

Ashford Borough Council and partners
Handling Strategic Sites – a Process Manual

STAGE 1 – INITIAL SCOPING

Outcomes

- *An agreed 'roadmap' setting out the key stages for delivering a planning permission*
- *Key issues for resolution during the process with any potential 'show-stoppers' identified and an issues log established*
- *Key responsibilities established and a development team agreed*
- *Indicative timetable for the project tested against the 'roadmap' and subsequently agreed*
- *Key actions/ studies/ evidence base agreed to move the 'roadmap' to a working project plan*
- *Process issues agreed in principle – including pre-application meetings, tracking of key issues, likely public engagement and setting design quality*

Commitment of players

	The Developers	Ashford Borough Council and partners
'Roadmap' and broad timetable	<ul style="list-style-type: none"> • Provide description of project scope and set out initial assumptions on process and timing, including proposed approach to outline/ detailed/ reserved matters application(s) in 	<ul style="list-style-type: none"> • Respond to the developer's proposed approach and identify key issues and if there are any potential 'show-stoppers' • Subsequently formally confirm ABC officer level position



	<p>terms of the LDF context (existing and future DPDs) and, where needed, development briefs or site design briefs</p> <ul style="list-style-type: none"> • Propose a 'roadmap' as a basis for more detailed project planning linked to key milestones/ outputs • Commit to an agreed timetable/ PPA for the specific tasks below 	<p>with any advice on practical ways of streamlining the process</p> <ul style="list-style-type: none"> • Respond to initial timing assumptions and agree a 'roadmap' as a basis for more detailed project planning linked to key milestones/ outputs • Notify key partners of their likely involvement in due course • Notify legal team of forthcoming project • Commit to an agreed timetable/ PPA for the specific tasks below
Policy issues	<ul style="list-style-type: none"> • Identify intentions in terms of meeting the Local Development Framework policy base • Respond specifically to indicate acceptance of outline Heads of Terms and identify any key viability issues that may have a bearing. 	<ul style="list-style-type: none"> • Identify relevant policy documents and indicate provisional range of material planning issues and a high level policy checklist – including all 'contributions' policies • Work with partners to collate likely partner requirements and compile broad outline Heads of Terms for legal agreement
Responsibilities and communication	<ul style="list-style-type: none"> • Provide lead role contact details and details of advisers' team • Agree means of communication 	<ul style="list-style-type: none"> • Identify named lead contact; membership and details of the development team. Ensure sufficient resources, including legal, will be available, • Consider seeking financial support from developer for planning team to backfill resources assigned to fast track developer's application • Clarify proposed communication arrangements • Explain how AF partners will work together and key contacts
Key infrastructure	<ul style="list-style-type: none"> • Set out initial assessment of strategic infrastructure assumptions and specific provision/ timing proposed as part of this development 	<ul style="list-style-type: none"> • Identify any major infrastructure delivery issues in relation to overall delivery plans • Identify the role partners will play in resolving difficulties

Scope of planning application

- Compile full list and scope of work elements completed or planned to help bring forward the proposal and in due course enable a valid planning application
- Explain proposed strategy for meeting EIA Regulations
- Share validation checklist and identify any particular site specific issues evident at this stage
- Initial advice on application of EIA Regulations

Pre-application meetings and issues arising

- Commit to making the resources available to deliver the information required in a complete and timely manner and paying meeting charges
- Agree format of running 'issues log' and commit to process of checking after each meeting and seeking resolution of applicant issues to agreed timetable
- Commit to a timetable of meetings at agreed stages in progression of proposals/ preparation of background information and attendance of appropriate members of development team
- Commit to making the resources available to respond in an agreed timetable to material submitted by developers and to meeting the agreed performance standards
- Agree format of running 'issues log' and commit to process of checking after each meeting and seeking resolution of public sector issues

Public engagement

- Produce and commit to a planned programme of community engagement through the life of the project on the basis of agreed key principles at this stage
- Recommend effective approach to engagement through the process, including the importance of early stakeholder design workshops to help shape design proposals
- Identify provisional list of interested community groups and individuals

Resources

- Consider funding additional capacity in the system to release the resources needed – recognising that these will be under the control of the Borough Council and partners
- Assess the capacity/ specialist skills needed to work on the project to the timescales set and, if needed, identify extra resources/ solutions needed

STAGE 2 – PRE-APPLICATION

Outcomes

- *Effective stakeholder engagement that helps to shape the scheme*
- *Clear, agreed assumptions on timetable*
- *Clear and early feedback on issues raised by politicians to enable scheme refinement*
- *Development brief where needed to guide development of substantial sites*
- *Early clarification of stakeholder positions and joint approach to timely resolution of issues*
- *Strategic tariff and s.106 Heads of Terms agreed by all players*
- *High degree of certainty that, on submission, the application addresses all key issues so that risks of delay are substantially reduced*
- *Infrastructure delivery issues identified and Ashford's Future partners working to find solutions*
- *Confirmation of availability of adequate resources from all players*

Commitment of players

	The Developers	Ashford Borough Council and partners
Public engagement	<ul style="list-style-type: none">• Agree in advance to meet the costs of the workshop – venues, catering and facilitation/ external specialists	<ul style="list-style-type: none">• Confirm appropriate form of workshop to involve stakeholders and the local community in the evolution of the proposed project

	<ul style="list-style-type: none"> Commit key design team players to attend and assist; writes a draft full record of proceedings that also responds to all points made and finalises this after receiving Council comments 	<ul style="list-style-type: none"> Advise on organisational arrangements including venue, delegate list, facilitation, etc. Commit key players from the development team to attend and assist; review and agree draft report of proceedings
Development brief (where needed)	<ul style="list-style-type: none"> Contributes to funding of brief Drafts overall structure of brief for early agreement Joint clients for production of brief with ABC where appropriate Commits to review meeting(s) during the process to enable Council and partners to input to document; Reflects the agreed report of any design workshop held Agrees and implements programme of public involvement needed 	<ul style="list-style-type: none"> Contributes to funding of brief/ seeks contributions from other partners. Responds swiftly to brief structure and subsequent drafts Joint clients for production of brief with developers where appropriate Identifies best practice examples and responds to structure/ contents and general approach to drafting within agreed timetable Recommend best method of public involvement Commit to reviewing draft brief and co-ordinate partner views to input to an agreed timescale Seeks Executive agreement to brief where appropriate
Councillor issues	<ul style="list-style-type: none"> Provide good quality illustrative materials that may include artists' impressions, simple models, axonometric drawings, 'fly through' simulations etc. Provide a short, accessible handout illustrating and summarising the key features of the scheme Seeks an open approach and continuing relationship with councillors as the scheme evolves 	<ul style="list-style-type: none"> Seek informal reaction from councillors (including ward members and Planning Committee members) to the emerging proposals and relay issues raised to applicants Help create opportunities for a continuing dialogue with councillors as the scheme evolves Involves other partners in development brief as appropriate
Resources/ timetable and 'issues log'	<ul style="list-style-type: none"> Assigns named team to handle pre-application work Review and refine 'road-map' as a project programme to guide next stages 	<ul style="list-style-type: none"> Assign named and dedicated resources to handling pre-application discussions and identifies resources for application stage Agree timetable, respond to 'road-map' and commit to

	<ul style="list-style-type: none"> • Agree timetable of regular meetings and commit to regularly maintaining the 'issues log' of all outstanding issues and regularly review to resolve problems 	<ul style="list-style-type: none"> • maintaining 'issues log' and regularly review to resolve problems
Infrastructure delivery	<ul style="list-style-type: none"> • Set out a clear and specific phasing and infrastructure delivery plan to identify all key issues that AF partners may need to address 	<ul style="list-style-type: none"> • Agree the strategic infrastructure needed to enable the development to happen • AF and partners will work with relevant agencies to seek to get strategic infrastructure planned and delivered when needed
Planning obligations	<ul style="list-style-type: none"> • Confirm position on strategic tariff payments • Where viability is an issue provide full open book appraisal in a format agreed by the Council's adviser and commit to meet agreed costs of advice to ABC. • Respond specifically on acceptability of Heads of Terms 	<ul style="list-style-type: none"> • Confirm strategic tariff liability • Identify with developer the site-related requirements to be met from S.106 agreement in addition to strategic tariff • For site-related (s106) infrastructure, co-ordinate public sector specification of requirements • Provide Heads of Terms for agreement • Where viability is an issue, outline ABC's approach and 'open book' approach • ABC will broker agreement with infrastructure providers in exceptional cases where the full infrastructure requirements cannot be met
Stakeholder review	<ul style="list-style-type: none"> • Provide necessary information/ evidence and background material to parties involved in advance of such reviews and commit team members needed 	<ul style="list-style-type: none"> • Bring key players to a dedicated 'stakeholder review' session as and when needed to broker agreed ways forward and break any deadlocks
Draft planning submission	<ul style="list-style-type: none"> • Submit full drafts of submission documents to agreed timetable in advance of final submission so that additions/ amendments can be made in the light of comments received • Calculate fee payable and check with ABC 	<ul style="list-style-type: none"> • Identify the most important draft submission documents with a timetable for ABC/ partners to carry out preliminary checking in terms of their scope and completeness • Confirm fee payable

STAGE 3 – APPLICATION AND DECISION

Outcomes

- *Fast track validation of the application*
- *Effective and speedy consultation so that any key issues remaining are highlighted*
- *Legal agreements concluded in line with target dates*
- *Planned approach to negotiation and resolving disputes so that negotiations do not drag on*
- *High levels of member awareness of the scheme so that they are well informed when taking decisions*
- *Report to Planning Committee by target date*
- *High quality development proposal delivered through the planning system*

Commitment of players

	The Developers	Ashford Borough Council and partners
Application validation		<ul style="list-style-type: none">• Complete validation within agreed standard timescale and within this period confirm validation or advise developer on shortcomings
Internal and external	<ul style="list-style-type: none">• Review responses as received and prepare a table of responses to key points raised and any	<ul style="list-style-type: none">• Issue consultation and notification letters within agreed standard timescale

consultation	proposed scheme changes in preparation for review meeting	<ul style="list-style-type: none"> • Enter all consultation responses onto <i>ukplanning</i> within agreed standard timescale
Councillor briefing	<ul style="list-style-type: none"> • Prepare and give presentation to councillors with high quality, coloured illustrations, a model where possible and an indication of the materials palette • Update and re-issue the short, accessible handout illustrating and summarising the key features of the scheme and changes during pre-application discussions 	<ul style="list-style-type: none"> • Arrange pre Planning Committee briefing for councillors within 4-6 weeks of the application being validated • Provide targeted updates and briefings to ward members and others as required during consideration of the application
Scheme negotiation	<ul style="list-style-type: none"> • Commit to meeting schedule; providing draft notes of meetings and regularly responding to the 'issues log' to identify any unresolved points • Prepare updated table of responses/ proposed changes in the light of the review meeting 	<ul style="list-style-type: none"> • Agree suitable advance programme of meetings during consideration of application and all DTA members commit to attendance when needed • Maintain the 'issues log' of points that need resolution, and sign off/ amend draft meeting notes • Arrange review meeting once scheme is validated to discuss consultee responses in week 5 of application
Report to Planning Committee	<ul style="list-style-type: none"> • Responses to draft conditions/Heads of Terms to agreed timescale and written confirmation of final version 	<ul style="list-style-type: none"> • Draft report prepared for internal sign off to agreed standard timescale before the Committee dispatch date • Draft conditions/Heads of Terms shared with developer to agreed standard timescale
Legal agreement	<ul style="list-style-type: none"> • Solicitor's undertaking to cover costs of drafting to enable a full draft prior to submission (at developer's risk) and deduce Title • Provide timely legal input via a single point of contact with ABC development lawyers • Work to agreed protocol on drafts to minimise confusion • Respond to revised draft agreement within 2 	<ul style="list-style-type: none"> • ABC produce draft agreement within agreed period of receiving an undertaking on costs and provisional agreement of Heads of Terms – embracing KCC and other stakeholder requirements - wherever possible using standard clauses from recent Ashford experience • Promote an agreed protocol/ working method to control exchange of electronic drafts/ drafting changes • Revise draft Agreement to include any new points arising

	<ul style="list-style-type: none"> • weeks of receipt • Agree final, long stop date for resolution of all issues and finalisation of agreement – including final working meeting if needed 	<ul style="list-style-type: none"> • and pass to developers by week 10 of application consideration • Agree final, long stop date for resolution of all issues and finalisation of agreement – including final working meeting if needed
Monitoring	<ul style="list-style-type: none"> • Provide ABC and relevant adoption services with a draft spreadsheet showing for each condition/ legal agreement clause the requirements for monitoring; the responsibility (contact names and details) and the timescales • Submit routine monitoring information as required by the legal agreement in a timely way 	<ul style="list-style-type: none"> • Respond to draft spreadsheet within 3 weeks of receipt. • Notify developer of any inspection programme and timetable • Keep the spreadsheet up to date and feed outputs to the annual monitoring process
Project review	<ul style="list-style-type: none"> • Provide full feedback when requested and, where appropriate, be willing to follow up with a discussion on this and any changes in the process needed 	<ul style="list-style-type: none"> • Seek full and frank post project assessment feedback from applicant and partners using an agreed approach so that progress over time can be tracked. Provide feedback to developers • Respond to key outcomes of post project review, making changes where needed and record these
