

WYCOMBE DISTRICT COUNCIL PLANNING PERFORMANCE AGREEMENT

1. The Agreement

This agreement is made between

- Wycombe District Council (Local Planning Authority), Queen Alexandra Road, High Wycombe, HP11 2BB

And

- Berkeley Strategic (Developer), Berkeley House, 19 Portsmouth Road, Cobham, Surrey, KT11 1JG

For the service of agreeing a development brief including a framework masterplan for adoption by WDC

In relation to

- Abbey Barn South as shown in red on the plan attached to this agreement

For the delivery of a high quality residential development including appropriate new and improved infrastructure and the possibility of some mixed uses.

The development brief shall set out:

- 1) the key opportunities and constraints affecting the site;
- 2) the key issues within and surrounding the site and how they are to be resolved;
- 3) the objectives for the development of the site; and
- 4) a framework master plan for the development of the site.

2. The project

2.1. Vision and development objectives

The agreed vision and development objectives are:

Vision

- The creation of a new community which is socially, economically and environmentally sustainable and which enables new and existing residents to enjoy a high quality of life.

Objectives

- The creation of a development that is sensitive to and responds positively to local landscape constraints and opportunities.
- A development that protects biodiversity and seeks to enhance the quality of the natural environment.
- High quality place making.
- Creation of a place that encourages people to lead healthier lifestyles and promotes social sustainability.
- Provision of a mix of house types and tenures to meet local housing needs.
- The retention of the woodland ride as an integrated and active area of open space.
- Provision of bus services through the site providing improved access to public transport.
- Provision of direct and convenient pedestrian and cycle access to local facilities and services.
- Identification of the on and off-site infrastructure required to support the development and viable and deliverable ways to secure its delivery.

The main development plan policies that apply to the site will be provided by the LPA after the first project team meeting.

The main drivers and constraints that are a priority to the Developer are as follows:

1. That the Development Brief is reported to Cabinet for adoption in September 2015, or as soon as possible thereafter, so as not to delay the preparation and submission of a subsequent planning application.
2. That the Development Brief enables the development of Abbey Barn South to be delivered independently of any other reserve development site, or other land, so as not to fetter the timing or viability of the development.

3. That the Development Brief identifies how the off-site infrastructure that is required to mitigate the impact of the development of Abbey Barn South will be funded through s106 financial contributions and / or CIL.

Note: Whilst the Developer's timetable is not constrained by any fixed external factors the Council acknowledges that the timely completion of this work is a mutual priority.

2.2 Key Issues

The issues listed below represent the main risks to the development:

1. Agreement of the quantum of development achievable on the site.
2. Identification of deliverable and viable off site highway improvements.
3. Agreement as to the mix and tenure of affordable housing provision.
4. Agreement as to the most appropriate mechanism for the collection of developer contributions and the delivery of infrastructure (s106 / CIL, including modification of the CIL Reg 123 list).
5. Agreement of the treatment and function of the woodland ride so as to enable its function as an open space to be an integrated part of the development.
6. The strategy for the provision of additional primary education capacity to serve the development.
7. The delivery of effective transport measures that mitigate the impact of the Abbey Barn South development and where appropriate address the existing constraints in the local area
8. Provision of formal open space and playing pitches on / off site.
9. Establish if there is a need for the provision of additional employment development and, if there is a need, whether Abbey Barn South is an appropriate location for employment development.
10. The dependency of the preparation of the development brief and framework masterplan on the High Wycombe wide transport study being undertaken by Jacobs on behalf of WDC and BCC, and the related infrastructure study.

These issues will be kept under review during the lifetime of the project.

2.3 Councillor and Community Engagement

The strategic nature of the site and the need for the preparation of a site-specific development brief (see scope below) means that there is a need for engagement with the local community through a Local Liaison Group. This will provide the forum for discussion of issues relating to both the Development Brief and a subsequent planning application, including at the pre-application stage. This group is chaired by a representative appointed by the LPA (currently Cllr Hugh McCarthy). It comprises

representatives of the local area, Ward members, and other relevant stakeholders. The Developer will be invited to attend for most items.

The LPA will establish a site-specific page on the Planning pages of the LPA's website on which all material related to the process will be posted.

To co-ordinate the infrastructure requirements across the town in the light of four sites coming forward, a further Infrastructure Roundtable has been set up.

As part of the preparation of the Development Brief, the LPA and the Developer will hold a public exhibition of the draft Development Brief and invite comments on the draft Development Brief during a prescribed period.

The Developer may also want to have a site-specific website. A link should be provided to the LPA's website, and likewise the LPA site should provide a link to the developer's site.

Whilst neither party can impose its view on the content of the other party's website, in the spirit of cooperation, the co-ordination and sharing of information is to be encouraged.

There is an opportunity to present ideas to the members of Wycombe District Council (Member Presentation). The Council has a bookable 45 minute meeting before each planning committee for such member presentations. An appropriate slot should be included in the timetable for the project.

3. The Service

3.1 Scope

This PPA covers the preparation of a site specific Development Brief and framework masterplan, to be adopted by the LPA. It is anticipated that a further PPA will be entered into towards the end of 2015 for the pre-application and application stages of the project, with a provisional fee of £39k.

The development brief will be prepared by the Developer in partnership with the LPA. The key roles and responsibilities in the preparation of the Development Brief are as follows:

- The Developer will participate as a stakeholder in the issues public consultation undertaken by the LPA.
- The Developer will prepare a scope and timetable for the preparation of the Development Brief, which will be agreed between the LPA and the Developer. The agreed timetable is attached to this agreement.
- Before the Developer prepares an initial draft of the Brief, the Developer and the LPA will hold discussions to establish a shared understanding of the issues to be resolved, including those identified during the issues public consultation, and potential solutions to those issues and the extent to which they would seem to be acceptable or likely to raise concerns.
- The Developer will prepare and submit the work in progress on a regular basis for review and comment by the LPA, prior to assembling a full draft for final review.
- A Consultation Draft Development Brief will be prepared by the Developer for public consultation.
- The Developer will instruct the technical work required to inform the Development Brief, sharing the brief(s) to commission the technical work with the LPA in advance to ensure that all matters that are required are covered.
- Regular meetings will be held between the LPA, Developer and technical stakeholders as necessary.
- The Developer will participate in the Abbey Barn South Liaison Group and the Infrastructure Roundtable when invited.
- The LPA will lead liaison with members, stakeholders and the community in relation to the Development Brief.
- The LPA and the Developer will hold public consultation on the Development Brief.
- The Developer will provide administrative support for the processing of public comments on the Development Brief.
- The LPA will review the responses to the consultation and agree with the Developer the changes to the Development Brief that are required to respond positively to the consultation while maintaining a viable and deliverable development proposal. In the event that the Developer does not agree the changes, the LPA will require certain changes to be made if the LPA deems that they are required for the 'proper planning of the area' and to allow the Brief to be adopted by the LPA.
- The Developer will prepare a final clean and tracked change version of the Development Brief for review by the LPA and subsequent adoption by the LPA.
- Both parties will retain the right to reproduce and distribute the Brief in whatever format.

3.2 Project Team and Roles and Responsibilities

The Project Team will deliver the project. It will be chaired by the LPA Lead Officer. It will meet regularly.

Project Champions – these will not usually attend the project team meetings. They have responsibility for maintaining a focus on the 'end game', and helping to unlock issues and problems as they arise.

- The Project Champion for the LPA has the additional responsibility of ensuring that relevant Councillors and Partners are kept abreast of the project as necessary.
- The Project Champion for the Developer – if not the client – has similar responsibility in relation to the client.

Lead Officer – the person with day-to-day responsibility for the project, leading the project (either for the LPA or the Developer), and seen as the owner of the project by their team. The Lead Officer for the LPA will normally chair Project Team meetings.

Technical officers and advisors – there will be a range of people to give advice on different aspects of the scheme. These form part of the Project Team, but may not attend every project meeting.

Any updates to the table below are to be advised as and when.

WDC	Who	Job title	Phone	Email
Project Champion	Penelope Tollitt	Head of Planning and Sustainability or Major Team Leader	01494 421519	penelope_tollitt@wycombe.gov.uk
Lead Officer	Richard White	Principal Planning officer	01494 421509	richard_white@wycombe.gov.uk
Deputy Officer	Sarah Nicholson	Principal Planning Officer	01494 421514	sarah_nicholson@wycombe.gov.uk
Landscape	Chris Kennett	Natural Environment Officer	01494 421028	chris_kennett@wycombe.gov.uk
Ecology and Trees	Phil Simpkin	Natural Environment Officer	01494 421829	phil_simpkin@wycombe.gov.uk
Transport	Christine Urry	Team Leader, Bucks County Council		curry@buckscc.gov.uk
Urban Design	Sarah Oborn	Urban Designer	421817	sarah_oborn@wycombe.gov.uk

Public Relations	Sue Robinson	Communications Officer	421557	sue_robinson@wycombe.gov.uk
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Developer	Who	Consultancy / Job title	Phone	Email
Project Champion	Adrian Brown	Chairman, Berkeley	01932 584598	adrian.brown@berkeleygroup.co.uk
Lead Officer	Jon Lambert	Planning Director, Berkeley	01932 584598	jonathan.lambert@berkeleygroup.co.uk
Planning	Steven Sensecall	Partner, Kemp & Kemp	01865 240001	ssensecall@kempandkemp.co.uk
Transport	Howard Gell	Managing Director, Glanville	01442 835999	hgell@glanvillegroup.com
Ecology	Hankinson Duckett Associates	Adrian Meurer	01491 838175	AM@hda-enviro.co.uk
Landscape	Hankinson Duckett Associates	Brian Duckett	01491 838175	BJD@hda-enviro.co.uk
Urban Design	John Thompson & Partners	Graeme Phillips	020 70171780	gp@jtp.co.uk

3.3 Service Standards

Project team meetings

- Parties to meet at the frequency set out on the attached project plan (unless otherwise agreed in writing)
- Agendas for meetings and any plans/documents that are to be tabled for discussion shall be provided by the Developer to the LPA Lead Officer no less than 5 days prior to the meeting, unless otherwise agreed at a previous meeting.
- Lead Officer to provide an up to date programme and status of tasks for review at the meetings.
- Lead Officer to periodically present the issues list (see section 2 above), for review.
- Notes will be taken by either Lead Officer (to be agreed at the meeting) and will be issued within 3 days of the meeting. The other party will respond within 3 days of receiving the notes.
- LPA to give written advice (in addition to the minutes) following meetings where they deem it necessary, or where requested by the Developer.

- Deputy Officer is to be available in the event that the Lead Officer is not available.

Correspondence

- 5 days to respond to letters
- 2 days to respond to emails
- 1 day to respond to phone calls

3.4 Project programme and Timetable

The chart attached sets out the programme.

The key milestones that are agreed are:

	Milestones	Date	Responsible person
1	Issues Report published	Done	Lead Officer LPA
2	Project inception meeting	15 th April 2015	Lead Officer LPA / Lead Officer Developer
3	First Draft Skeleton Development Brief issued by Developer to LPA for review	w/c 18 th May 2015	Lead Officer Developer
4	Comments on First Draft Development Brief provided by LPA to Developer at Project Team meeting	Week commencing 25 th May 2015	Lead Officer LPA
5	Second Draft Emerging Development Brief issued by Developer to LPA for review	w/c 1 st June 2015	Lead Officer Developer
6	Comments on Second Draft Development Brief provided by LPA to Developer at Project Team meeting	Week commencing 8 th June	Lead Officer LPA
7	Consultation Draft Development Brief issued for WDC review	w/c 22 nd June 2015	Lead Officer Developer
8	Comments on Consultation Draft Development Brief	w/c 29 th June 2015	Lead Officer LPA

	provided by LPA to Developer at Project Team meeting		
9	Public Exhibition (end of consultation plus one week from end of exhibition)	week commencing 6 th or 13 th July	Lead Officer LPA & Lead Officer Developer
10	Amended Draft Development Brief issued by Developer to LPA for review	w/c 17 th August 2015	Lead Officer Developer
11	Presentation to planning committee	26 th August 2015	tbc
12	Comments on Amended Draft Development Brief provided by LPA to Developer at Project Team meeting	Week commencing 24 th August 2015	Lead Officer LPA
13	Final Development Brief issued by Developer to LPA	w/c 1 st September 2015	Lead Officer Developer
14	Final Development Brief reported to Cabinet for adoption	At the next available Cabinet meeting	Lead Officer LPA

3.5 Fees and charges

The Developer will pay in advance by instalments as set out in the table below, based on project milestones. On the date of payment, WDC will invoice the applicant. The payment should be made within 28 days to the address on the invoice. Failure to pay an instalment will result in the PPA being terminated.

Fee to be paid (excluding VAT)	Date of payment	Basis of fee
[REDACTED]	1 st May 2015	First Project Team Meeting
[REDACTED]	29 th June 2015	Agreement of Draft Development Brief for consultation
[REDACTED]	4 th September 2015	Submission of the final Development Brief by the Developer to the LPA.

- In the event that specialist advice is required from consultants or specialists, the LPA will agree with the Developer for the appointment to be made and funded by the Developer.

Signed

The parties are committed to the principle of collaborative working, and, unless otherwise agreed between them, to the content of this PPA.

Signed... [REDACTED]Dated... 14 05 15

Penelope Tollitt, Head of Planning and Sustainability, Wycombe District Council

And

Signed... [REDACTED]Dated... 11/05/15

Jon Lambert, Planning Director, Berkeley Strategic