

Planning Performance Agreement

Planning Application Stage

Planning application ref SMD/2022/0249

Land off Cheadle Road, Upper Tean

Full planning application for residential development of 67 dwellings

Planning Performance Agreement

National Planning Practice Guidance Context

Excerpt from the National Planning Practice Guidance, paragraph 016 Reference ID: 20-16-20150326 (revised 26 March 2015):

'A planning performance agreement (PPA) is a project management tool which the local planning authorities and applicants can use to agree timescales, actions, and resources for handling particular applications. It should cover the pre-application and application stages but may also extend through to the post-application stage. Planning performance agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and local planning authority and can also help to bring together other parties such as statutory consultees. A planning performance agreement is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted and can be a useful focus of pre-application discussions about the issues that will need to be addressed.'

Paragraph 018: Reference ID: 20-018-20150326

'A planning performance agreement can extend to matters beyond the formal application process – such as programming the negotiation of any section 106 agreement and related non-planning consents. For very large or complex schemes the agreement may also provide a basis for any voluntary contributions which the applicant has offered to pay to assist with abnormal costs of processing the application. The parties will want to ensure that such payments do not exceed the cost of the additional work involved, are not seen to have any implications for the decision on the application, and do not deflect resources from processing other cases; any additional resource provided in this way needs to be used for additional capacity that is genuinely required to ensure a timely and effective service'.

1.0 Introduction and Purpose

- 1.1 Staffordshire Moorlands District Council ('SMDC') is the local planning authority for developments falling within its boundary.
- 1.2. The site is land off Cheadle Road, Upper Tean and refers to the area of land shown edged in red on Plan 1 at Schedule 1 ("The Site").
- 1.3 Keepmoat Homes ('the Applicant') has submitted a full planning application to SMDC in respect of the proposed development as set out in Schedule 1. The planning application has reference number SMD/2022/0249.
- 1.4 The application is supported by the application documents set out in Schedule 2.
- 1.5 The objectives of this PPA are as follows:
 - Review and process the current application following the submission of a revised layout on or before 2 December 2022.
 - Set out the Project Programme, including meetings (Schedule 5);
 - Set out agreed timeframes for a response from the Applicant and SMDC (Schedules 3 and 4);
 - To establish appropriate measures for monitoring compliance; and
 - To establish regular review mechanisms.
 - To ensure the application can be properly considered and determined at the earliest possible opportunity.
- 1.6 This agreement is intended as a Memorandum of Understanding, and not a legal agreement, and is being entered into in order to facilitate the application process. It relates to the process of considering development proposals and not the decision itself.
- 1.7. Nothing in this agreement shall restrict or inhibit SMDC from properly exercising its role as the local planning authority or the Applicant from exercising their right of appeal under Section 78 of the Town and Country Planning Act 1990.
- 1.8 This PPA is made pursuant to Section 111 of the Local Government Act 1972, Section 2 of the Local Government Act 2000 and Section 93 of the Local Government Act 2003.

2. Performance Standards

- 2.1 The Applicant agrees to use its reasonable endeavours to achieve the performance standards set out in Schedule 3.
- 2.2 SMCDC agrees to use its reasonable endeavours to achieve the performance standards set out in Schedule 4.

3.0 Planning Application Programme

- 3.1 The PPA Project Programme (Schedule 5) is devised to provide a realistic timeframe for determining the planning application and includes an indication of the overall timeframe and a programme through which both parties will use their reasonable endeavours to meet.
- 3.2 Meetings shall be carried out in accordance with the Performance Standards set out in Schedule 5 and shall, at the reasonable request of the Applicant (and subject to the agreement by the case officer) be attended by the SMDC case officer and relevant consultees.

4.0 Confidentiality

- 4.1 Confidentiality protocols will be agreed and applied to specific issues and/or information as they emerge.

5.0 Charges

- 5.1 The Applicant agrees to pay to SMDC a total of £6363.00 plus VAT on top of the application fee to ensure that the SMDC can allocate sufficient resource to handle the application and meet the programme and overall timeframe requirements set out in Schedule 5.
- 5.2 The Applicant agrees to pay SMDC reasonable legal costs incurred in association with the preparation of a s106 Agreement should one be required.

6. Amendment / Review of Agreement

- 6.1 Amendments to the agreement, charges, meeting schedule and revision of timescales (as set out in the Project Programme) shall be subject to review as may be agreed in writing between the parties.

7. Agreement

- 7.1 The above PPA has been agreed between SMDC and the Applicant.
- 7.2 This agreement will be effective for the period up to the determination of the application scheme. The Term will be subject to review as may be agreed between the Applicant and SMDC.



Signed by

for and on behalf of **The Applicant**

Date: 06/12/22

X B.J. Haywood

Signed by: Ben Haywood

for and on behalf of **SMDC**

Authorised signatory:

in the presence of: Jane Curley

Date: 13th December 2022

Schedule 1: The Development

Site Plan

A1013 02 A – Site Location Plan

Site Address

Land off Cheadle Road, Upper Tean, Staffordshire

Description of the development

Full planning application for residential development of 67 houses with a mix of two and two-and-a-half storey dwellings, consisting of new access to Cheadle Road, new public open space, sustainable urban drainage, landscaping, pumping station and associated works.

Schedule 2: Application Documents, Plans and Relevant Information

Documents

The Parties to this Agreement agree that the Planning Application has been accompanied by the following documents:

DOCUMENTS ORIGINALLY SUBMITTED WITH THE APPLICATION

Plans

- Site Location Plan A1013 02 A
- Original Submitted A1013 09 B (coloured planning layout)
- Amended A1013 1 H (planning layout)
- House type brochure A1013_10C
- Illustrative Landscape Masterplan P21-1771_06A

Documents

- Planning Statement P21-1771
- Design and Access Statement April 2022
- Preliminary Ecological Appraisal May 2022
- Arboricultural Assessment CW/10778-AS
- Energy Statement May 2022
- Heritage Statement P21-1771
- Landscape and Visual Appraisal P21-1771
- Tree Survey Schedule CW/10778-55-1
- Air Quality Assessment P21-1771
- Energy Statement May 2022
- Street Scenes A1013_22
- Travel Plan P21-1771
- Transport Statement P21-1771
- Sustainable Drainage Statement (revised) (sent 12/08/22)
- Design Booklet October 2022 (sent 19/10/22)

Schedule 3: The Applicant's Performance Standards

1. To provide a revised layout and amended submission to address comments on urban design and transport matters by 2 December 2022.
2. To provide SMDC with such additional information as may be requested within 5 working days of such written request from SMDC (or such other time period as may be previously agreed) in order to enable SMDC to discharge its responsibilities.
3. To provide to SMDC at least 5 working days prior to any meeting (or such other time period as may be previously agreed) all substantive and relevant documents which are relevant to that meeting, and which relate to any relevant action points or agenda item identified.
4. To provide to SMDC within 5 working days of any meeting the minutes or action points arising from that meeting as well as any material that was not available prior to the meeting.
5. To comply with the Project Programme so far as it places obligations on the applicant.

Schedule 4: SMDC's Performance Standards

In addition to its statutory obligations, SMDC agrees to use its reasonable endeavours to achieve the following performance standards at all times:

1. To designate a qualified and experienced planning officer or appointed planning consultant ("the Case Officer") who alone or as part of a team shall be responsible for overseeing or carrying out the Planning Functions in accordance with this Agreement and shall as necessary for the delivery of the Project Programme in accordance with the Project Timeframe and has the relevant experience of a type and scale required in order to determine the planning application and to ensure that he/she has a clear understanding of SMDC's obligations under this Agreement.
2. To respond substantively to all emails and letters within 5 working days unless previously agreed with the other party and telephone calls within 2 working days of receipt. Where circumstances beyond the reasonable control of SMDC prevent its compliance with this performance standard, SMDC shall in each case notify the Applicant of such circumstances.
3. To ensure relevant officers attend the meetings as necessary and for these officers to review any material submitted ahead of the meeting pursuant to point 2 / 5 of Schedule 3.
4. To provide comments on the minutes of meetings within 5 working days.
5. To provide the Applicant with a response to any submitted additional information arising from a meeting within 5 working days of receipt where comments are required from SMDC Officers.
6. To provide external consultees with relevant documents within 2 working days of receipt from the Applicant and agree a timescale for a response to the Applicant.
7. To ensure that where reasonably requested by the Applicant and provided that notice of at least 5 working days is given that an officer with the appropriate level of authority and relevant experience, is available to attend meetings with external third parties and/or the Applicant to comply with the Project Programme in Schedule 5 so far as it places obligations on SMDC, unless previously agreed with the Applicant.

Schedule 5: Planning Application Project Programme

The Parties shall use their reasonable endeavours to ensure that the planning application is progressed in accordance with the Project Programme (unless subsequently varied). The following identifies the planned project programme for the preapplication stage of the project. The overall timeframe is 16 weeks from submission of the revised layout and supporting documents for the planning application. The milestone dates below provide an indicative programme to achieve this timeframe.

<u>Date</u>	<u>Key Milestone</u>
	Applicant to submit Revised Layout and supporting Vision Document to SMDC by 2 December 2022.
1 week after submission By 09/12/2022	SMDC to confirm to the Applicant the name and contact details of the appointed Planning Officer .
2 weeks after submission By 16/12/2022	The Applicant to formally submit all revised planning application drawings and documents.
3 weeks after submission By 23/12/2022	SMDC to formally consult on the revised submission.
7 weeks after submission By 20/01/2023	Consultation and other responses received by the LPA to be posted online within 2 working days of receipt. Otherwise, a copy of the any response received by the LPA is to be sent direct to the Applicant within 2 working days of receipt.
8 weeks after submission By 27/01/2023	Applicant and SMDC meeting to take place to review consultation responses and provide verbal feedback on the revised scheme.
9 weeks after submission By 03/02/2023	Applicant and SMDC to commence draft s106 Agreement of required.
10 weeks after submission By 10/02/2023	Applicant to submit additional information, if required, following the above meeting.
12 weeks after submission By 24/02/2023	SMDC to complete draft Committee Report by 23 February 2023 and send draft conditions to Applicant for agreement. Applicant to respond to draft conditions within 2 working days.
14 weeks after submission By 10/03/2023	Consider the application at the 9 March 2023 Planning Committee Meeting.
15 weeks after submission By 17/03/2023	s106 Agreement completed, if required (17 March 2023).
16 weeks after submission By 23/03/2023	SMDC issue planning decision by 23 March 2023.

Schedule 6

For both parties to work constructively and productively it is vital that key project team members are identified along with direct contact details.

The Applicant's Project Team

Role	Organisation	Contact Details
David Onions	Pegasus Group	07795 328 197
Katie Gregory	Pegasus Group	07918 360 728

HPBC's Project Team

Role	Organisation	Contact Details
Head of Development Services	SMDC	Ben Haywood 01538 395400 ext 4924, 07976 753764
Principal Planning Officer	SMDC	Jane Curley jane.curley@highpeak.gov.uk 01298 28400 ext 4981, 07976 753726
Planning Officer	SMDC	TBC