

Planning Performance Agreement Charter

Approved November 2009





*New housing -
Bradley Stoke*

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Introduction

The management of future development to deliver well designed, high quality and sustainable communities is one of this Council's main priorities – as set out in the Sustainable Community Strategy.

In line with this and to support delivery of planning policy, this Charter promotes a partnership approach to bringing forward major development in South Gloucestershire to ensure that planning decisions are made in a timely manner, preferably through the use of a Planning Performance Agreement (PPA) that is formally agreed and signed. PPAs set out a structured approach to work programming and project teams, to bring forward major new development proposals.

This Charter was approved by Executive Member decision (September 2009) as the Council's preferred approach to project managing the planning and delivery of large and complex development proposals.

Aims

- South Gloucestershire Council is committed to encouraging new investment of the highest quality that contributes to the well-being of existing and future communities
- South Gloucestershire Council recognises that successful delivery of significant major developments requires commitment to partnership working, sound project management and effective communications with developers, the community and other agencies
- South Gloucestershire Council recognises that it is important to reduce delays and uncertainty for developers and local communities in bringing forward proposals for sustainable development.

Consultation

This Charter has been prepared in consultation with Developers, Councillors and key stakeholders including the Homes and Communities Agency Advisory Team for Large Applications, the Environment Agency, Natural England and the Highways Agency.



*Front cover (main photo):
Western Approach
Business Park Avonmouth*

*Right:
Carsons Road
Mangotsfield*

Approach to planning performance agreements

- Where large major development proposals are in principle considered by South Gloucestershire Council to be in accordance with policies in the Local Development Framework for South Gloucestershire and other relevant policy, and capable of delivering significant social, economic, and environmental benefits as part of realising the Council's vision for the locality, the Council will set up a Project Team approach with relevant key stakeholders and seek to manage the project through a Planning Performance Agreement (PPA).
- South Gloucestershire Council is committed to delivering quality development in line with planning policy and best practice and in a manner that meets or exceeds Government performance target on timely processing of planning applications (NI157).
- South Gloucestershire Council therefore offers applicants either a tailored, agreed and signed PPA specific to meet the needs of their development proposals, **or** a commitment to deliver a planning decision, within 13 weeks from registration (or for 16 weeks where there is an Environmental Impact Assessment). In order to achieve the thirteen/sixteen week deadline, there could be no substantive negotiations during the processing of a planning application.
- It is important that all partners understand that a PPA is a structured way of working and is not a contract. As such, a PPA will not bind South Gloucestershire Council officers to a final recommendation nor override the requirement for a formal planning application to be determined without prejudice and within the statutory requirements of current planning legislation.

Benefits of a planning performance agreement

A PPA will deliver clarity, speed and certainty through the following:

- Early consideration of relevant issues, an agreed approach to the project management and resourcing of a proposed development from initial inception through to determination and implementation of a planning application(s)
- An initial inception meeting with key South Gloucestershire Council officers, and appropriate delivery partners to discuss a proposal and to formalise a PPA, including:
 - *the broad vision and objectives*
 - *approach to consultation*
 - *key issues and tasks*
 - *project team(s)*
 - *decision making framework*
 - *the project programme*

Further advice and guidance on PPA's can be found in the ATLAS guide www.atlasplanning.com

- A model PPA can be found on the South Gloucestershire website www.southglos.gov.uk



Stoke Park





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Developments qualifying for a PPA

While the Council recognises that there is a need for efficient processing of all applications, it will seek to secure a PPA approach to large scale proposals as defined in the Statement of Community Involvement (SCI):

- Residential - with 200 or more dwellings
- Non-residential- for all other uses a large scale major application is where the floor space proposed is 10 000sq metres or more, or the site is over two hectares

There may be other complex or sensitive sites below these thresholds that may be suitable for a PPA by agreement. These will be treated on a case by case basis.

For developments and associated infrastructure that come under the new Infrastructure Planning Commission, it is expected that a Planning Performance Agreement will be entered into with the developer, including agreement to funding the necessary Council staff time. This will ensure that resources can be allocated and work programmes met.

The Council will not normally enter into a PPA or be prepared to commit its resources to support work on proposals which are in clear conflict with planning policy, unless other material planning considerations indicate that there would be clear positive spatial planning outcomes for the locality from such proposals. Careful consideration will be given to such proposals in advance of entering into a PPA to ensure that there is sufficient common ground to enable effective partnership working amongst key stakeholders, including members of the Council.

The PPA is intended to cover the full process of planning a major development from an initial inception meeting when a shared vision for the site would be developed, through Concept Statement and public engagement to management of the application process and the post decision stages. A PPA approach is however also suitable for sites where a Concept Statement and/or masterplan is already in place. The Adopted Statement of Community Involvement (SCI) sets out requirements for stakeholder involvement, including community, external organisations and Councillors in both the development of planning policy and the determination of planning applications.

As set out in the SCI, for larger and some more sensitive sites, a Concept Statement will be required. This is a concise, diagrammatic document that sets out a vision, illustrates broad principles for the development of the site, and sets the context for the Design and Access Statement and subsequent development of more detailed proposals. The Concept Statement should be the subject of public consultation and is submitted to the Council for formal 'endorsement' by the Executive Member for Planning, Transportation and Strategic Environment before any planning application is submitted. Councillor and community involvement is critical to the evolution of Concept Statements, and local members should be involved in the very early stages of setting the vision and broad principles for the site. For further information on Concept Statements see South Gloucestershire Council's Statement of Community Involvement. Subsequent to the Concept Statement, Masterplans and design briefs may be required, and the approval process for this has again been endorsed by Executive Member decision.

These requirements will need to be taken into account when developing the work programmes and approaches set out in a Planning Performance Agreement. Failure to do so would make it impossible to enter into a PPA, and would be a material consideration in determining any planning application.

Key tasks and information requirements

Preparation Stage

The developer will need to consider and agree with SGC and key stakeholders the information that will need to be understood or be required to progress the proposal through each work stage. This will include:

- A review of the policy position
- A review of the evidence base, including identification of gaps
- Evolving a shared vision and agreed development objectives
- Understanding the requirements of the SCI, including the need for a Concept Statement and subsequent masterplans and design briefs where appropriate
- Identification of relevant stakeholders and consultees, including Councillors and external organisations
- Identification of issues and tasks
- Consideration of the material needed for a planning application to be validated, processed and determined, including where relevant the need for an Environmental Statement, Transport Assessment, Design and Access Statement, Sustainability Appraisal, Appropriate Assessment etc
- Consideration of available resources, including statutory agency and service provider input.

At this stage the parties will also need to consider and agree the following procedural issues:

- Composition of the project team
- Project management structure and roles and responsibilities
- Decision making process, including conflict resolution
- Community engagement strategy
- Member involvement
- Preparation of a work programme, including timetable, key dates and workstream owners.



New housing Stoke Park



Carsons Road Mangotsfield



New housing
Carsons Road

Responsibilities under the charter

For PPAs to work successfully, responsibility rests with **both** South Gloucestershire Council **and** the potential planning applicant/developer.

Shared responsibilities:

- When a proposal is accepted for a PPA, both South Gloucestershire Council and the developer will identify project managers and point of contact who will co-ordinate their respective teams. For South Gloucestershire Council this will usually be a member of the Major Sites Team
- Arrange an inception meeting of key stakeholders, to discuss issues and agree a shared vision, identify key issues and tasks and develop a work programme to an agreed timescale
- Agree membership and roles for the steering group meetings involving the development team in a timely manner
- Agree a project plan for each development with the developer, setting out the key stages and milestones of the process and any review mechanisms, including preparation of a Concept Statement, masterplans and design briefs if appropriate
- Respond within the agreed timescales to requests for further information and/or revisions
- Regularly review the work programme and provide feedback for necessary revisions
- Agree mechanisms so differences can be resolved, such as negotiating changes to work programme or dealing with unforeseen site conditions
- Agree the fee for pre-application work in accordance with the Council's charging policy www.southglos.gov.uk/NR/exeres/fa254484-6049-4744-a0e3-f7e80ff1b521
- All parties will use their best endeavours to commit resources to ensure that project timescales and key milestones are met. In the event that delays are encountered, it is acknowledged by both parties that this is highly likely to have a knock on effect for the future work programme

South Gloucestershire Council Responsibilities:

- Set up inception meeting with relevant South Gloucestershire Council Councillors and officers and provide details of key stakeholders
- The Council's project manager will appropriately engage with South Gloucestershire Council members to ensure that they are openly engaged with the development of the project, but ensuring that their decision making function is not compromised. The project manager will keep the local ward members, Executive Member and the spokespersons of the relevant Development Control committee informed at the key milestones of the PPA
- Commit resources to ensure delivery on the agreed project plan, and keep the developer informed of progress on key work stages
- Identify whether a Concept Statement is needed and the timetable to achieve it
- Provide details of what further information may be required for assessment/acceptability of the scheme



Stoke Park

- Provide early identification of key issues that need to be resolved in any development
- Set up in-house project team to include other service departments as appropriate, and ensure appropriate representation at meetings
- Promote the engagement and commitment of external agencies to the PPA work plan
- Ensure early commencement of discussions to agree benefits and impact mitigations, via planning obligations/Community Infrastructure Levy

Developer Responsibilities:

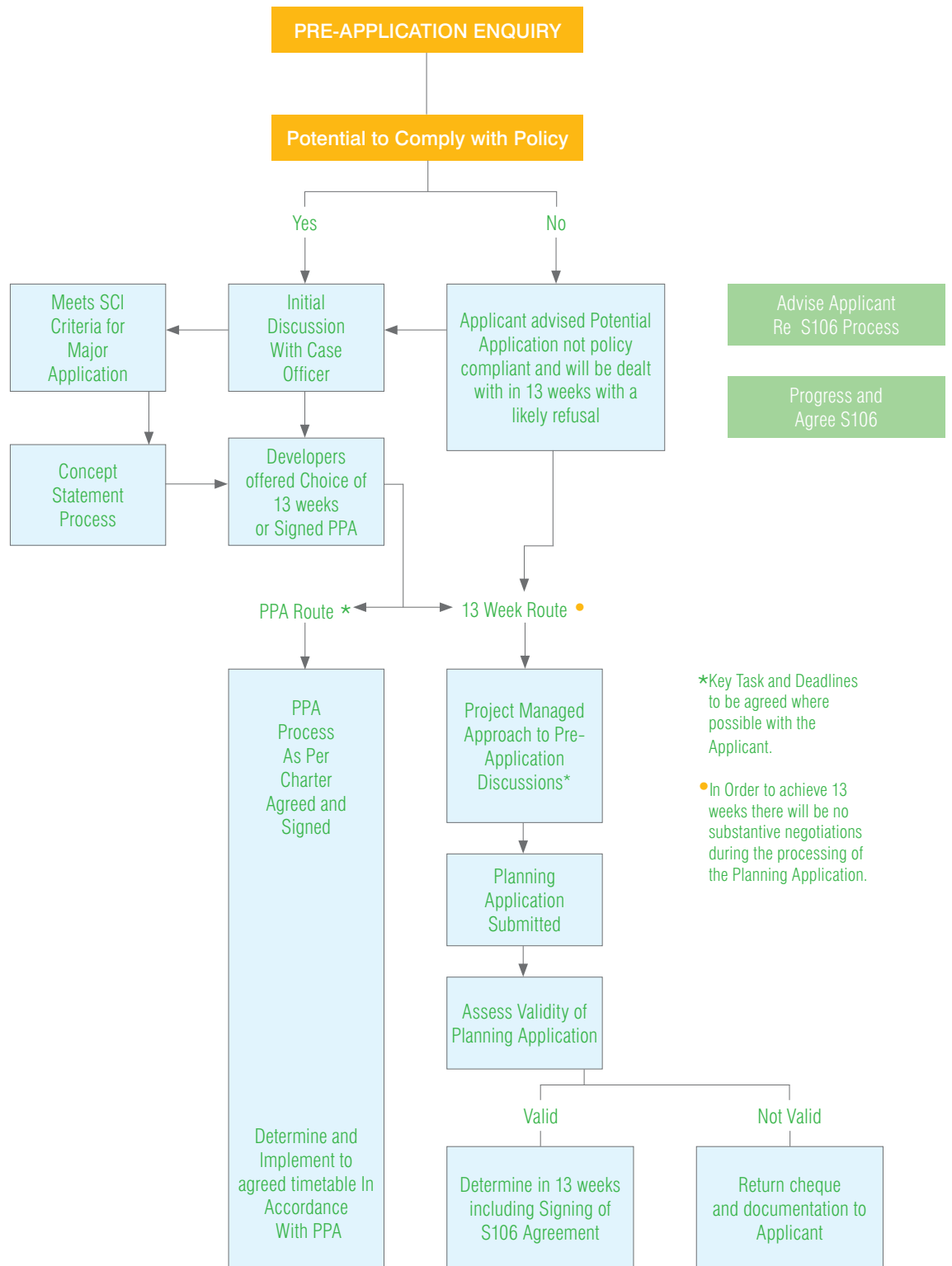
- Approach discussions on the development in an open, collaborative and a creative manner
- Employ high quality staff/consultants with sound and appropriate expertise
- Pay the required pre-application/planning fee
- Provide a single project team member/manager empowered to represent the collective developer interest where multiple interests are involved
- Ensure early and ongoing engagement with external agencies as appropriate
- Ensure compliance with the Adopted Statement of Community Involvement, including where necessary the production of a Concept Statement
- Undertake an urban design analysis to inform the evolution of the scheme, including the development of masterplans and design briefs as appropriate and subsequent design and access statement
- Fully commit to the process and recognise that adequate time needs to be allowed for preparation of essential information, community engagement and assessment of proposals
- Attend project meetings with the relevant persons
- Keep South Gloucestershire Council informed of progress at all key stages of the project
- Submit a complete planning application with all the requested and supporting information as agreed with South Gloucestershire Council, including a draft legal agreement where appropriate
- Demonstrate a commitment to the long term delivery of the proposals.

Signing the PPA

In order for a PPA to be formalised it must be signed by both parties. It is proposed that signatories on both sides are at Director level or as delegated.

Where there are critical issues eg transport, flooding, relating to an external organisation, it will be necessary to gain the commitment of that organisation in the project plan. The signature of an appropriate officer may therefore be required. This will be assessed on a case by case basis.

**APPENDIX 1:
Process for
Submission
of Major
Planning
Applications**



This information can be made available in other languages, in large print, Braille or on audio tape.

Please phone 01454 868004 if you need any of these or any other help to access Council services.

For more information about this publication contact 01454 863467 www.southglos.gov.uk

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Funding

- South Gloucestershire Council has an expectation that the preparation of application material, production of technical reports and community engagement activity will be funded by the applicant
- South Gloucestershire Council will not charge for policy advice relation to the production of Concept Statements.
- There is standard rate charge for pre-application advice following the preparation of the concept statement process. Details are available at www.southglos.gov.uk



Illustrative PPA pro forma

Project Name	
Project Description	
Local Planning Authority (/ies)	
Applicant/Developer	

1. Procedural Arrangements

Project Board

Name	Position and role	Contact details
	Board Chair	
	LA Project Manager	
	Lead Council Officer	
	Lead for Developer	
	Developer Project Manager	

2. Task Team/s

Name	Position and Role	Contact Details
	Task Team Chair	
	Group Members (list)	

3. Decision Making Framework

Insert flow chart / description to show management and decision making process and forum

4. Vision

Explanation of the scope of the project and intended outcomes for the development

5. Key Issues and Task Plan

Issue	Task / Action	Responsibility	Progress	Timetable/ Target Dates

6. Programme

This will normally be attached as a chart

7. Signatures

Name and position	Signature	Date