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1. **PURPOSE OF REPORT**

To obtain Members' approval for the determination of all subsequent reserved matters planning applications associated with outline planning permission 11/00360/OUT to be delegated to officers

2. **RECOMMENDATION**

To delegate the determination of all reserved matters planning applications associated with outline planning permission 11/00360/OUT in accordance with the current scheme of delegation.

3. **BACKGROUND TO THE REPORT**

Members will be aware of the outline planning permission reference 11/0360/OUT granted in 2012 for the MIRA Technology Park. As this is an outline application, reserved matters applications and approvals are required, before each phase of the development can commence.

Under current arrangements there is no delegated arrangement for the determination of reserved matters applications where they are major applications. The Constitution requires all such applications to be determined by Planning Committee.

In addition to the outline planning permission, Members will be aware of the designation of an Enterprise Zone (EZ) at MIRA. For the avoidance of doubt the EZ covers an area of land larger in size than that of the outline permission for the Technology Park.

A key objective of EZs is to encourage development and economic growth and to provide where necessary a simplified planning regime (SPR) to ensure that once investors are lined up to deliver development, the 'normal' planning system does not pose delays to the delivery of development. To achieve this end, where EZs are designated, DCLG are keen to encourage and support the necessary LPAs to develop their SPR.

In the case of MIRA, the vast majority of the EZ already benefits from outline planning and as such is already within the planning system. The reserved matter application regime does however pose a significant delay and amount of uncertainty to the delivery of development, but only through the need for applications to be timetabled and determined by Planning Committee.

The MIRA Technology Park and business as a whole is growing and MIRA needs to remain very agile and responsive to demand for space on the site. The forecast investment of circa £300m and 2000 direct and up to 5,000 including indirect jobs being created on site further supports the demand for space and timely delivery of such space. MIRA are also in the process of securing further Government funding for new buildings and infrastructure (as supported by the Borough Council and the LLEP) which require detailed planning permissions to be in place to stand any chance of securing the available funds.

It is therefore proposed to seek delegated authority to determine all reserved matter applications associated with the outline planning permission. It is hoped that this will allow for decisions to be issued in a more timely manner. The overall timescale for decision will be controlled by a Planning Performance Agreement.

The remaining part of the MIRA EZ (outside of the outline application boundary) is likely to be subject to a Local Development Order (LDO) which will in turn provide an accompanying SPR. The LDO is currently under development and will be reported to Planning Committee in due course .

It is important to note that once an outline planning permission is granted the LPA cannot reconsider the principle of development. The reserved matters which require future approval only require the details of layout, scale, appearance and landscaping to be agreed. Within this context when considering the outline application, Officers were keen to ensure the parameters of the development were established and the agreed parameters are secured by way of planning condition and are available to view within the online application papers for application 11/00360/OUT. Should an application be submitted that claims to be a reserved matter but exceeds the parameters of the outline permission, it will be returned to the applicant. Such a proposal would then require a full planning application and would not be subject to this proposed scheme of delegation.

The extent of consultation will remain unchanged, and the current delegation exemptions as specified in the consultation will still apply.

#### 4. FINANCIAL IMPLICATIONS [DMe]

There are no financial implications arising directly from this report.

#### 5 LEGAL IMPLICATIONS [MR]

Section 101 of the Local Government Act 1972 empowers the Planning Committee to delegate to officers the power to determine the reserved matters referred to in the report in relation to outline permission reference 11/00360/OUT

#### 6. CORPORATE PLAN IMPLICATIONS

This document contributes to Strategic Aim 1 of the Corporate Plan

Creating a vibrant place to work and live.

#### 7. CONSULTATION

None

#### 8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Delayed decision resulting in loss of economic investment within the technology park and the Borough as whole	To maintain working relationships with MIRA to ensure the earliest possible delivery of planning decisions.	James Hicks

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

There are no arising implications. The principle of development is established and the proposed revised arrangements will only allow for the faster processing of such applications given the presence of an outline planning permission. The exemptions to the delegated procedure remain unaltered.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: MIRA Technology Park 11/00360/OUT

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