

GREATER LONDON AUTHORITY

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2574

Title: Earls Court Planning Performance Agreement

Executive Summary:

In June 2019 the Mayor agreed a standing delegation to the Assistant Director, Planning, to enter into bespoke Planning Performance Agreements (PPAs) for complex planning schemes up to a cap of £250,000 on a cost-recovery basis from the developer to cover GLA officer and, if required, consultant costs. The delegation was to be exercised through an ADD decision form for each PPA.

A PPA for £145,000 has been agreed with the developer of the Earls Court Site.

Decision:

That the Assistant Director of Planning and Regeneration approves:

- the PPA in respect of the Earls Court scheme
- the receipt of £145,000 on a cost-recovery basis from the developer The Earls Court Partnership Limited.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT

I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Lucinda Turner

Position: Assistant Director, Planning and Regeneration

Signature:



Date:

31 May 2022

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. Planning Performance Agreements (PPAs) were formally introduced into the planning system on 6 April 2008. These are principally aimed at major planning applications that need substantial amounts of officer time and negotiation throughout the life of the scheme. They allow officers to improve the quality of schemes that are eventually submitted as planning applications and determined. They also allow the GLA to charge for officer time taken up by the larger-scale strategic schemes.
- 1.2. A Mayoral decision (MD2475) on 11 June 2019 gave delegated authority to the Assistant Director to enter into PPAs up to a cap of £250,000

2. Objectives and expected outcomes

- 2.1. The principal objective is to maintain an effective high-quality strategic planning service at a time of pressure on resources, and growing external and corporate demands, by ensuring there are sufficient resources to deal with pre-application advice and applications – including call-ins by the Mayor. The expected outcomes are:
 - a continuation of the ability to deal with increasing workloads, particularly the pre-application service, by having sufficient resources in place
 - allowing the GLA planning function to keep up with high and rising levels of demand for advice whilst delivering an efficient, fit-for-purpose strategic planning function for the Mayor.
- 2.2. In this case, the PPA will fund a series of pre-application meetings with the applicant (with attendance from both Hammersmith and Fulham and The Royal Borough of Kensington and Chelsea councils) for a scheme that envisages the comprehensive redevelopment of the Earls Court site. This will deliver new and affordable homes, commercial floorspace, landscape and public realm. A concentrated series of meetings is necessary to develop a deliverable scheme that will meet the Mayor's objectives and satisfy the councils' priorities.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010, in making these decisions, due regard must be had to the need to eliminate unlawful discrimination, harassment and victimisation; as well as to advance equality of opportunity, and foster good relations, between people who have a protected characteristic and those who do not. Protected characteristics include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation (and marriage or civil partnership status, for the duty to eliminate unlawful discrimination only). In this instance the proposals have been considered and are not expected to have any impacts on those with protected characteristics as distinct from anyone else.

4. Other considerations

Mayoral strategies and priorities

- 4.1. Pre-application advice is fundamental to the implementation of the Mayor's London Plan, which seeks to ensure that the city meets the challenges of economic and population growth with much needed housing and commercial floorspace, along with other associated social infrastructure and transport infrastructure to enable the development. The Mayor's comments and decisions on referable planning applications is a key implementation tool of the London Plan. The preapplication service helps to ensure subsequent applications deliver London Plan objectives.

Risk management issues

- 4.2. Regular monitoring of income will be undertaken to ensure the costs of providing the service are covered; and the income is spent within the Regulations associated with the Local Government Act 2003.

Conflicts of interest

- 4.3. There are no conflicts of interest to note for any of those involved in the drafting or clearance of the decision.

5. Financial comments

- 5.1. Approval is being sought for expenditure of up to £145,000 for a PPA in respect of the Earls Court scheme; and the receipt of £145,000 on a cost-recovery basis from the developer The Earls Court Partnership Ltd.
- 5.2. The PPA income and associated expenditure is budgeted for in 2022-23 within the Planning Unit budget.
- 5.3. The costs under this agreement will be capped and any additional work required on the scheme over the approved amount would be subject to further approval via the Authority's decision making process.

6. Planned delivery approach and next steps

Activity	Timeline
Completion of PPA	May 2022
Concentrated series of meetings from April 2022 to May 2023 to discuss the development of a scheme up to the submission of a planning application	May 2022 – May 2023

Appendices and supporting papers:

None

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

Drafting officer:

John Finlayson has drafted this report in accordance with GLA procedures and confirms the following:

✓

Corporate Investment Board

A summary of this decision was reviewed by the Corporate Investment Board on 30 May 2022

ASSISTANT DIRECTOR OF FINANCIAL SERVICES

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature**Date**

31 May 2022