

## **OPDC Development Management - Ways of Working**

### **1. Purpose**

- 1.1. This 'Ways of Working' document is intended to set 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. The document sets out the process that OPDC and the boroughs 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.
- 1.2. In developing this document OPDC officers met with each of the boroughs to better understand their individual expectations and identify areas of commonality between the boroughs. This has been used to shape these proposals for a consistent way of working with all boroughs. Where expectations on certain issues were found to differ between the three boroughs, OPDC will seek to put in place bespoke agreements, outside of this common approach, with the individual boroughs concerned.
- 1.3. This 'Ways of Working' document 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.

### **2. General Provisions**

- 2.1. The OPDC Head of Development Management will be the lead point of contact for all matters relating to the development management process, unless the borough has been notified by the Head of Development Management that a particular matter has been assigned to a case officer. Any matters relating to non-compliance with this 'Ways of Working' document should be referred to OPDC's Head of Development Management.
- 2.2. Each borough should nominate a lead point of contact for development management matters within the OPDC area. Boroughs should use best endeavours to keep the OPDC Head of Development Management up to date on any changes to the lead contact for the borough.
- 2.3. The OPDC Head of Development Management will arrange a separate regular meeting or call with the lead contact for each borough. The specific frequency of these meetings, venue and agenda will be for agreement with each borough lead contact.

However, OPDC would generally expect these regular meetings to cover the following matters:-

- i. To provide updates on pre-application enquiries within the borough's area.
  - ii. To provide updates on consultation responses from live planning applications and discuss any significant matters arising.
  - iii. To discuss and agree programmes for the determination of planning applications.
  - iv. To discuss s106 Heads of Terms and priorities for pre-application enquiries and current planning applications.
- 2.4. Boroughs should confirm contact details for statutory planning consultation correspondence. Where an individual officer is identified as the preferred contact, a second point of contact, preferably a generic but regularly monitored email inbox, should be provided.
- 2.5. Where boroughs have indicated that they wish to recover all reasonable costs from the applicant, OPDC will work positively with the borough and the applicant with the aim of ensuring that the borough is compensated directly by the applicant. This should be agreed as part of the PPA which would allow key milestones with the borough to be set out and delivered. The specific details of this will be dealt with outside of this general 'ways of working' document, and will be subject to further discussion with individual boroughs

### **3. Pre-Application**

- 3.1. The pre-application process is a voluntary process where applicants can seek to work positively with the Local Planning Authority (LPA) and other relevant consultees before submission of a planning application. OPDC will strongly encourage applicants to engage positively with the pre-application process, including appropriate engagement with the relevant borough(s).
- 3.2. OPDC's pre-application information and forms, published on the OPDC website, will adopt a presumption in favour of transparent borough involvement as part of the pre-application process. OPDC will work positively with the boroughs to include information for applicants on the importance of involving the boroughs in the pre-application process. This is particularly important given that boroughs still remain the authorities responsible for a number of key services including highways and environmental health.
- 3.3. Applicants will need to specifically opt-out if they do not wish the borough to be part of the pre-application process. In the event that an applicant does opt-out of involving the borough, OPDC will still provide the borough with regular updates and any non-confidential information relating to the pre-application enquiry.
- 3.4. During the pre-application process OPDC and the borough will commit to undertake the following actions:-
- i. Notify the borough of major pre-application meetings, including Design Review Panel meetings, within the boroughs area.

- ii. Invite borough officers to each major pre-application meeting unless the applicant has specifically opted-out from borough involvement.
- iii. OPDC will offer an officer-to-officer meeting with the borough immediately before or after a pre-application meeting to share views on relevant issues including draft Heads of Terms.
- iv. Both OPDC and the borough will provide each other with copies of any written advice issued to the applicant pursuant to any pre-application meeting.

#### **4. Planning Applications**

4.1. Planning applications are subject to statutory consultation and determination processes that are bound by statutory, or otherwise agreed, timeframes. It is essential that OPDC meet their statutory duties as LPA when processing planning applications and this 'Ways of Working' must not preclude OPDC's ability to undertake its statutory duties as LPA.

4.2. However, when processing major planning applications OPDC will:-

- i. Consult the borough as part of the statutory consultation process.
- ii. Consult with local residents, ward councillors and other statutory consultees as part of the statutory planning process.
- iii. Work positively with boroughs and provide reasonable time for the boroughs to provide comments. Where the borough requires additional time to provide comments they should make this request to OPDC within the statutory consultation period.
- iv. Notify the borough of post-submission meetings with the applicant or other stakeholders, including Design Review Panel meetings, and ensure attendance of the borough, where possible.
- v. organise specific officer to officer meetings with boroughs to discuss particular issues that arise
- vi. Ensure that borough comments are clearly summarised and addressed within the OPDC Planning Committee Report. Copies of the full comments will be provided to members as a background paper to the Planning Committee report.
- vii. Notify the lead contact for the borough when Planning Committee reports are published, which should be a minimum of 5 working days before the Planning Committee meeting.
- viii. share draft s106 agreements for comment and discussion with the borough and arrange meetings with/without applicant to discuss, if necessary.
- ix. Provide the borough with a copy of the Decision Notice and signed s106 agreement at the time of issue. OPDC will ensure that the s106 agreement is registered on the site with the borough's Local Land Charges Team.

**5. Post-Application**

- 5.1. OPDC will continue to monitor planning permissions and ensure that planning obligations are met in accordance with the terms of the s106 agreement.
- 5.2. OPDC will consult the borough on applications to discharge planning conditions and obligations.
- 5.3. OPDC will notify the borough on any appeals received following refusal of a planning application for major development.

**6. Spending s106 Planning Contributions**

- 6.1. OPDC will seek to agree the prioritisation and spending of s106 monies through discussion with the boroughs at the Planning Obligations Advisory Group (POAG). The POAG comprises senior OPDC and borough officers and was set up to discuss, review and make recommendations on s106 prioritisation and spend to the OPDC Chief Operating Officer (COO).
- 6.2. Where the COO agrees s106 spend for a project to be delivered by the borough, the agreed funding will be transferred from OPDC to the borough in a timely manner.