



Cornwall Council PPA Charter

Working Together on Planning
Applications using Planning
Performance Agreements (PPAs)

Effective from 1 January 2021

Planning & Sustainable Development Service

Our Approach

Cornwall Council is committed to encouraging new investment and community regeneration. We want to ensure that major planning applications and associated building regulations are dealt with in a timely and effective way.

We recognise that the successful delivery of development projects requires good communications with developers, communities, partners and other organisations. This can help reduce delays, conflicting advice and increase certainty.

We will work in partnership with the development industry and communities to ensure that the development is deliverable and to maximise the potential benefits which a development can bring.

We anticipate great benefits in jointly using, the principles of 'Planning Performance Agreements' as advocated by the Department of Communities and Local Government.

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When should PPAs be used?

PPAs can be used at the pre- application stage, the planning application stage and at the post decision stage or any combination of these. A request for a PPA will include a minimum of 15 hours officer time for major applications and 10 hours for all other types of application including an administration charge.

In principle PPAs can be used for any application, and while they are more effective on large scale, complex proposals, the Council offers simple form of PPA agreement for smaller schemes, based on the key milestones that would need to be adhered to. The Council also promotes the use of its pre- application advice service for all proposals.

To enquire about these services for your development, please contact planning@cornwall.gov.uk or telephone us on 0300 1234 151.

Benefits of a PPA

A Planning Performance Agreement (PPA) is a project management tool that the Local Planning Authority (LPA) and applicant can use to agree timescales, actions and resources for handling particular applications.

PPAs should be kept as straightforward as possible, based on a guiding principle that the parties together agree a way forward. PPAs, whilst non-binding, are intended to be agreed in the spirit of a 'memorandum of understanding'.

Nationally, local authorities and planning applicants have identified a number of clear advantages for using PPAs including:

- identification of key issues and consultees at an early stage;
- provides a guarantee of Council resources with realistic timescales;
- better overall management from pre-application through to post application stages;
- greater accountability, transparency and communication;
- improved partnership working;
- continuity and consistency from Local Planning Authority (LPA) officers; and
- bespoke advice from key consultees
- advice on how Building Regulations may impact on your development

Timescales for PPAs will be agreed between the applicant and the LPA, plus any other stakeholders. The Council will aim to determine the application within statutory timescales, however, a longer period can be agreed if appropriate.

Pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application and Building Regulations processes and improve the quality of planning applications and their likelihood of success. Engaging early in these processes can be highly effective in relation to generating community buy-in and identifying and addressing key issues. This can save abortive work and issues being raised late in the process causing delay and uncertainty.

The Council recognises that engagement requires commitment from all partners in terms of time, money invested upfront and skills, and there are a variety of ways that stakeholder and the wider public can be engaged. To get the most from the involvement each project will need a tailored approach based on local and project specific circumstances.

In May 2017 the Council introduced a new facilitated pre-application community engagement process and options for developers as part of the pre-application process offered by this service. Planning case officers will advise applicants and developers on the most appropriate form of community engagement for their proposal; this advice will form part of all pre-application discussions. More details on the pre-application community engagement processes are available on the [Pre-application advice](#) webpage. Further details are also available within our fees and charges document.

The National Planning Practice Guidance recognises that a PPA can extend to matters beyond the formal application process. These can include the programming and the negotiation of any section 106 agreement as well as any related non-planning consents.

What is offered and how much does it cost?

The initial dialogue to discuss the applicability and scope of a PPA is free. For a detailed description of all the advice services available and their fees; please see our [fees and charges document](#) (page 14).

Links to Partner Advice Services

1. Cornwall AONB
2. Tamar Valley AONB
3. Cornwall World Heritage Site
4. Historic England
5. Environment Agency

Payments

The fee will need to be negotiated and agreed before the PPA is signed. Applicants should make a single payment up front for all of the tasks that have been agreed.

The developer should obtain a payment receipt which he should copy to the planning service along with a completed PPA notification form for application submissions. This helps us to identify that the application is subject to a PPA so we can register and validate it urgently. Our preferred payment method is for developers to pay by credit or debit card on-line via our website (<https://www.cornwall.gov.uk/pay-it/>) or by 0300 1234 151.

If further services are required during the course of the agreement a new agreement needs to be agreed, signed and sent to us with the existing application reference number.

What makes a good PPA

Attributes of successful PPAs	Attributes of unsuccessful PPAs
Early engagement	Late engagement
All key parties have met and have openly discussed issues crucial to the delivery of the project	Input is provided by some but not all of the parties
All parties are signed up to collaboration and open communication	Project team is not fully engaged with the issues of the project
Clearly identified and agreed common goals / outcomes for the project	Legalistic language is used in drafting the agreement
Key tasks have been identified and there is sufficient resource available to deal with them	Decision making structure is either unclear or overly complicated and identified decision makers are not genuinely empowered
The focus is on the resolution of issues within the application timescales	Emphasis is on speed of process rather than on resolving issues and tasks
All timescales are realistic and achievable	Difficulties in completing tasks to agreed timescales are not shared with the project team

Local Council Consultation

The majority of local councils (parish, town and the city councils) welcome pre-application planning discussions and we strongly encourage you to consult the local council and seek their views prior to submitting any application. The benefits of early engagement with local councils are highlighted on the Councils website via: (<https://www.cornwall.gov.uk/planningroles>)

Contact details can also be found at: (<https://www.cornwall.gov.uk/parishcouncils>)

What happens if things go wrong?

Planning performance agreements are intended to be agreed in the spirit of a 'memorandum of understanding'. In cases where dispute arises, in particular where a developer feels the Council is not meeting the timescales provided in a PPA, arrangements will be made for the matter to be urgently reviewed by the planning development manager or if required the head of planning.

Freedom of information

Your enquiry, together with any response made by the Council, will be made available for public inspection unless you confirm in writing to us that the information provided is commercially sensitive. If the Local Planning Authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to disclose information relating to the planning performance agreement they are obliged to do so unless the information is deemed exempt under the Act.

We can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the applicant would be advised to complete the commercially sensitive checklist that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst we will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties.

Useful links

- [National Planning Practice Guidance](#)
- [Validation Checking Service](#)
- [Planning & Enterprise Service Fees & Charges Document](#)

Contact

Email: planning@cornwall.gov.uk
Telephone: 0300 1234 151