

Chichester District Council

CABINET

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Development Management Division

Planning Performance Agreements

1. Contacts

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2. Executive Summary

This report outlines the role of Planning Performance Agreements (PPAs) in supporting the resourcing of the Development Management Division and delivering new development within the Chichester Local Plan area. The report seeks approval to enter into a new PPA for development at Graylingwell and also for the Director of Planning and Environment in consultation with the Planning Portfolio Holder to have delegated authority to enter into future PPA's on other sites, and vary existing PPAs, with a financial value of less than £100,000.

3. Recommendation

3.1 That Cabinet:

- i. Resolves that the Council enters into a Planning Performance Agreement (PPA) with Linden/Downland Graylingwell LLP in respect of development at Graylingwell Park; and**
- ii. Delegates authority to the Director of Planning and Environment in consultation with the Cabinet Member for Planning Services to:**
 - a. Enter into future proposed PPA's across the Chichester Local Plan area with a value of no more than £100,000 and to extend or vary the terms of existing PPA's with a value of no more than £100,000.**
 - b. And to expend the sums received under PPAs in accordance with the PPAs' terms.**

4. Background

- 4.1 A Planning Performance Agreement (PPA) is a project management tool which is used by local planning authorities and developers to agree timescales, actions, and resources for handling a planning application, or applications, on a specific site. A PPA can include the whole development management process from pre-application discussions through to discharging planning conditions following the grant of planning permission or just part of that process. A PPA does not prejudice the consideration of a proposal because it does not indicate any particular outcome for any application. PPAs are usually only appropriate for large scale developments.
- 4.2 The key benefits of entering into a PPA for the Council include the ability to effectively manage the timetable for the processing of applications due to the funding of dedicated staff resources. PPA's have been used successfully for a number of strategic scale development schemes. A PPA typically enables funding to be secured to support a suitable qualified officer to manage all applications relating to the site. Without such additional resource, it is not possible to prioritise these applications and deal with them as efficiently, which would ultimately slow down delivery of housing in these key locations.

Graylingwell PPA

- 4.3 Linden/Downland LLP are the company building out 7 parcels of land at the Graylingwell SDL. A PPA has been in place previously and this has now expired. The new proposed PPA sets out guiding principles to ensure collaborative working, a timetable to managing a range of applications over a 12-month period, a commitment to pay a total of £54,675 for the resources to manage the applications, and obligations on each party regarding performance. The amount of work involved with the development is significant and the developer and officers have agreed that a 12-month term is appropriate, however there is also the option to extend the agreement for a further period (with an additional fee) should it be necessary to complete the work. The fee would be paid in 2 instalments, the first at the beginning of the agreement, and the 2nd after 6 months. The statutory application fees, and pre-application fees as set out in the Council's charging scheme, would be paid separately upon submission of applications.
- 4.4 Each of the 7 parcels of land being built out by Linden/Downland LLP are at different stages of development, and therefore a range of application types including pre-application enquiries, planning applications, reserved matters applications and discharges of conditions are included within the timetable, as relevant to each parcel. It is positive that the developer has agreed to include pre-application discussions, where considered necessary, within the timetable, as this is important for collaborative working and should assist with the speed of decision making when formal planning applications are received.

- 4.5 The obligations within the PPA upon the developer would include submitting information in line with the agreed timetable, unless any variation is agreed with the Council, and complying with the agreed performance standards. The obligations upon the Council are to provide resources equivalent to a 1 FTE Senior Planning Officer who alone or as part of a team will be responsible for overseeing or carrying out the functions in accordance with the PPA, to enable 3-weekly project meetings (where necessary), and to comply with the agreed performance standards. The performance standards include inter alia matters such as timeframes to; respond to correspondence, provide relevant information and documents prior to meetings, circulate agendas for meetings, provide minutes of meetings, and means of communication.
- 4.6 The proposed PPA would provide suitable funding to resource the work required to effectively manage the applications that will be forthcoming at Graylingwell, which is likely to ensure a good pace of delivery of housing and the other associated uses on the site. This is important for the Council's 5-year housing land supply, but also for the community living at Graylingwell.

Future PPA's

- 4.7 Officers have found the use of PPA's successful in managing applications at the Strategic Development Locations; examples to date include West of Chichester, Graylingwell and Tangmere. It is a model that is considered beneficial in terms of resourcing posts within Development Management and it also ensures dedicated resources can be provided with continuity through the development process, which is important for complex major projects. It is not possible to predict when a developer will make such a request, and it is often the case that they wish to negotiate and agree the PPA swiftly prior to submitting applications. This can make it difficult to forward plan, including seeking Cabinet approval which can slow down the process. It is for these reasons that delegated authority is being requested.
- 4.8 On occasion it is necessary to extend or vary an existing PPA, this may be to include an additional application or because the timeframe for completing the work covered by the PPA needs to be increased. These amendments are also usually time critical, and it is for this reason that delegated authority to extend or vary existing agreements is being sought.

5. Outcomes to be achieved

- 5.1 The key outcomes are additional resourcing to support the effective and efficient management of large-scale major proposals, thereby ensuring that high quality development is delivered in a timely fashion. This supports the Council's 5-year housing land supply, good place making, and the provision of sustainable communities.

6. Proposal

- 6.1 It is proposed that the Council enters into a PPA with Linden/Downland LLP for development at Graylingwell, and that in the future, the Director of Planning and Environment is authorised to enter into new PPA's with a value of no more than £100,000 and to vary or extend existing PPA's with a value of no more than £100,000 and to spend the funding secured.

7. Alternatives Considered

- 7.1 Consideration has been given to not entering into PPAs, however this will not assist with the resourcing of the Development Management Division for large scale development proposals and will reduce the control officers have over the timing of applications being submitted for major developments.

8. Resource and Legal Implications

- 8.1 The proposed PPA (and PPA's for other schemes) will assist with the resourcing of the Development Management Division and the management of major applications. Entering into a PPA does not however affect the proper consideration of applications or prejudice open and transparent assessment of proposals. There are no other legal implications.

9. Consultation

- 9.1 No consultation has taken place or is necessary.

10. Community Impact and Corporate Risks

- 10.1 The recommendations in this report are important to reduce the risks associated with the ability of the Council to deal with the major planning applications submitted to it. Delays in the determination of such planning applications can affect the viability of business as well as people's choices of how and where they live. It is therefore important that the Council deals with the determination of applications in an expedient manner.

11. Other Implications

Are there any implications for the following?	Yes	No
Crime and Disorder		x
Biodiversity and Climate Change Mitigation - Further resources will ensure proper consideration of these matters as part of the application determination process	x	
Human Rights and Equality Impact		x
Safeguarding and Early Help		x
General Data Protection Regulations (GDPR)		x
Health and Wellbeing		x

12. Appendices

12.1 None

13. Background Papers

13.1 None.