

Holborn Links Estate

35 – 41 New Oxford Street, 10 – 12 Museum Street and 16A – 18 West
Central Street

Triangle

PLANNING PERFORMANCE AGREEMENT

1. Introduction

- 1.1 This Planning Performance Agreement (PPA) covers the pre-application process through to the determination of the planning application for the proposed re-development of the site at 35 – 41 New Oxford Street, 10 – 12 Museum Street and 16A – 18 West Central Street.
- 1.2 The PPA will provide a project management framework and timetable within which to carry out the various stages of progressing the scheme to the submission of a valid application and the potential completion of a Section 106 Agreement and issuing of planning permission.
- 1.3 The aim of the PPA is to improve the quality of the decision making process, as opposed to the speed of the decision. A PPA is considered appropriate in this instance due to the constraints of the development, including its location and the nature of the development proposed, including whether the larger site is incorporated.
- 1.4 The subject scheme involves the partial demolition of some of the constituent building at 35 – 41 New Oxford Street, 10 – 12 Museum Street and 16A – 18 West Central Street and there extensions / partial replacement with a new mixed-use development providing variously B1 Office, C3 Residential, A1/2/3/4/5 Retail and Sui Generis uses in a format and of a quantity to be agreed with Camden Council.
- 1.5 All parties share the desire for a clear path towards an effective decision making process and one which identifies any key issues of conflict and the resources required to resolve them at an early stage along the way. This document sets out the way forward in achieving this.
- 1.6 This agreement will apply from the date the PPA is signed and shall remain in force until the decision date (being the date a planning decision is issued by the Council on the Planning Application) (or such extension of this Term as agreed), and upon the expiry of such period this PPA shall cease.

2. The Parties

- 1.1 The parties signing up to the PPA comprise Triangle as the “Developer” and Camden planning officers as the Local Planning Authority (LPA). The application will be submitted by Montagu Evans on behalf of the Developer.

Developer Planning Project Team:

Role	Name	Contact details
Developer	Triangle	Philip Skottowe +44 (0)20 7255 6330 pskottowe@triangle.co.uk
Architect	TP Bennett	Bill Soper +44 (0)20 7208 2482 bill.soper@tpbennett.com
Planning Agent	Montagu Evans LLP	Nick Sharpe 020 73127409 nick.sharpe@montagu-evans.co.uk

Local Planning Authority Team (LPA)

Role	Name	Contact details
Assistant Director Planning and Public Protection	Frances Wheat	0207 974 5630
Development Management Service Manager	Stuart Minty	0207 974 2660
Development Management Team Manager (East Area)	Alex Bushell	020 7974 2661
Planning / Case Officer	Zenab Haji-Ismael	020 7974 3270 Zenab.Haji-Ismael@camden.gov.uk
Heritage and Conservation Officer	Antonia Powell	0207 974 2648 Antonia.Powell@Camden.gov.uk

3. Procedural Arrangements

- 3.1 The Developer will meet with the Local Planning Authority throughout the application phase in order to address issues that might arise as may be agreed appropriate between the parties.
- 3.2 Any meetings will be structured as formal pre-application meetings and will be programmed according to the PPA Diary. The Council will provide appropriate officers to attend these meetings.
- 3.3 The parties will seek to have agreed Heads of Terms and full draft detailed wording of a S106 in advance of the DC Committee to enable final signing and sealing of the S106 in a timely fashion.
- 3.4 The procedural arrangements and timetable for dealing with the application depend upon the date for formal submission of the application. The date the Developer intends to submit the application is 26th January 2016. This date

may be changed only with the agreement of the parties (acting reasonably) and may necessitate a review of the timetable and timescales within it.

- 3.5 The Developer will submit the planning application via the Planning Portal and if required by Officers, on CD. No paper copies are required (although paper copies of individual documents may be requested).
- 3.6 The LPA will use reasonable endeavours to complete its validation check within 6 working days of submission and the Developer will use reasonable endeavours to submit any additional information required by the LPA to validate the application within 6 working days of any request by the LPA for this information. The standard 21 day consultation period for nearby occupiers and external consultations will have commenced by beginning of week 3.
- 3.10 The Developer will make all reasonable endeavours to work jointly with the LPA and in the event the LPA suggest amendments the Developer will be allowed to amend the scheme to suit the comments made by the LPA.
- 3.8 The Developer will make all reasonable endeavours to work jointly with the LPA and to respond to requests for further information, points of clarification, or presentational material to assist with the understanding of the proposals and their communication to Members and/or the public at meetings or briefing sessions as might be appropriate.
- 3.11 Unforeseen circumstances arising which result in revisions or further information being submitted, will only result in a review of the timetable if re-consultation is necessary. In such event the timetable will be varied by agreement with both parties.
- 3.12 Periodic review meetings will be held to deal with any matters arising, commencing from post-consultation onwards, as required, if and when issues arise through to committee.
- 3.13 In the event that officers support the application and are minded to make a recommendation to approve the application, the council will take the application to committee within 15 weeks of submission unless otherwise agreed with the Developer and, use reasonable endeavours to complete the signing of the s106 agreement 2 weeks thereafter. In the event that officers are unable to support the application and are minded to refuse the application, the Council will first give the Developer the opportunity to revise and / or withdraw the application and only then refuse the application within 15 weeks of submission unless otherwise agreed with the Developer.
- 3.12 In the event that officers support the application and are minded to make a recommendation to approve the application, the LPA will have provided the Developer with an advance copy of draft conditions, with sufficient time to review and comment upon them, prior to finalising the report to committee.
- 3.13 In the event that officers support the application and are minded to make a recommendation to approve the application, the LPA will clear its report to committee and other steps in the process as appropriate with the Council's Legal Team and potentially external Counsel.

3.14 All reasonable endeavours will be undertaken on the part of both parties as appropriate to meet an agreed target date for final decision following the resolution of LBC DC Committee.

4. PPA Timetable

4.1 A timetable for the procedural milestones referred to above is attached as part of the PPA (the 'PPA Timetable') which it is the responsibility of both parties to make reasonable endeavours to meet. The PPA Timetable will be reviewed if necessary between the parties in accordance with the agreed Procedural Arrangements of the PPA and if any relevant unforeseen matters arise.

PRE SUBMISSION

Date (w/c)	ACTION	COMMENTS
Stakeholder and Community Engagement From October 2015 until application determination	Developer and Design Team to work with local ward councillors, community groups and representatives to, where possible and appropriate: <ul style="list-style-type: none"> • Shape proposals • Address key concerns • Provide regular progress reports • Establish clear lines of communication 	
Pre-application meeting, feedback and Developer responses 15 th October 2015	<ul style="list-style-type: none"> • Developer to provide Officers with information pack (inc proposed agenda) one week in advance of meetings • Council to request additional information in advance of meetings • Council will arrange for appropriate Officers to attend each meeting (determined by topics on agreed agenda) • Council to provide written feedback with one week of each meeting held 	Need for subsequent meeting to be agreed at each meeting

Formal Application Process

w/c 25 th January 2016	Submission of Application	
w/c 1 st February 2016	Validation of application by LB Camden and issue of letters of consultation.	

1 st February – 21 st February 2016	<p>Consultation period</p> <p>Officers to advise on benefits of presenting scheme at a Development Management Forum and a Developer Briefing.</p> <p>Officers will assist in making arrangements as necessary</p>	Officers consider there is no need to hold a DM Forum for this application.
w/c 29th February 2016	Developer and Council to review consultation feedback and Council to advise as to necessary amendments (if any) to application	
March 2016	<p>If necessary, Developer to provide amended application material for officer review</p> <p>Council to confirm receipt and acceptability of amendments</p> <p>Officers will commence draft Committee report write up (if not started previously)</p> <p>Officers will instruct Camden Legal Team to Commence S106 drafting / provide Developer with proposed draft Heads of Terms</p>	
w/c 11 th April 2016	<p>Pre-committee meeting between Developer and Officers if required</p> <ul style="list-style-type: none"> • S106 • Affordable Housing • Community benefits • Draft conditions circulated for comment <p>Completion of Officers' Committee Report</p>	
21 st April 2016	Target Development Control Committee	
First Committee in May	2 nd preference Development Control Committee	
3 weeks from Committee date	S106 signed and decision notice(s) issued	

5. Financial Contribution

- 5.1 The developer will contribute to the Council's costs in respect of this service by payment of a single fee (£12,000) to cover the period of the PPA.

<http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/pre-application-advice/pre-application-advice-for-major-developments.en>

- 5.2 The financial contribution will be in addition to the normal planning application fee and will be exclusive of the Council's legal costs involved in association with drafting and advising upon the S106 Agreement.
- 6. Performance Standards**
- 6.1 **The Developer agrees** to use its reasonable endeavours to achieve the following performance standards at all times:
- a. To provide to LBC at least 5 working days prior to any meeting all substantive and relevant documents which are relevant to that meeting and which relate to any relevant action points or agenda item identified.
 - b. To provide LBC with such additional information as may be requested within 10 working days of such written request from LBC (or such other time period as may be agreed).
 - c. To carry out such further public consultation as may be reasonably requested by LBC as soon as reasonably practicable.
 - d. To make all reasonable endeavours to work jointly with the LPA and to respond to requests for further information, points of clarification, or presentational material to assist with the understanding of the proposals and their communication to Members and/or the public at meetings or briefing sessions as might be appropriate.
 - e. To work with the LPA to ensure adherence to the PPA Diary and Procedural Arrangements.
- 6.2 **The Local Planning Authority agrees** to use its reasonable endeavours to achieve the following performance standards at all times:
- a. Respond substantively to all emails, letters and telephone calls within 5 working days of receipt. Where circumstances beyond the reasonable control of the Council prevent compliance, the Developer shall be notified of such circumstances.
 - b. To provide the Developer within 5 working days of any other meeting, the action points arising from that meeting.
 - c. To issue the planning decision no later than 3 weeks following any resolution made by the Development Control Committee (on the proviso that the application is considered by the Development Control Committee).
 - d. To provide the Developer with an advance copy of draft conditions to review and comment upon prior to finalising the report to committee (on the proviso that the application is considered by the Development Control Committee).
 - e. To work with the Developer to ensure adherence to the PPA Diary and Procedural Arrangements.

Agreed on behalf of the London Borough of Camden



Date 17th February 2016

Agreed on behalf of Triangle



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Date February 2016

