

**PLANNING PERFORMANCE AGREEMENT**

**GUIDANCE DOCUMENT**

In order to assist with the completion of the blank PPA (attached) it would be useful if you could also complete the table below which will greatly assist in advising of the cost of the PPA for the service you wish for.

|  |  |  |  |
| --- | --- | --- | --- |
| **Additional Service** | **Yes** | **No** | **Additional Information** |
| Quicker Service |  |  | Please indicate desired timeframe: |
| Additional Site Visit |  |  | Please indicate number desired: |
| Meetings |  |  | Please indicate number desired: |
| Input from specialist officers |  |  | Please indicate which specialists desired:  Environmental Health  Conservation  Landscape  Trees  Leisure  Other (Please Indicate) |
| Inclusion of a senior member of the Development Department |  |  | Please indicate what level desired:  Director of Planning, Economic Development and Property  Development Manager  Team Leader |
| Presentation to Committee Councillors |  |  | Please indicate number desired: |
| Overall project timescale |  |  | Please indicate on project timeline at the end of the blank PPA |
| Any other requests to be included |  |  | Please indicate including as much information as possible. |

Fulbeck Land Ltd086100000003002528413/2/2014

# http://intranet.horsham.gov.uk/__data/assets/image/0010/22996/Horsham-DC-RGB-Logo.jpg

Enter Site Name

Click here to enter text.

**PLANNING PERFORMANCE AGREEMENT**

Date: Click here to enter text.

**Horsham District Council**

Applicant Name

Click here to enter text.

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# **Appendices**

A - Project Teams (PSG and PWG)

B - Project Plan (Key Issues and Task List)

C - Project Programme (Timeline Chart)

This Agreement is dated: {DD/MM/YYY} and

is entered into by

1. Horsham District Council of Parkside, Chart Way, Horsham, West Sussex, RH12 1RL (HDC)

&

1. Applicant name and address

**IT IS HEREBY AGREED**

# **The Planning Performance Agreement (PPA)**

## The Planning Performance Agreement **(PPA)** sets out an agreed project management process for the Project, and is a framework agreed between Horsham District Council **(HDC)** and name of applicant. It sets out a Project Plan (attached at Appendix B) and Project Programme (attached at Appendix C) for the determination of the outline planning application and other applications including reserved matters applications for the site known as “Site Name”

## The purpose of the PPA is to respond to the Government’s aim of achieving high quality sustainable development by:

* agreeing to a shared vision and set of objectives for the Project
* committing to a genuinely collaborative approach by all key parties;
* adopting a spatial planning approach underpinned by development management;
* establishing a robust project management and decision making process.

## The PPA process will be monitored, managed and updated by a Project Steering Group **(PSG)**, with representatives from both HDC and applicant. There will also be Project Working Groups **(PWG**) set up to manage the Project and move critical tasks forward. These are set out in Appendix A which is attached.

## The PPA relates both to the preparation, submission and committee resolution of the outline planning application and to the associated Environmental Impact Assessment and any other applications including reserved matters applications.

## The PPA does not constitute a legally binding contract, nor is it intended in any way to prejudge the determination of the outline planning application and any other applications including reserved matters applications in any way. Its purpose is to assure the Parties and the Partners that they are in agreement as to the manner in which the Project is being taken forward.

## It is agreed that the Parties may need to amend the PPA at any time during the period it is in force to reflect any changes that may be required. The amendments and updated document will be discussed and agreed by the PSG.

# **The Project**

## The outline planning application and the subsequent reserved matters applications (“the Planning Applications”) are for the Project

## The Project is the development of site name, as identified in the Horsham District Planning Framework **(HDPF)** as a strategic sustainable mixed-use development. The preparation and submission of the Planning Applications will demonstrate the deliverability of this comprehensive development, as required in the HDPF.

## The outline planning application will include a masterplan, which will incorporate a mix of uses as identified in the HDPF. All the Planning Applications will be expected to comply with relevant Government and HDC policy/policies and any departures from this will be discussed with the PSG.

# **The Partners and Parties**

## The key partners involved in delivering the Project are:

* Horsham District Council (the Local Planning Authority) **(HDC)**
* Applicant
* West Sussex County Council (the County Council) **(WSCC)**

**Collectively known as “the Partners”**

## The parties to the PPA are HDC and **(“The Parties**”). WSCC, the Environment Agency and other relevant bodies will be participants in the relevant PWG reporting to the PSG. Others may be added to the PWG with the agreement of the Parties.

## Applicant agrees to cover the reasonable cost of:

#### HDC’s case officer’s work (other work will have to be backfilled as a result), or such other consultants that HDC employ to work on the pre-application (for the Outline Planning Permission) such cost not to exceed £amount unless otherwise agreed in writing by both Parties and

#### HDC’s case officer’s work or such other consultants that HDC employ to work on the pre-application (for the reserved matters applications) with an agreed amount to be agreed in advance

#### any reasonable legal costs charged at £amount per hour for Council Legal Officers and £amount per hour plus VAT for name of external solicitor or other costs incurred during any stages of informal advice during the Project in connection with planning applications including the drafting of the PPA and any changes to it thereafter.

## HDC shall provide an account of time and costs to applicant on a monthly basis, such accounts to be paid within 30 days of receipt. It is agreed that interest at 4% above the Bank of England’s base rate shall be applied in the event of late payment.

# **Procedural Arrangements**

## The Partners will attend regular PSG meetings and/ or PWG meetings to make strategic decisions and manage the Project in accordance with the Project Plan and the Project Programme.

## Members of the PSG and PWG are set out in Appendix A along with the areas that each group will be responsible for.

## The Project Plan is set out in Appendix B. This sets out the Key Stages of the outline planning application, and related tasks and estimated timescales.

## The Project Programme in Appendix C identifies the key milestones and is to be viewed in conjunction with the Project Plan.

## The Contacts List is set out in Appendix D. This includes details of all relevant people and will be expanded with additional contacts as required.

## This PPA identifies the core development team at HDC and lists the officer/technical/developer team which will be engaged in the planning application process.

## The PSG and PWG will work with applicant to achieve the Project Plan and Project Programme

# **Feedback to applicant and request for further information, clarification and or minor amendments**

## Applicant will be informed of HDC’s case officer’s views on the emerging outline planning application and any subsequent applications including reserved matters applications on a regular basis, via scheduled meetings, through the PSG and ad-hoc written correspondence. Feedback on technical issues may be provided direct to applicant, the relevant departments of HDC, statutory consultees, and other relevant bodies and organisations.

## HDC shall discuss with applicant any request for further information, clarification and or amendments as soon as reasonably practicable.

## Applicant shall use all reasonable endeavours to ensure that any requests for further information, clarification and or amendments are responded to as soon as possible. Any delay in submitting further information clarification and/ or minor amendments may cause delay to the determination of the outline planning application and any subsequent applications including reserved matters applications

## Where major or significant amendments are suggested or required this may result in HDC requesting that the outline planning application and any subsequent applications including reserved matters applications are withdrawn until such issues have been resolved.

# **Decision Making**

## The outline planning application and any subsequent applications including reserved matters applications will be determined by HDC as the Local Planning Authority. HDC will undertake to agree a schedule of meetings for the determination of the Planning Applications once they are submitted and validated.

# **Dispute Resolution**

Where any matters fail to be agreed between the Parties or any dispute or difference occurs the question shall be referred on the application of either Party for the determination of a single expert to be agreed between the Parties or in default of agreement to be nominated by the President for the time being of the Chartered Institute of Housing

**Signatures**

Signature(s) Print name

|  |  |
| --- | --- |
| On behalf of Horsham District Council |  |
| On behalf of *(name of applicant)* |  |

**APPENDIX A**

**(NAME OF SITE) PROJECT TEAMS**

|  |
| --- |
| **Project Steering Group (PSG)** |

|  |  |
| --- | --- |
| Name of individual | Name of organisation |
| Name of individual | Name of organisation |
| Name of individual | Name of organisation |
| Name of individual | Name of organisation |
| Name of individual | Name of organisation |
| Name of individual | Name of organisation |

\*Note: Lead personnel may change during the project process and will be reviewed and updated by the Project Steering Group.

|  |
| --- |
| **Project Working Group – Planning (PWG)**  To include technical work, such as sustainability, housing; employment; retail, public realm, open space, landscape/visual impact & ecology / urban design principles, layout of strategic roads, extent of local centre, schools, open space, recreation provision, built leisure scope and content of applications, mix of housing sizes, types and tenures; densities; distribution; phasing; viability and level of housing for local needs; implementation/delivery, s106 Heads of Terms & EIA |

|  |  |
| --- | --- |
| **Horsham District Council** |  |
| Name | Horsham District Council |
| Name | Horsham District Council |
| Name | Horsham District Council |
| Name | Horsham District Council |
|  |  |
| **West Sussex County Council** |  |
| Name | West Sussex County Council |
| Name | West Sussex County Council |
|  |  |
| **Applicant and Consultant Team** |  |
| Name | Organisation |
| Name | Organisation |
| Name | Organisation |
| Name | Organisation |

**APPENDIX B – PROJECT PLAN (KEY ISSUES AND TASK LIST)**

| **Key Stages** | **Action/Task** | **Responsibility** | **Progress**  (pending, on-going, completed etc) | **Dates**  (month/ year etc) |
| --- | --- | --- | --- | --- |
| **PPA inception** | * Inception day * Agree project vision & development objectives and the planning proposal; * Project issues and tasks plan; * Project team and decision making framework; and * Project programme. | Project Steering Group (PSG) |  |  |
| **PPA agreement** | Formalisation and sign off | PSG |  |  |
| **Project Steering Group (PSG) meetings** | Agree monthly schedule | PSG |  |  |
| **Project Working Group (PWG) meetings** | Pre application discussions through key working groups date of meetings (fortnightly)   * Planning (PWG – P); * Masterplanning (PWG – M); * Transportation and Physical Infrastructure (PWG – TPI) * Community and Social Infrastructure (PWG – CSI) | Working groups |  |  |
| **Community Engagement** | Exhibitions, workshops, stakeholder involvement | Applicant |  |  |
| **EIA** | Scoping | Applicant |  |  |
| **EIA** | Scoping opinion from LPA | HDC |  |  |
| **EIA** | Drafting of EIA | Applicant |  |  |
| **EIA** | Submission of EIA | Applicant |  |  |
| **Application process -**  **Outline planning application** | Submissions date for application |  |  |  |
| **Validation** | Formal validation of applications by LPA | HDC |  |  |
| **Notification/**  **Consultation** |  | HDC |  |  |
| **Site visits** |  | HDC |  |  |
| **Initial assessment of application** | Consideration by officers | HDC |  |  |
| **Initial application feedback** | Project Steering Group meeting | HDC |  |  |
| **Committee date for determination** | Estimate likely Committee date | HDC |  |  |
| **Section 106 agreement** | Submission of agreed Heads of Terms | Applicant/ HDC |  |  |
| **Section 106 agreement** | Negotiations /drafting | Applicant/ HDC |  |  |
| **Submission of amended plans/further details** | Agree target turnaround of amendments with HDC | Applicant |  |  |
| **Second and subsequent application feedback sessions** | Steering Group meetings | HDC/ Applicant/ key consultees |  |  |
| **Conditions** | Agree draft conditions | HDC/ Applicant |  |  |
| **Issue of decision notice/Signed S106 Agreement** | Issue | HDC |  |  |

**APPENDIX C**

**PLAN PROGRAMME - TIMELINE CHART UP TO OUTLINE PLANNING PERMISSION**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Outline Planning Application** | **Year** | | | | | | | | | | | | **Year** | | | | | | | | | | | | **Year** | | | | | | | | | | | | **Year** | | | | | | | | | | | |
|  | **J** | **F** | **M** | **A** | **M** | **J** | **J** | **A** | **S** | **O** | **N** | **D** | **J** | **F** | **M** | **A** | **M** | **J** | **J** | **A** | **S** | **O** | **N** | **D** | **J** | **F** | **M** | **A** | **M** | **J** | **J** | **A** | **S** | **O** | **N** | **D** | **J** | **F** | **M** | **A** | **M** | **J** | **J** | **A** | **S** | **O** | **N** | **D** |
| PPA Agreement |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Set schedule of Steering Group meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Set schedule of Working Group meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Project Steering Group Meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Reference Group Meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Planning Working Group |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Masterplanning Working Group |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Transportation and Physical Infrastructure Working Group |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Community and social infrastructure Working Group |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Local Housing Needs Working Group Meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Community Engagement |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| EIA Scoping Report |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| EIA Scoping opinion LPA |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| EIA Drafting |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| EIA Submission |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Submission of application |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Validation of planning application |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Notification/consultation |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Initial assessment of application |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Initial application feedback |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Submission amended plans/details and appropriate consultation |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Second and subsequent feedback |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Draft Conditions |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Committee report on applications, and meeting/date for determination |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Section 106 agreement (Heads of Terms) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Section 106 agreement (negotiations/drafting) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Issue of decision notice/Section 106 agreement |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |