; or
 - 2.3.2 have received significant objections; or
 - 2.3.3 may prevent the Corporation from fulfilling its functions or responsibilities; or

- 2.3.4 are zonal or site-wide strategy planning documents or masterplans for the Corporation's area; or
 - 2.3.5 proposed development which involves a significant departure from planning policy or other planning guidelines or a departure from Development Plan policy (which would be required to be subject to notification to the Secretary of State), but where it is proposed to approve the application; or
 - 2.3.6 propose development which complies with adopted planning policies and other planning guidelines but where it is proposed to refuse the application; or
 - 2.3.7 are proposals which should be considered by the Planning Decisions Committee or the Board; or
 - 2.3.8 any matter, which, in the opinion of the Director of Planning Policy and Decisions and/or the Authorised Planning Officers, is of such a significant nature in terms of its impact on the purposes, functions or responsibilities of the Corporation that the matter should be referred to the Corporation's Planning Decisions Committee or the Board for consideration.
- 2.4 Principal Planning Development Managers* are Authorised Planning Officers for the purposes of signing off delegated reports and making decisions thereon for planning applications prepared by Senior Planning Development Managers, Planning Development Managers and Planning Development Executives only.
 - 2.5 Principal Planning Development Managers' delegated reports on planning applications will be signed off and decisions made thereon by the Director of Planning Policy and Decisions, the Head of Development Management or the Head of Planning Policy.
 - 2.6 Principal Planning Development Managers* are not Authorised Planning Officers for the purposes of paragraphs 1.3 or 1.4 of the Scheme of Delegation.

C Delegations to Planning Officers – relating to town and country planning policy and Community Infrastructure Levy charging schedule preparation

- 1. Subject to the financial delegations, the Board agrees to delegate the functions specified below to the Director of Planning Policy and Decisions or in his or her absence the following Authorised Planning Officers of the Corporation:
 - (a) Head of Development Management; and
 - (b) Head of Planning Policy.
- 1.2 the power to take preparatory steps (but not decisions) in relation to the town and country planning functions of the Corporation under the Planning and Compulsory Purchase Act 2004 which relate to preparing local plan documents, related guidance (including supplementary planning documents) and other plan-making functions, or functions relating to the community infrastructure levy and neighbourhood planning, including preparatory steps in relation to the charging schedule preparation; and
- 1.3 subject to the exceptions set out in paragraph 2 below, the power to give responses concerning or of interest to the Corporation as local planning authority (as statutory or other consultee or otherwise) to any other authority or

person on:

- 1.3.1 new or amended town and country planning legislation, policies, guidance, plans, frameworks or strategies, and consultations or proposals in respect of the same;
- 1.3.2 local plan documents and supplementary planning documents and other planning policy consultation documents for each of the London Boroughs of Newham, the London Borough of Tower Hamlets, the London Borough of Hackney, and the London Borough of Waltham Forest; and
- 1.3.3 current and emerging strategic planning policy and guidance for London.

2. The delegation in paragraphs 1.1 to 1.3 above of this Section C above shall not apply in relation to:
 - 2.1 responses to consultations which a Corporation Board Member has requested in writing to the Director of Planning Policy and Decisions within 21 days of the commencement of consultation should be agreed by the Corporation's Board; and
 - 2.2 consultations on matters which in the opinion of the Director of Planning Policy and Decisions or in his or her absence his or her Authorised Officers which:
 - 2.2.1 are of a significant or potentially contentious nature; or
 - 2.2.2 have received significant objection; or
 - 2.2.3 may prevent the Corporation from fulfilling its functions or responsibilities; or
 - 2.2.4 should be considered by the Board; or
 - 2.2.5 are of such a significant nature in terms of their impact on the purposes, functions or responsibilities of the Corporation that they should be referred to the Corporation's Board for consideration.