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# Planning Performance Agreement Charter

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# Planning Performance Agreement Charter

**Central Bedfordshire Council is proud of its pro-active stance in developing a planning framework which encourages sustainable growth and investment to provide for the needs of existing and future residents and businesses.**

We have already effectively implemented Planning Performance Agreements with the development industry for a number of years which has enabled the successful project management and delivery of several very major development schemes. Planning Performance Agreements are a tool advocated by the Government and provide an enhanced service for developers which creates a 'project team' approach helping to reduce delays and conflicting advice as well as increasing certainty.

This Planning Performance Agreement Charter sets out the Council's commitment to collaborative joint working with developers and clarifies what this means in practice. We anticipate considerable advantages in developing this approach further and will work with all parties concerned to maximise the benefits that will result.

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**Jason Longhurst**  
Director of Regeneration  
and Business Support

# Introduction

**A Planning Performance Agreement (PPA) is a framework agreed between a local planning authority and a developer or site promoter for the project management of complex development proposals within the planning process. The PPA allows both the developer and the local planning authority to agree a project plan and programme which will include the appropriate resources necessary to determine the planning application or pre-application masterplanning within a defined timetable.**

## Aims of the Charter

Central Bedfordshire Council has embraced the growth agenda and is committed to encouraging new investment and community development. We want to ensure that major planning applications are dealt with in a timely and effective way.

We recognise that the successful delivery of strategic developments, key infrastructure and major commercial projects requires good communications with developers, the community and other agencies.

This can reduce delays, conflicting advice and increase certainty. We will work in partnership with the development industry and communities enabling us to work more efficiently and transparently. We anticipate great benefits in jointly using, with the development industry, the principles of 'planning performance agreements', as advocated by the Department of Communities and Local Government.

## Developments Qualifying for this Approach

Developments that qualify for this approach would generally fall within the category of large-scale major applications or significant developments, which are unique, complex schemes and are defined as follows:

- Residential: Where the number of residential units proposed is 200 or more. If numbers of dwellings is unknown a site area of four hectares or greater will be considered a large-scale major application.
- Non-residential: For all other uses a large-scale major application is where the floor space proposed is 10,000 square metres or more, or if the floor space is unknown the site area is over 2 hectares.

Not all developments that fall within these criteria are necessarily suitable for planning performance agreements. Equally, other developments may also be suitable for the PPA approach which are major developments (10-199 houses) and are:

- Individual developments and development programmes of major strategic importance to Central Bedfordshire in terms of housing delivery, job creation or investment.



- Individual developments which may raise significant issues needing environmental assessment, or relating to conservation of the built environment and/or urban design or heritage.
- Developments which are a corporate priority which may have a wider Council involvement.
- Developments eligible for large scale time limited public funding and private finance initiative developments or programmes.
- Individual development parcels of larger strategic sites to ensure consistency and timely delivery of the wider scheme and any associated infrastructure.

## Benefits

There are many benefits and advantages of a PPA between the Council and an applicant, including:

- Better overall management of advice and post application stages;
- Identification of key issues at an early stage;
- More realistic and predictable timetables;
- Greater accountability and transparency;
- Improved partnership working;
- Dedicated time to your project to an agreed level; and
- Continuity and consistency in the Council's team and access to a diverse range of built and natural environment professionals within the Council that can provide advice.

It should be noted that the PPA agreement and the process of PPAs is in no way prejudicing or pre-judging the outcome of the application, the Council's impartiality or its discretion as local planning authority.

## Community Engagement

As part of its pledge to community engagement and consultation the Council is committed to consulting and listening to the views of local residents and businesses to inform its decisions so they have a meaningful opportunity to influence the development of Central Bedfordshire. The type of consultation that is appropriate before applications are made will vary depending upon the scheme and will be agreed via the PPA within a Consultation Strategy but could include public exhibitions and meetings, surveys of opinion and consultation with other key local groups. The Council will expect the developer to carry out the consultation (in accordance with the Council's Statement of Community Involvement) but can provide advice on the most appropriate methods for doing so and the groups they may wish to consult.



# Responsibilities Under the Charter

**For Planning Performance Agreements to work successfully, responsibility rests with both the council and the developer.**

## CBC Responsibilities/commitments

When a proposal is accepted a case officer will be identified alongside the best possible development team reflecting the nature of each individual project. This will be a council officer with experience of complex and major application development schemes.

The Council will;

- Arrange an inception meeting bringing together the Council and Developer Project Teams to discuss issues, agree the vision and objectives for the development and determine the project management mechanisms.
- Provide details of what further information may be required.
- Arrange further meetings involving the development team in a timely manner including site visit if required.



- Agree a project plan for each project with the developer, setting out the key stages and milestones of the process.
- Advise on the requirements for both internal and external consultation including involvement of the public and local councillors in accordance with an agreed Consultation Strategy.
- To consult with local councillors, any Parish Council and key resident groups, and other interested parties where appropriate.
- To work corporately bringing together cross departmental responses and inputs in a timely manner and provide access to specialist Council resources such as drainage or archaeology.
- Regularly review the programme and provide feedback so that any revisions can be made.
- Early identification of a key issues list to be addressed in any planning application.
- Provide a definitive validation checklist to avoid registration delays.
- Provide details of heads of terms to be included in any section 106/278 agreements.
- Ensure councillors are openly engaged with the project (through an appropriate mechanism to be agreed which may include the use of 'position papers' or 'pre-application presentations' when required).

## Developer Responsibilities/ commitments

The Developer/Land Promoter will;

- Agree to a project plan, including the key stages and milestones, which take into account the need for discussion and review to take place.
- Pay the required fee to resource the PPA.
- Undertake an urban design analysis and masterplanning work to inform the evolution of the scheme and the subsequent development of the design and access statement.
- Engage in meaningful pre-application discussions, with adequate time allowed for the preparation of essential information and assessment of proposals. This will include working with and consulting with communities where appropriate.
- Respond within the agreed timescales to requests for further information and/or revisions.
- Attend project meetings with relevant persons.
- Keep the Council informed of progress at all key stages of the project.
- Undertake a Design Review process on larger scale developments where agreed.
- Submit a complete planning application with all of the requested supporting information as agreed with the Council, including a draft legal agreement where appropriate.

**The Council  
commits  
to working  
proactively with  
other stakeholders,  
including the  
Statutory Agencies.**





# Partner Organisation Commitment

**The Council is committed to co-ordinated cross departmental working. However for large complex schemes other stakeholders from partner organisations are likely to be required to provide a timely, proactive response to each project. The Council commits to working proactively with other stakeholders, including the Statutory Agencies (Highways England, Environment Agency and Natural England) and the Primary Health Care Trust to facilitate a responsive approach to the development proposals. Furthermore, where major development sites straddle local authority boundaries or create issues external to Central Bedfordshire the Council will ensure that the joint working approach is fully embraced with neighbouring authorities. The local planning authority and Partner organisations are committed to sharing existing information with developers and scheme promoters wherever possible.**

## Member Involvement

Councillors engagement will be sought as part of the consultation process on PPA schemes in agreement with the case officer named in the PPA.

Councillors are involved so they can gain an understanding of the project and other relevant issues. They may ask questions and raise issues but will not be expected to offer personal opinions on a scheme. Those Councillors who also sit on the Development Management Committee and determine applications will need to adhere to the Code of Conduct for Members and cannot predetermine their view on a scheme that will subsequently be the subject of a planning application. Applicants should not engage privately with councillors.

For very large applications and where appropriate, briefings may be held with relevant councillors particularly those whose electoral ward the PPA scheme is situated. Councillors may also attend workshops or Enquiry by Design' events for schemes.



**The cost of a PPA is dependent on the scale of the application**

## Funding

The cost of a PPA is dependent on the scale of the application, the resources required and input from officers for the project, and will be based on a local benchmarked average daily rate for officers, including overheads. The fees cover our costs for providing the advice and must be set on a not-for-profit basis. If we did not charge this the cost would be met by Council taxpayers generally.

For very large schemes which may have multiple PPAs over a number of years, to cover pre-application masterplanning, outline and then detailed applications, the Council will review the charging schedule with the applicant on a quarterly basis to ensure its practical implementation and that the resources are appropriately set. Larger schemes will also be subject to scheduled staged payments. The initial assessment of the resources required may result in a need to bring in additional expertise, specialist reports or workshops (such as Design Review Panels), to be funded by the applicant. Importantly, any fees paid do not directly fund the person or people involved in the project.

Where a planning application for a major development proposal is submitted without a planning performance agreement, it will be handled as a routine application within the existing workload of the team, without dedicated resource.

## Freedom of Information Requests

Under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 the Council may receive requests to disclose pre-application advice that we have provided. If you require the information supplied to be confidential please advise us in writing of the reasons valid under the Act for this at the time of your request. We will not respond at the time of your request but will take it into account when deciding whether to release information.





# Key Contacts

All enquires regarding Planning Performance Agreements should be directed to the Major Applications Manager

 0300 300 5535

 [planning@centralbedfordshire.gov.uk](mailto:planning@centralbedfordshire.gov.uk)

 [www.centralbedfordshire.gov.uk/planning/planning-information-and-advice/](http://www.centralbedfordshire.gov.uk/planning/planning-information-and-advice/)

# Central Bedfordshire PPA Process

## CBC Responsibilities

Arrange an inception meeting to discuss PPA model

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Facilitate agreement of PPA programme with key stages and milestones

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Assemble a project team and provide a model PPA for agreement

Help to ensure the application is complete and ready to submit including masterplanning advice

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Provide detailed and comprehensive pre-app advice in a written response

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Arrange regular meetings to review and resolve key issues raised by the Project Team

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Advice on validation requirements

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Provide links to Building Control

## Initial Approach

## Pre-application

## Developer Responsibilities

Establish a project team to be involved in the planning process

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Agree the scope of the PPA and project plan including sharing timescales for submission

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Sign up to the agreed PPA

Undertake pre-submission consultation with key Stakeholders at the earliest opportunity to inform masterplanning work

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Take into account the key policy or strategic issues which are raised by the proposals and through consultation

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Respond to the Project Team's recommendations and engage with the Council

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Develop s106 heads of terms with Council and statutory agencies

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Undertake requirement for design review for larger scale developments where agreed

Initiate consultation with consultees and public within 3 working days of validated application

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Arrange meeting to review consultation responses and facilitate liaison to resolve any outstanding issues

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Identify any amendments required to the application and agree information and timetable

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Liaise in respect of any necessary planning obligations and specific conditions and expedite the legal agreement

Apply resources necessary to allow the discharge of condition applications and legal agreements within agreed timescales.

## Planning Application

Submit a high quality planning application which meets validation requirements

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Respond promptly to requests for further information and attend Project Team meeting to progress outstanding issues

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Recognise that additional issues occasionally arise following consultation and work pro-actively with the Council to address these.

## Post Decision

Ensure applications to discharge conditions are of a high quality and have adequate information.

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Consider future PPA to cover Reserved Matter or detailed applications on a phased basis

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Keep CBC informed of key milestones to enable monitoring of the development, e.g. S106 triggers.



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