

# LONDON BOROUGH OF HAVERING

## Customer Advice Note

### Development Team Service

January 2019

1. The Development Team Service (DTS) is intended to speed up the planning application process for complex cases and provide developers with a greater level of certainty following the submission of a planning application. It moves the emphasis of the planning process away from arbitrary deadlines, towards a structured timetable and negotiated solutions that are agreed by both parties. The key is early engagement – we want to meet you when you are at RIBA Work Stage 0.

#### Prior discussions

2. For strategic sites or very large proposals, it is recognised that applicants might wish to engage in “high level” discussions with key senior Council officers prior to formal engagement with the DTS. It is considered appropriate that such a meeting (which will be limited to London Mayoral referral cases) should be offered free of charge.
3. These meetings will not deal with the planning merits of the proposed development (which is the purpose of the formal pre-application process) but will provide a useful information exchange opportunity between developers promoting key regenerative projects and the Council at a more corporate level. This is to ensure the Council is able to understand and engage with developers at the earliest stage of scheme development and to help ensure that development aspirations are suitably aligned between the public and private sector and helps focus specific corporate priorities. It may also assist in the identification of public sector funding streams or help facilitate joint working on a range of regeneration initiatives.

#### The DTS process

4. The DTS process will usually involve a number of meetings, project managed by a nominated senior planning officer. It will involve in-depth research, consultation with statutory and non-statutory bodies and comprehensive advice put together by officers from different departments. It will also involve councillor engagement via presentations to our Strategic Planning Committee and independent review of the scheme through Havering’s Quality Review Panel. Finally, there is an expectation that there will be active and meaningful community engagement, to be organised and facilitated by the developer’s team.
5. The process will be governed by two documents, which are explained below under “How does it work?”. They are:
  - A Planning Statement and Project Plan
  - A Planning Performance Agreement
6. The process is structured into five key stages. These are summarised in the table below, together with what is expected from the Council and the Developer at each stage.

#### Stage 1: Initiation and agreeing a project plan

What we expect from the developer	What happens	What is the expected outcome
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OS map of the site Description of development	Meeting with more senior officers to look at strategic issues  Consider and agree strategic issues and the process needed to address them	Planning Statement Project Plan Planning Performance Agreement EIA Screening Opinion (if required)
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### Stage 2: Addressing the issues

What we expect from the developer	What happens	What is the expected outcome
Draft Design & Access Statement including an urban design analysis  Draft concept scheme, potentially including options	Establish urban design principles in one or more design workshops.  Understand the site, it's surroundings and the nature of the development and how it can be accommodated  Discuss consultation methodology & identify relevant consultees	Design & Access Statement Concept scheme, potentially including options EIA Scoping Opinion (if required) Confirmation of required technical studies Consultation Strategy Quality Review Panel Presentation and Report Presentation to Strategic Planning Committee GLA Pre-app

### Stage 3: Community engagement

What we expect from the developer	What happens	What is the expected outcome
Illustrative material of proposed scheme, potentially including options	Meaningful engagement with the community affected  An explicit feedback session	Draft statement of community involvement  Amendments to concept scheme

### Stage 4: Application preparation

What we expect from the developer	What happens	What is the expected outcome
Draft planning application  Draft EIA and other supporting documents  Draft heads of terms of S106 legal agreement	One or more workshops to understand the details of the development, its impacts on immediate neighbours and the surrounding area generally	Quality Review Panel Presentation and Report Presentation to Strategic Planning Committee Agreed S106 heads of terms Completed planning application



### Stage 5: Closedown and finalising the application

What we expect from the developer	What happens	What is the expected outcome
Final amendments to planning application	Address any final comments from members	A valid planning application ready for submission
Final EIA and other supporting documents	Finalise the application & S106 legal agreement	A well-designed scheme that benefits from a fronted loaded process
Final amendments to heads of terms of S106 legal agreement		

7. For less complex schemes, these stages will be less distinct and probably combined. Flexibility is key, and the process can be tailored to meet the needs of each development proposal.
8. These stages do not represent the whole of the service; in between we will continue to communicate with you by phone, email or letter.
9. Depending on the complexity and scale of the proposal, the DTS team may comprise Council officers with expertise in Building Control, Urban Design, Planning Policy, Regeneration, Heritage, Housing, Highways, Education, Environmental Health, Flooding/Drainage and Legal. The process may also involve engagement with other agencies, including the GLA, Transport for London, Historic England and the Environment Agency.
10. Feedback will be provided throughout the process which will take a number of different forms: the Planning Statement, meeting notes of key issues and agreed actions, Havering Quality Review Panel (QRP) Reports and formal pre-application reports to Strategic Planning Committee. At the end of the process, you will have a final committee report and meeting key issues/actions that set out the advice of the Planning Service (and any comments made by the Strategic Planning Committee) which will carry weight when any planning application, based on that advice, is submitted to the Council.

## How does it work?

### Stage 1: Initiation and agreeing a project plan

11. During this stage your scheme will move from RIBA Work Stage 0 (Strategic Definition) to RIBA Work Stage 1 (Preparation and Brief).
12. The Initiation Meeting will be facilitated to discuss the key constraints and opportunities of the site and ensure that the nature of the development can be supported in principle by strategic policy at national, regional and local level. This enables us to advise you if your proposal is likely to fail in principle, thus allowing you to avoid unnecessary cost.
13. If your proposals can be supported by the development plan, we will prepare a Planning Statement covering the main constraints and opportunities relating to the site and the key strategic policy and urban design issues raised by the scheme. We will also agree a Project Plan, with deadlines and a set of commitments on both sides, so that you can be informed of the likely issues to be addressed and number of meetings. We will also identify relevant consultees and discuss with you the methodology and process for carrying out effective consultation.
14. If we consider that your proposal cannot be supported by the development plan, you can continue with the process on the basis that it will be to address the other issues that the development raises.



15. The Planning Statement and Project Plan will form the basis of a Planning Performance Agreement (PPA) to enable the project management of the pre-application process. A PPA is an agreement between the Council and the applicant that sets a realistic timescale for processing and determining the pre-application submission and fee arrangements. It will utilise project management techniques to manage and formalise terms of engagement between the parties. Central Government advice encourages the use of PPAs as best practice.
16. A PPA operated at pre-application stage can be transferred to the subsequent planning application and post decision stages, such as clearing conditions or dealing with amendments.
17. Critical to any major housing development is the optimisation of on-site affordable housing delivery, whilst seeking a policy compliant split between intermediate and affordable rented accommodation. There is an expectation that affordable housing strategies will be discussed at this Initiation Meeting, as the planned internal arrangements of any building (irrespective of its scale, form and density) will often have an important bearing on the delivery of a policy compliant mix of affordable rent and intermediate housing tenures alongside private sale and/or private rent. This conversation will influence the evolution of scheme design.
18. It is also critical that scheme viability is considered at an early stage, as this can also influence scheme design evolution. Early consideration enables the project team (the applicant as well as the local planning authority) to robustly appraise affordable housing delivery options and to properly consider the extent to which scheme viability can constrain the ability of schemes to comply with other planning policies.

### Stage 2: Addressing the issues

19. During this stage your scheme will move from RIBA Work Stage 1 (Preparation and Brief) to RIBA Work Stage 2 (Concept Design).
20. Our advice will concentrate on ensuring that your proposal addresses established urban design principles. This includes appreciating the context, creating an urban structure, making the connections, detailing the place and understanding the planning policy requirements of the development (viewed alongside viability considerations). It is at this stage that the Design and Access Statement that will accompany any planning application should be developed.
21. We will also give advice on whether the strategic policy issues have been addressed, including compliance with land-use policies, affordable housing policies as well as environmental and transportation impacts and drill down into more detailed local policy and planning issues. Dependant on how far advanced your scheme is, we will begin to identify the relevant consultees and if appropriate, initiate an informal consultation process.
22. This stage will enable you to complete the Design and Access Statement and produce a concept scheme, potentially including options where appropriate.
23. At this stage it would be appropriate to have an independent review of the initial design concepts/principles through Havering's Quality Review Panel (QRP). This is at an additional cost. The QRP, recommended to be a two stage process at early and late stages of the pre-application process, is considered to be an important material consideration in the consideration of proposals.
24. This stage will finish with an applicant's presentation of the concept scheme(s) and options to the Council's Strategic Planning Committee. This should provide clarity around land use as well as design development and should clearly explain the form, quantum and extent of affordable housing delivery (linked to a general understanding of scheme viability and any associated constraints). Advice on how you should prepare for this meeting is available at Appendix A. Officers are keen to review your presentation prior to the committee and provide any pointers and advise accordingly.
25. It should be remembered that in-principle policy objections cannot be discussed at Strategic Planning Committee because of the probity rules around pre-determination. Whilst attention will inevitably be drawn to such issues in the presentation, the committee members will be advised by officers that they cannot discuss them.



### Stage 3: Community engagement

26. During this stage your scheme will move from RIBA Work Stage 2 (Concept Design) to RIBA Work Stage 3 (Developed Design)
27. For this stage you will need to provide illustrative material of your proposed scheme, preferably including options. However, it is important that the style of this material gives the correct impression. The scheme is still at an early stage and the material is effectively a series of sketches. Modern CAD, BIM and illustration software, allows designers to convert these sketches into illustrations that look very realistic. To the non-professional this can convey the wrong impression: that the scheme is more developed than it really is and therefore is a “done deal”. Please remember this when designing and producing your illustrative material.
28. This stage is an engagement not a promotion exercise. Approach it with an open mind and take on board what the community has to say about your proposals. It is their neighbourhood, which most of them will know very well. They are a valuable resource that can provide unique insights into the location that you are looking to develop. When approached in this way, most developers and their design team find it a highly valuable exercise that produces good design inputs.
29. There are a wide range of techniques that can be used to enable effective community engagement. We will be happy to advise and discuss these options with you and to provide contact details of local community representatives, including local ward members. What we will encourage is, at the end of the community engagement process, that you facilitate an explicit feedback session where you set out to the community the main comments you have received from them and how you have addressed these issues, or otherwise, in your scheme.
30. When you report to Strategic Planning Committee at the next stage we will expect you to report on the results of this engagement process: to set out what the community said about your scheme and how you have responded. This will enable you to prepare a public consultation document and consider amendments to the concept scheme.

### Stage 4: Application preparation

31. During this stage you will to finalise RIBA Work Stage 3 (Developed Design).
32. After the community engagement exercise, we will work with you to develop your scheme in detail to ensure that it addresses the detailed policies in the development plan and represents good quality design and best practise. The scheme’s impact may need to be examined via an Impact Statement or may be the subject of a full Environmental Impact Assessment.
33. The type of information that may be required in any subsequent application is set out in the Council’s published list of local requirements for planning applications. It is a function of the DTS to advise you during the pre-application stage of what information is needed to accompany your scheme in any subsequent planning application.
34. A second QRP presentation should take place for final feedback in regard to the quality of the design. You will have a further opportunity to present your scheme to Strategic Planning Committee to ensure that they are fully aware of the impending planning application, to allow you to report on the outcome of your community engagement process, the QRP process, to provide further clarity around affordable housing delivery (including quantum, mix and tenure splits), to further determine the extent to which the scheme has been amended or further developed to reflect previous comments made by the committee and to give them a further opportunity to engage in the process. Again, in-principle policy objections will not be discussed at the committee meeting.

### Stage 5: Closedown and finalising the application

35. The Planning Statement and officer’s Committee Report(s) will be a material planning consideration in the determination of the subsequent planning application. We will also provide notes of key issues and agreed actions from meetings held throughout the process so that you are clear about the advice given.



36. We will make sure that your proposal is ready for submission by checking that it is complete, so that the application can be validated on receipt. We are happy to review a “dummy” planning application (prior to formal submission) to ensure that the various issues and considerations have been thoroughly assessed and considered in accordance with previous conversations. We will also ensure that the heads of terms of any s106 Agreement are acceptable in principle and will provide general advice as regards the likely CIL liability. We will also finalise the PPA to properly timetable the post-application submission process. We will continue to liaise on viability considerations to ensure that the planning submission fully embraces a robust scheme viability process and fully justifies the approach adopted.

### The involvement of consultees

37. It is important to recognise that statutory consultees, such as Historic England and the Environment Agency, do not have a duty to respond to pre-application consultation requests within a given deadline, prior to the submission of a planning application. However, every effort should be made to involve them early on in the process to ensure that they have the correct information necessary for them to provide a timely and meaningful response. Applicants will need to recognise that these statutory consultees may also charge for their services as part of their own pre-application process. We are happy to facilitate joint meetings.

### Involving the local community

38. We will expect you to engage meaningfully with the local community on your pre-application submission. It is important to include local communities early in the process and this is strongly supported by the National Planning Policy Framework. In our experience, objections can often be based on a lack of information or a fear of the unknown; this process should help to reduce such risks. The DTS is designed to offer guidance on how you should carry out your own consultation processes to complement those of the Council's, so that you can be satisfied that your responses are robust, including “hard to reach” communities.

### The role of Councillors

39. Given that large-scale applications will usually be determined by Strategic Planning Committee, it is desirable that Councillors and other key elected representatives are introduced to proposals early in the process so that they understand them and can contribute to the design and engagement process. The DTS is designed to facilitate scheme presentation by the applicant to the Strategic Planning Committee, followed by a Q&A session with the committee members. Generally, this will be done once the initial plans have been discussed and evolved, prior to engagement with the local community, and a further presentation after engagement and subsequent scheme amendments, prior to application submission. This process is designed to enable councillors to comment upon aspects of a scheme (eg design, highway impact etc) without holding or expressing a view on the acceptability of the scheme as a whole, thus complying with probity requirements.
40. Due to probity issues, the views of the Strategic Planning Committee on the acceptability or otherwise of a scheme as a whole cannot be solicited and officers will always advise Members of the need to remain impartial. For this reason, in-principle policy objections cannot be discussed at pre-application presentations. Whilst attention can be drawn to such issues in any presentation, the committee will be advised by officers that they cannot discuss them.
41. You should not lobby Members of the Strategic Planning Committee nor seek to meet councillors outside of the framework of this pre-application advice service, as this may be perceived by the public to be prejudicing Members' impartiality.
42. Details of our Councillors (as well as who are members of the Strategic Planning Committee) can be found on our [website](#).



## What are the outcomes?

43. The two key outcomes of this process should be a well-designed planning application and the final committee report, which will be a material consideration in the determination of any subsequent application. However, there are some additional benefits which include:
- Early identification of any “show-stopping” issues
  - Avoiding incomplete applications
  - Earlier decisions on applications
  - Higher level of certainty
  - Cost savings
  - Reduced confrontation
44. The main benefit is that by providing the necessary time within a generally co-operative framework, the development stands a better chance of meeting policy objectives and the expectations of the local community. Room is also created for the architect to respond to his/her brief within a sound urban design and planning policy context and to develop the scheme to strengthen its relationship to that context and create places of lasting quality.

## How much does it cost?

45. Fees have been set at a level that reflects the cost of providing the DTS service, including the commitment to formally engage with elected representatives. Our aim is that you will receive an efficient, professional and tangible return for your investment. As with other pre- and post-application services provided by the Council, the DTS fees are set out on our [website](#).
46. The number of meetings allocated is set out in the fee schedule. Whether any additional meetings or other work is required (at additional cost) will be agreed at the Initiation Meeting and included in the DTS PPA (linked to a Project Plan). The DTS Project Plan will look at ways in which issues might be considered in meetings. Timescales for providing written advice post-meetings will be agreed as part of the Project Plan.
47. Planning officers engage in pre-application processes alongside other work duties. As such, applicants need to appreciate that the priority afforded to pre-application engagement will be aligned and managed alongside the officer's other work commitments. However, we can provide a Dedicated Planning Officer Service, for schemes where the applicant wants a greater level of priority to be given to their scheme. This can be discussed further at the initiation meeting.
48. As with other pre-application payment arrangements, the DTS process requires up-front fee payment arrangements. With the DTS service, the Council will require prior payment of a fee covering the Initiation Meeting.
49. Following this Initiation Meeting and the preparation of a PPA and Project Plan, the Council will require payment of 50% of the fees upfront. No further meetings following the mid-point of the pre-application process (as determined by the Project Plan) will take place until such time as the outstanding fees specified in the PPA have been paid.



# LONDON BOROUGH OF HAVERING

## Strategic Planning Committee

### Presentation Advice Note

1. The reason for facilitating presentations of development proposals to the Council's Strategic Planning Committee in the pre-application stage is to get members' input into the design process. Your presentation should concentrate on this.
2. This note is designed to inform you about the procedures that are involved and to assist you in preparing the presentation of your scheme.

### The pre-application process and committee

3. The pre-application process in The London Borough of Havering is split into three main stages:
  - Stage 1 - Urban design stage where a draft scheme is prepared
  - Stage 2 - Public engagement stage where the views of the local community are sought
  - Stage 3 - Preparing the detailed application stage where the scheme is finalised
4. Member engagement typically occurs twice – firstly, at the end of stage 1, prior to public engagement taking place, and, secondly, close to the end of stage 3, when a scheme is being finalised and is nearly ready to be submitted as a planning application. For bigger schemes there may be more presentations and in some cases a single presentation may be all that's necessary. The process is very scalable to suit circumstances.
5. The first presentation to members would be of a draft scheme. Your presentation should concentrate on the main urban design and strategic planning policy issues:
  - Appreciating the context and the surrounding area
  - Creating an urban structure within the development
  - Making the connections with surrounding streets and other routes and destinations
  - Starting to consider how the place will be detailed
  - Presenting a series of options that members of the committee could usefully comment upon
  - Understanding the “show-stopping” planning policy requirements
6. The second presentation to members would follow community engagement and be at a point where a detailed application is almost finalised. This should concentrate on:
  - Explaining what the local community said about the scheme and how you have responded



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- Explaining the evolution of the proposal, including comments made by members at the first presentation
  - Explaining how your detailed scheme meets planning policy
  - Demonstrating how your detailed scheme is well designed
  - Identifying any impacts your development might have and how they will be mitigated
  - Explaining the s106 heads of terms on offer
7. This approach enables members to delve into increasing layers of detail so that they are able to understand the scheme and express their views on the elements raised as it progresses through the process.

## Putting together your presentation

8. Members will therefore be particularly interested in three things:
- Whether your proposal delivers the planning policies that the Council has published
  - Whether your scheme is well designed and responds positively to its context
  - What impact your development will have on the area generally and neighbouring properties in particular
9. Whilst the reasons behind the development may be important, you should not spend too much of your time setting the context. Make sure that you properly cover the above issues.
10. It is tempting to see the presentation as an opportunity to get member support for your scheme. That is not what the facility is for. In fact, if a member comes out in clear support (or in opposition) to a scheme then they will not be able to take any further part in its consideration as it continues through the committee process. Members have to keep an open mind on planning matters and can only finalise their position on the scheme at the committee when a decision is made after they have heard all the arguments and had the professional advice of their officers.
11. This is not to say that members of the Strategic Planning Committee cannot express any views or opinions. Indeed, councillors are expected to be predisposed to good design, a safe highway network, the delivery of their affordable housing strategy etc, and are able to express their views on those type of issues, provided they do not go as far as expressing a view on the acceptability of the scheme as a whole. In this way they can input into the pre-application process whilst complying with probity requirements.
12. In these pre-application meetings members are there to challenge the scheme but not to pass judgement on it. Particularly at the first member presentation, it would be appropriate to present a number of possible options or scenarios for the development so that members can comment on each of these – this should help inform how the scheme progresses at the pre-application stage.

## What to do in advance

13. Ensure that the case officer has your presentation and is aware of any other arrangements that we need to make (see Facilities available below). A 1-2 page pdf summarising the scheme can be provided to the case officer for

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distribution to Members – it is recommended that this is provided to the case officer at least 3 working days before the committee meeting.

## What to do on the night of committee

14. Arrive at 6.45pm (15 minutes before start of meeting) and inform the committee clerk that you are there. He/she will direct you to your seat.

## Facilities available

15. A PC is used to project presentations onto a large screen. Your presentation should be electronic and either in Microsoft PowerPoint or PDF format.
16. If your presentation contains any movie files, please inform us in advance so that we can test whether the PC will accept the file.
17. We can facilitate the display of a model, but please inform us in advance so that we can make the necessary arrangements.
18. You are able to distribute material to members on the night (such as a print out of your presentation or a plan pack) but we suggest that you bear in mind that members need to concentrate on your presentation and too much additional information can be distracting. Please ensure that you inform us in advance of your intention to supply such material. You will need to provide the printed material on the night to us for distribution.

## Procedures at committee

19. You will sit in the Council Chamber and when your turn comes to present you will be directed to the area to present from. You are limited to a 15-minute presentation. A laser pointer is available.
20. When your presentation is completed members will, through the chair, ask questions. This will usually be limited to 30 minutes.
21. A note of the main points raised will be recorded by the planning officer and this will form the minutes of the meeting. The issues raised at the meeting will be addressed in subsequent stages of the pre-application process.