

Subject: Development Management – Ways of Working Protocol
Meeting date: 14 October 2019
Report to: Planning Committee
Report of: Claire O'Brien, Interim Assistant Director of Planning

For noting

This report will be considered in public

1 Summary

- 1.1 This report seeks to inform the Planning Committee of the OPDC Development Management Ways of Working protocol (Appendix A) which has been developed and agreed between OPDC and borough officers. The 'Ways of Working' document sets out a common approach on how OPDC officers will work with officers from the boroughs of Hammersmith and Fulham, Brent, and Ealing, when dealing with development proposals within the OPDC area.
- 1.2 The document sets out the process that OPDC and borough officers should follow to ensure efficient and effective collaboration in the development management process, particularly in the negotiation, agreement and implementation of schemes and s106 legal agreements for major development proposals within the OPDC area.

2 Recommendation

- 2.1 **The Planning Committee is asked to note the report and the associated appendix.**

3 Background

- 3.1 The concept of producing a protocol was first discussed with the boroughs at a meeting of the Planning Obligations Advisory Group held in November 2018. At that stage, the main purpose of developing an officer-to-officer protocol was to set out how OPDC would engage with the boroughs when

negotiating s106 agreements as part of the planning application process. However, following further discussion it was agreed that it would be useful to expand the scope of the protocol to cover all aspects of the development management process and this should take the form of a broader Development Management Ways of Working protocol.

3.2 Officers from the London Borough of Hammersmith and Fulham (LBHF) prepared the first draft of the protocol for review by OPDC and the other boroughs. To develop the draft further, OPDC officers met with each of the boroughs to discuss the draft and better understand each borough's individual expectations. Through this engagement, OPDC officers were able to identify areas of commonality between the boroughs and these have been used to shape the protocol for a consistent way of working with all boroughs. Some of the common issues covered in the document include:

- Regular meetings with OPDC to discuss Development Management issues
- Ensuring boroughs are involved in pre-application meetings
- Specific engagement between OPDC and borough on matters where the borough is still the relevant authority i.e. highways, environmental health, education
- Support from OPDC to ensure appropriate applicant engagement with borough

3.3 Where expectations were not found to be common across all three boroughs it is proposed that these will be resolved outside of the common approach set out within the Ways of Working protocol through further engagement with the individual boroughs concerned.

3.4 Borough officers have confirmed their broad support for the approach taken and the principles set out within the Development Management Ways of Working protocol.

4 Scope of the protocol

4.1 The Development Management Ways of Working Document is structured to include the following sections.

- a) General Provisions –includes provisions to provide regular engagement with borough officers on development management matters and provides a commitment, in principle, to support boroughs where they wish to secure Planning Performance Agreements and recover their reasonable costs from applicants. The practical

arrangements for this will be subject to further discussion with the individual boroughs;

- b) Pre-application – includes provisions to ensure that boroughs are positively engaged in the pre-application process;
- c) Planning Applications – includes provisions to ensure that the statutory consultation process is effective and that the views of boroughs are clearly reported to the OPDC Planning Committee;
- d) Post application – includes provisions relating to the discharge of planning conditions/obligations and planning appeals; and
- e) Spending s106 contributions – reaffirms the role of the Planning Obligations Advisory Group and the arrangements for determining how OPDC s106 contributions are spent, as approved by the OPDC Board in June 2018.

5 Next steps

- 5.1 The Development Management Ways of Working Protocol will be published on the OPDC website. The Development Management Ways of Working protocol has been developed on the principle of encouraging positive, transparent and collaborative working between OPDC and the boroughs throughout the development management process. It is intended to provide greater certainty to developers on how the boroughs and OPDC intend to work together and demonstrates a commitment from all parties to deliver positive outcomes through the regeneration of Old Oak and Park Royal.
- 5.2 Further discussions, relating to outstanding borough specific development management matters are on-going.

6 Equality comments

- 6.1 There are no adverse equality implications relating to this report as there are no proposed changes to new or existing services, policies or strategies

7 Legal implications

- 7.1 There are no particular legal implications arising from this report.

Appendices

Appendix A – OPDC Development Management Ways of Working

Background Papers

None

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