

PLANNING PERFORMANCE AGREEMENTS

Introduction

This report relates to a Consultation Paper from the Department for Communities and Local Government as part of their consultation on their White Paper – Planning for a Sustainable Future.

The Planning Performance Agreement (PPA) process is a project plan framework through which the Local Planning Authority and applicant manage suitable planning proposals. To be successful, there needs to be a collaborative relationship between parties and it needs to be stressed that it relates to the process of considering development proposals and is not a guarantee of the outcome/decision. It is proposed it would relate to major applications.

As a minimum the PPA will consist of:-

- A project plan
- A list of key issues to be addressed by the various parties to the PPA
- An inception day at which objectives are agreed
- Subject to agreement – other components can also be agreed.

The Issues

A PPA is proposed as a single process (which has been trialled in some Local Planning Authorities) starting at the inception of the scheme, through negotiation and continuing to submission of the application, issue of the decision notice and beyond. It will encompass the signing of a Section 106 or other agreement and compliance by the developer with any imposed condition which is not open ended.

The Government is strongly encouraging Local Planning Authorities to offer PPAs for significant major development proposals.

PPAs should be used to involve consultees at an early stage in the application process and plan the community engagement strategy most appropriately.

The project plan should set out the important milestones for delivery of the planning application and a decision on it thus giving confidence to all parties in the process.

The key issues list sets out all the issues the parties expect to encounter and thereby plan better to deal with them through consultation, meetings and involvement of all relevant people.

An inception day would be used to focus minds on the shared vision and objective and any evidence gaps. In the trials this day was used to identify outstanding issues while setting out mechanisms by which differences between parties could be resolved.

Note – the cost of the inception day and pre-application discussions can be charged separately from the normal application fee. (The pre-application charges can only cover costs).

The Government are also looking at whether the BVPI category for major applications should be redefined and those which use the PPA system could be excluded.

Options

The Government is suggesting three options for PPAs:-

1. Do nothing.
2. Apply PPAs to all large scale major developments of say 200 dwellings or more.
3. Apply PPAs to all major developments (within the terms of the BVPI definition).

The Government, through the Department of Communities and Local Government, are recommending option 2 as the best option to assist the planning process.

Conclusion

Members are asked to consider the issues set out above as officers have to respond to the questions set out in APPENDIX A by 17th August.

Recommendation

Officers be instructed to reply to the questions set out in APPENDIX (A) as required by the Consultation Paper.

APPENDIX (A)

- Q1 Do you agree with the principle of having PPAs?
- Q2 Are you content with the definition of large-scale major applications?
- Q3 Do you think that only PPAs relating to large-scale major planning applications should be taken out of the Best Value 109 target regime?
- Q4 Do you think PPAs are the most effective way to ensure that local authorities and applicants/developers devote sufficient resources to the delivery of decisions on significant major planning applications?
- Q5 Do you agree with the optional funding arrangements for PPAs?
- Q6 Are you content with the basic minimum requirements for a PPA?
- Q7 Should PPAs include financial penalties which would be applied to either the applicant or the local authority for failure to deliver the PPA to the agreed timetable?
- Q8 What are the likely effects of any of the changes on you, or the group or business or local authority you represent? Do you think there will be unintended consequences?