

Customer Advice Note 1

Pre-application Advice and other Special Services

April 2023

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1 INTRODUCTION

- 1.1 This advice note explains the pre-application and other services that we offer to applicants who are intending to submit a planning application or who have obtained planning permission and require post decision advice. These services include:
- Pre-application advice as to the likelihood of receiving planning permission;
 - Pre-application advice on how to get help in designing your scheme and putting together your eventual planning application;
 - Pre-application advice to discuss a revised proposal following a refusal of planning permission;
 - The Croydon Design Review Panel – an independent, expert design and place advisory service;
 - For large applications, a dedicated Planning Performance Agreement (PPA) service;
 - Post-decision services, such as advice on discharging or varying planning conditions and variations to Legal Agreements.
- 1.2 In order for the Council to provide this range of services to a consistently high standard, we have to recover the costs of those services directly. We will only be able to provide the service once an up-front payment has been received in accordance with the pre-application fee schedules (see Appendices A and B).

2 WHAT IS DEVELOPMENT MANAGEMENT?

- 2.1 The emphasis of Development Management is a collaborative and engaging process, designed to solve problems associated with proposed development and to achieve positive and sustainable development outcomes for all those engaging in the development process. It is designed to be a transparent approach to decision making, involving elected representatives, developers and the local community early in the process, before a formal decision by the Council (either determined by officers under delegated powers or by the Planning Committee). This is to help developers appreciate the wider community benefits that their developments can achieve, whilst positively promoting sustainable growth, enhancing the quality of the built environment & placemaking, and increasing certainty around planning decisions.

3 THE SERVICES WE OFFER

- 3.1 Below is a brief summary of the different services that we offer. More details are contained later in the document.

Pre Application Advice Services

- 3.2 The National Planning Policy Framework (NPPF) actively encourages pre-application engagement. It advises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application process for all parties and goes on to say that the more issues that can be resolved at pre-application stage, the greater the benefits. Finally, the NPPF advises that pre-application engagement assists local planning authorities in issuing timely decisions helping to ensure that applicants do not experience unnecessary delays.
- 3.3 We welcome and encourage discussion before you submit your planning application. Applicants or agents often request advice on whether a particular proposal is likely to be successful. This is a valuable process because it can identify improvements needed to a

scheme before it is submitted to us and can deter applications with little or no prospect of success. Whilst the outcome of a planning application cannot be guaranteed, an application is more likely to succeed if it is well prepared and supported by relevant development plan policies and proposals. This should also ensure a speedier delivery of decisions, time and cost savings and higher quality developments.

- 3.4 The Council will be seeking to determine the application within statutory time periods which, in the majority of situations, will not provide sufficient time to negotiate necessary amendments. This provides further justification to engage in pre application processes, to seek to resolve matters prior to planning application submission.
- 3.5 The Council was recognised by the Farrell Review 2013 as a fine example of proactive town planning and place-making – fully embracing pre application engagement at all levels.
- 3.6 In all cases, officers will offer advice, based upon their own professional judgement. However, this will not commit the Council to a particular decision when a formal planning application is received. Above all, our discretion to make the final decision cannot be prejudiced in any way.
- 3.7 The NPPF, Farrell Review and best practice guidance by professional built environment institutions (i.e. RIBA, RTPI, LI, CABE, PAS); all advise that local planning authorities should have local design review arrangements. They recommend that early reviews during a pre-application produce the greatest benefits; saving overall costs, negotiation times, as well as providing an important independent check to enhance the quality of development. Whilst independent reviews are important at early stages of the pre-application process, they should also be used during important post planning application stages, such as reserved matters and discharge of conditions for complex projects.

Design Review Panel

- 3.8 In addition to receiving detailed formal design advice provided by the Placemaking Team, large, complex and/or strategic schemes are strongly recommended to undergo a Design Review conducted by the Design Review Panel.
- 3.9 The Design Review Panel is comprised of independent built environment experts with a range of specialisms including architecture, urban design, landscape architecture, conservation, planning, transport, infrastructure, engineering, culture and public art. It usually meets monthly for a day to conduct Design Reviews for two or three schemes and provides independent and locally informed advice. Normally up to five panel members and one chair of the panel will sit on a panel at any one time, selected based on the relevance of their specialisms to the schemes under review. The panel will provide verbal comments to the applicant teams as part of each Design Review. In addition, all comments made as part of a Design Review will be summarised in a Chair's Report. (See Section 5 for further information on the Place Review Panel).

Planning Performance Agreement Service (PPA)

- 3.10 There are likely to be situations, particularly where major development proposals are being planned, where applicant demands may require the services of a dedicated planning officer, which might legitimately require the removal of that officer from standard day to day duties. Under these circumstances, the additional cost of providing this service will be set out in a Planning Performance Agreement (PPA). This is further expanded upon later in this document.

Specialist Pre-Application Advice Services

- 3.11 There will be situations where pre application advice will require specialist guidance – specifically when advising on alterations to listed buildings and other heritage assets (including locally listed buildings, historic gardens and scheduled monuments) as well as specific works to protected trees and landscaped features. There may be situations where such works will not require planning permission but may require consent (either under listed building or tree preservation legislation). It is considered that this fee paying service will be best provided on site, where the landscape feature or heritage asset can be properly inspected and properly recorded with associated advice offered.

Post-Decision Services

- 3.12 Although advice is generally sought at pre-application stage, it can often be useful post determination, such as when dealing with amendments to schemes, discharging or varying planning conditions or where an applicant wishes to discuss possible changes to a Legal Agreement

4 PRE APPLICATION ADVICE SERVICES

- 4.1 There are three pre-application services available, depending upon the complexity of the proposal as detailed under each service:
1. Householder and Small Scale Development Service
 2. A Meeting Service
 3. Development Team Service/Planning Performance Agreement
- 4.2 These services are all subject to fees and charges (See Appendix A). In all cases we will not be in a position to provide the service until an up-front payment(s) has been received by the Council, in accordance with the charges and protocols outlined in this Advice Note.

Householder and Small-scale Development Service

- 4.3 This service is a fee paying service that is directed towards local residents and businesses who may be wishing to extend or alter their property. It is appropriate for applications such as extensions to houses and small extensions to commercial buildings, small changes of use, new shop fronts and associated signs/advertisements.
- 4.4 The planning officer will be able to give advice as to whether planning permission is required or not, as there are certain things that you can do without the need for planning permission and/or advertisement consent. If planning permission is required, then advice can be given as to how to submit an application and the type of application required. Where possible, an informal opinion will be given as to whether permission is likely to be granted or not and what measures will need to be undertaken in order to improve the prospect of a proposal being acceptable.
- 4.5 The planning officer will be able to give advice only on the basis of the information that you provide. Therefore it is in your interest to provide sufficient information in order that the full extent of your proposals can be understood and the appropriate advice given. Please note that a site visit will not be made but you are encouraged to provide relevant photographs and other supporting information to inform the discussion when you submit your pre application request.

- 4.6 The service requires the submission of planning application material, such as plans and other supporting documents including photographs of the site and surrounding context. Your pre-application submission and the supporting material should be sufficient to fully describe your proposals and so enable us to assist you in providing guidance to help you make your planning application.
- 4.7 We will require all relevant information to be emailed to the Council (development.management@croydon.gov.uk) as it will form a record of the information discussed (possibly for future reference).
- 4.8 There is a fee for this service (see Appendix A to this document for relevant fee levels) for a 20 minute consultation, made up of an online meeting using Microsoft Teams as well as time for the officer to prepare a brief written response to be forwarded to a nominated email address within 20 working days of the meeting. The planning officer will research the relevant planning history and planning policy background and will undertake any internal consultations considered necessary. The officer will then liaise with senior staff members and prepare a reply to your query
- 4.9 Once the pre application request is received, it will be logged by the Council and allocated to an officer. The officer will then be in touch to agree a mutually agreeable time for the virtual meeting to take place. The link to access the meeting will then be sent to the email address which has been provided.

Meeting Service

- 4.10 Larger developments are important to us. They have a considerable impact on the Borough and it is important to get them right, both for the economy and for the impact that they have on the local population and the character of an area.
- 4.11 The charges for this service are dependent on the scale and form of development proposed. As with other levels of service provided, the respective range of fees is outlined in Appendix A.
- 4.12 For purposes of fee setting, “major” applications are the following development types:
- 1) the provision of dwellinghouses where:
 - a) the number of dwellinghouses to be provided is 10 or more; or
 - b) the number of dwellinghouses is not known, the development is to be carried out on a site having an area of 0.5 hectares or more.
 - 2) the provision of a building or buildings where:
 - a) the floorspace to be created by the development is 1,000 square metres or more; or
 - b) the floorspace to be created by the development is not known, the development is to be carried out on a site having an area of 1 hectare or more.
 - 3) the winning and working of minerals or the use of land for mineral-working deposits;
 - 4) waste development.
- 4.13 The Meeting Service is not suitable for the most complex, large-scale developments, but is ideal for other types of planning application. The types of applications considered most appropriate for a meeting service are as follows:
- More complex changes of use;
 - Flat conversions;
 - Works to protected trees and landscape features:

- Minor works to listed buildings and other heritage assets;
 - Housing developments (especially infill and backland housing projects – up to 25 units);
 - Commercial developments (of between 500 sq metres and 9,999 sq metres);
 - More major developments involving heritage impacts (including redevelopment within conservation areas and extensions to listed buildings);
 - Detailed discussions around planning condition discharge (especially in relation to major developments: post planning permission);
 - Detailed discussions around variations to planning conditions or in relation to minor-material amendments to planning permissions;
 - Development that is likely to have significant traffic and highway safety impacts;
 - The display of advertisement hoardings;
 - Engagement with telecommunications system operators as part of their regular telecommunications roll-out.
- 4.14 This service might also be appropriate to inform valuation inquiries, pre-auction advice and other non-application inquiries about sites and their development potential. We are generally unable to provide advice as part of an on-going site auction/marketing process, as timescales and processes do not provide sufficient time to properly prepare and consider pre-application submissions in such circumstances. However, advice prior to the publication of site auction/marketing particulars might well assist the process.
- 4.15 The Meeting Service process involves the submission of pre-planning application material, such as plans, supporting documents and photographs of the site and surrounding context. For us to provide this service, you will need to submit a completed pre-application request form (available on our website at www.croydon.gov.uk/planningandregeneration) indicating that this is the service that you require. When we receive your request and associated payment, we will screen your proposals to check that they are suitable for this level of service. For example, some pre-application submissions may be more suited to a Planning Performance Agreement Service (see below for more details).
- 4.16 A pre-application meeting service request will only be validated and processed once an up-front pre-application payment has been received.
- 4.17 Following validation, the case will be allocated to a planning officer who will consider the material. The officer will visit the site, research the planning history and carry out any internal consultations that he/she feels are necessary. A meeting will follow with the case officer, accompanied by other officers he/she deems appropriate (to help clarify specific topics including for example, heritage/design issues and possible transportation/highway considerations).
- 4.18 We will make initial contact with you within 20 working days of receipt of a valid pre application to arrange a meeting at a mutually agreed time. We will then aim to provide the written response within 20 working days of the meeting. Very occasionally, there may be circumstances where the meeting (or part of the meeting) might take place on site. Your pre-application submission will be discussed and advice offered. A letter will follow the meeting (within 20 working days) setting out the advice which will be reviewed and signed off by a senior officer of the Development Management Service.
- 4.19 Generally, the more information you can give us, the more assistance we can give you in developing your proposals and making your application. The Council retains absolute discretion as to who is involved in delivering this level service.

- 4.20 In certain situations, especially where housing development triggers an affordable housing requirement (10 or more residential units), there could well be a need to engage in early dialogue around scheme viability to ensure that affordable housing delivery is maximised and considered alongside compliance with other planning policies. The appointment of independent external advice (by the Council) will be at the applicants expense in addition to the fees set out in this document.
- 4.21 In any event, the submission of a viability appraisal to inform affordable housing delivery is a validation requirement, once the corresponding planning application has been submitted for consideration. In response, the Council will need to appoint viability consultants to provide it with independent advice on viability matters, the costs of which are expected to be met by the applicant.
- 4.22 There could well be a need for a follow up meeting, to further discuss issues arising out of the initial Council response (especially around scheme viability and affordable housing delivery) or to discuss further modifications made to the scheme. Up to 2 follow up meetings (submitted and paid for within 12 months of the initial advice letter) will be charged at 60% of the initial meeting fee (again depending on the scale of development proposed). All other follow up meetings will then be charged at the full cost. These follow up meeting will not be arranged until such time as a further payment has been received by the Council.
- 4.23 Some Meeting Service major schemes, may be recommended to undergo an independent Design Review by the Croydon Place Review Panel. (Please see Section 5 for further information.)

Planning Performance Agreement Service

- 4.24 The PPA Service is a charged for service designed for development proposals that are more complex and likely to raise a large number of issues. For more complex applications, the opportunity to obtain good quality advice that will carry weight in the decision making process is considered to be a particularly worthwhile investment.
- 4.25 The proposals that are likely to be suited to such a service are those that are larger in scale and generally referable to the London Mayor (in view of the scale and strategic significance of the proposed development). They will tend to include the following development types
- Provision of 25 or more dwellings;
 - Provision of 25 units or more over a number of sites.
 - Development of tall buildings that exceed the London Mayoral referral threshold;
 - Provision of over 10,000 sq metres of commercial space;
 - Change of use of over 10,000 sq metres of floorspace;
 - Development of a site in excess of 2.5 hectares;
 - Reserved matters pursuant to outline planning permissions relating to large scale major development.
- 4.26 Notwithstanding the above, it can sometimes be appropriate/necessary to elevate smaller scale developments to a PPA process (if complex and/or controversial planning issues, involving a variety of disciplines are required to be discussed and resolved). The service will also be appropriate for the Council's own development, especially where Planning Committee engagement is considered necessary.

- 4.27 It is highly likely that such cases will be recommended for an independent Design Review with the Croydon Design Review Panel prior to the first Planning Committee presentation. Officers will advise on the need for a Design Review depending on the scale, complexity and impact of a development proposal, and may recommend subsequent reviews for some schemes. This will be discussed and agreed upon during inception meetings and integrated into project plan at the earliest opportunity. (Please see Section 5 for further information.)

The Planning Performance Agreement (PPA) Process

- 4.28 The process will usually involve a number of meetings, project managed by the nominated planning officer and most often a Design Review conducted by Croydon's Design Review Panel (see Section 5 for further information). 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 Member engagement via presentations to our Planning Committee. Finally, there is an expectation that there will be active and meaningful community engagement, to be organised and facilitated by the developer's team.
- 4.29 The initial Inception Meeting will seek to agree the form of the pre-application engagement, agree Planning Performance Agreement (PPA) heads of terms (as outlined below) and general pre-application timescales and deadlines. These deadlines need to be achievable and deliverable from both the applicant and the Council's perspective. Furthermore, the PPA process will need to agree the principle of any payment of fees associated with any dedicated planning case officer support and independent consultancy services required by the Council at pre-application stage (for example viability advice, environmental impact advice, ecology/bio-diversity net gain, daylight and sunlight advice, highways advice, or design review panel advice). Front-loading specialist advice at pre-application stage can help save costs and time, once the subsequent planning application has been submitted.
- 4.30 It is recognised that applicants might also wish to have initial "high level" discussions with key senior Council officers, prior to formal engagement with the PPA Service. It is considered appropriate that such a meeting (which will be limited only to London Mayoral referral cases) should be offered free of charge. These meetings will not deal with 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.
- 4.31 Depending on the complexity and scale of the proposal, the PPA team may comprise Council officers with expertise in Building Control, Urban Design, Conservation, Housing, Highways, Education, Environmental Health, Legal, Planning Policy, and Climate Change. The process may also involve engagement with other agencies (including English Heritage, the GLA, Transport for London and the Environment Agency). Feedback will be provided throughout the process which can take a number of different forms; formal meeting minutes/notes, interim advice notes, planning position statements or formal pre-application reports to Planning Committee. At the end of the process, you will have a report setting out the advice of the Planning Service (and any comments made by the Planning Committee) which will carry weight when any planning application, based on that advice, is submitted to the Council.
- 4.32 The PPA Service is intended to speed up the planning application process for these 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. Additional specialist services offered further enhance the effort to improve efficiency and overall quality of developments.

Planning Performance Agreements Service – The Agreement

- 4.33 The engagement process will be captured by a Planning Performance Agreement (PPA) which 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 be able to identify suitable timeframes and utilise project management techniques designed to manage and formalise terms of engagement between the parties. It also provides certainty around timescales and the Council's commitment to the process and include timeframes for Design Reviews where required (see Section 5 for further information). Central Government actively encourages the use of PPAs as best practice. A PPA operated at pre-application stage can be seamlessly transferred to the subsequent planning application.
- 4.34 The Council is willing to provide a range of bespoke planning services, including making available a dedicated planning officer who will be required to service the largest of pre-application and post planning application processes and allocate significant priority to delivering positive development outcomes for both the Council and the developer. In such circumstances and linked to a related PPA, the pre-application fees will be determined by negotiation, taking into account the complexity of the proposed development and the standard of service demanded by the applicant.
- 4.35 Costs associated with dedicated officer support post planning submission will also be negotiated on a case by case basis, again related to the PPA and taking into account the scale of planning application fee payable and the likely amount of work required to service a dedicated bespoke planning process.

How much does the PPA Service Cost?

- 4.36 Fees have been set at a level that reflects the cost of providing the PPA 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 PPA Service fees are outlined in Appendix A to this document.
- 4.37 Where the Service is to be included within a PPA, the fee for service covers the cost of a dedicated officer, as well as the Inception Meeting and all subsequent meetings.
- 4.38 The approximate number of meetings required for each scheme will be agreed at the Inception Meeting and included in the PPA (linked to a Project Plan). The Project Plan might well look at ways in which issues might be considered in sub meetings. Therefore, you will be able to estimate the likely overall cost of the pre-application process. Timescales for providing written advice post-meetings will be agreed as part of the Project Plan.
- 4.39 A planning officer and/or planning officers will generally engage in particular pre-application processes alongside other work duties. As such, the pre-application process needs to properly appreciate that the priority afforded to pre-application engagement will be aligned and managed alongside the officers' other work commitments. However, we can provide more dedicated planning officer services as outlined above

4.40 The fee for a PPA to cover the Service is bespoke, and is calculated based on cost recovery for officer time and or external consultants to provide the service. A fee estimate can be provided on request.

Payment of PPA Fees

4.41 As with other pre-application payment arrangements, the PPA process is reliant upon up-front fee payment arrangements. In cases where the PPA process involves a number of prior agreed meetings, the Council will require prior payment of a fee covering the Inception Meeting. Following this Inception Meeting and the preparation of a PPA 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 PPA) will take place until such time as the outstanding fees specified in the PPA have been paid. Fees for the Design Review will be paid as a separate payment and must be processed prior to Design Reviews taking place (see Appendix B).

Council and Applicant Expectations

4.42 The Council will commit to the following service standards:

- Provide a single point of contact (a named planning officer) who will be responsible for project managing the pre-application process;
- Identify all the relevant officers required in the development process and ensure that you receive a co-ordinated response;
- Arrange meetings promptly and within timeframes that takes into account your commercial needs;
- Keep to agreed timescales and deadlines for providing written or verbal responses;
- Identifying key national, regional and local policy issues that need to be addressed at an early stage, therefore affording you the opportunity to ensure that your proposal complies with the spatial policy framework;
- Identify and advise on key urban design and placemaking issues, so that your proposals are developed properly and respond to their context;
- Identify and agree heads of terms for S106 Agreements prior to the submission of your application;
- Provide a full understanding as to the extent of Mayoral and LB Croydon Community Infrastructure Liability;
- Facilitate the involvement of the local community and elected representatives in the development of your proposals (including reporting the pre-application submission to Planning Committee);
- Identify the decision-making process, including arrangements for consultation and participation, S106 drafting requirements, Planning Committee deadlines and referral constraints;
- Negotiate a PPA (prior to the submission of a subsequent planning application) so that you will know the timetable for the determination of your planning application;
- Keep and make available for you a detailed written record of the advice given; and
- Facilitate the involvement of the Design Review Panel, including identifying and scheduling reviews during the inception meeting and project planning stages where possible; scheduling the review sessions themselves and providing administrative support on the day of the review

4.43 The Council expects the applicant team to abide by the following expectations

- Attend meetings as and when required, ensure that you have the appropriate representatives at those meetings who are empowered and have the authority to make decisions and have the relevant expertise to respond to various elements of your proposal;
- Undergo a design review with the independent Design Review Panel as advised by Council officers, in particular a first review at an early stage of the pre-application process prior to the first Planning Committee meeting
- Keep to agreed timescales and deadlines for the submission of information;
- Agree to attend and be represented at public meeting and exhibitions;
- Make pre-application and Design review fee payments in accordance with guidance contained within the guidance note;
- Provide high quality illustrative material;
- Be realistic as to the time required to prepare, discuss and complete planning material – to a standard suitable for eventual planning application submission;
- Ensure that the advice given is taken into account when submitting a planning application, including all policy, placemaking and urban design considerations;
- Ensure that advice given by the Design Review Panel (oral or written) is not incorporated in to designs for schemes until it is provided by officers as formal planning advice;
- Acknowledge that fees will be required to be paid to enable the local planning authority to receive independent advice on relevant matters; and
- To meet the Council's reasonable third party costs associated with pre-application engagement.

4.44 Further detailed PPA requirements are attached as Appendix C (What Information Does the Council Need as part of the PPA process?)

The Involvement of Consultees

4.45 It is important to recognise that statutory consultees, such as English Heritage 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 will 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.

Involving the Local Community

4.46 We will have strong expectations that you will be consulting with the local community (including local elected representatives) on your pre-application submission, as it is important to include local communities early in the process. This is also a strong message contained within the National Planning Policy Framework (NPPF). 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. We will 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

4.47 Given that many large scale "major" applications will be determined by Planning Committee, it is desirable that Councillors and other elected representatives are introduced to proposals early on in the process, so that they have an understanding of

them and can contribute to the design and engagement process. The PPA is designed to facilitate scheme presentation by the applicant to the Planning Committee, followed by a Q&A session. Generally this will be done once the initial plans and development options have been discussed and evolved (immediately prior to consultation with the local community) and following a first place review. A further presentation will be made after consultations and subsequent scheme amendments.

- 4.48 Due to probity issues, the views of Planning Committee on the acceptability or otherwise of a proposal cannot be solicited and officers will always advise Members of the need to remain impartial. Consequently, you should not lobby Members of the Planning Committee or seek to meet outside of the framework of this Pre Application Advice Service, as this may be perceived by the public to be prejudicing Members' impartiality.
- 4.49 Details of our Councillors (as well as the extent of membership of the Planning Committee) can be found under "Find your Councillor" at www.croydon.gov.uk.

The Role of the Design Review Panel

- 4.50 We will have strong expectations that large scale 'major' and/or complex and sensitive developments will undergo a review by the Council's independent Design Review Panel.
- 4.51 Please refer to Section 5 for further details.

What are the Outcomes?

- 4.52 The two key outcomes of this process should be a well-designed planning application and the advice report, which will be a material consideration in the determination of any subsequent application. However, there are some additional benefits that will arise and these include:
- Early identification of "any "show-stopping" issues;
 - Avoiding incomplete applications;
 - Earlier decisions on applications;
 - Higher level of certainty;
 - Improved quality of development
 - Cost savings; and
 - Reduced confrontation.
- 4.53 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 (including the delivery of affordable housing). Room is also created for the architect to respond to his/her brief within a sound urban design context and to develop the scheme to strengthen its relationship to that context and create places of exceptional and lasting quality.

How to Apply for the PPA Service?

- 4.54 To access the service you need to submit a completed application form (available on our website at www.croydon.gov.uk/planningandregeneration) indicating that this is the service that you require. As raised above, this service request should be accompanied by a fee for the Inception Meeting. Following receipt of your request and associated payment, we will allocate to a senior case officer and will assemble a project team to engage in the pre-application process.

Submitting the subsequent planning application

- 4.55 After you have obtained the pre-application advice that you need, you will need to finalise and submit your planning application. For more information on what forms, plans and other documents you must submit please see our advice note “How do I submit my planning application?” on our website at (www.croydon.gov.uk/planningandregeneration). Applications can be submitted online via the Planning Portal at the following link:

<https://www.planningportal.co.uk/applications>

- 4.56 The government sets target times for the determination of planning applications. For major developments, it is 13 weeks from the date we receive a valid application. For applications with an Environmental Impact Assessment, it is 16 weeks. For all other applications, it is 8 weeks. As highlighted above, the local planning authority would expect the developer to enter into a PPA if there is any doubt that the planning application will be determined outside the statutory period.

5 DESIGN REVIEW PANEL

- 5.1 In addition to receiving detailed formal design advice provided by the Placemaking Team, large, complex and/or strategic schemes are strongly recommended to undergo a Design Review conducted by the Design Review Panel.
- 5.2 The Design Review Panel was set up in 2016 to respond to the increasing number of large and complex schemes coming forward in Croydon and in line with the recommendation of the NPPF, Farrell Review (2013) and best practice guidance by professional built environment institutions (i.e. RIBA, RTIP, LI, CABE, PAS) that Local Planning Authorities have their local design review arrangements in place.
- 5.3 The Design Review Panel is comprised of independent, multidisciplinary built environment experts with a range of specialisms including architecture, urban design, landscape architecture, conservation, planning, transport, infrastructure, engineering, culture and public art. It usually meets monthly for a day to conduct Design Reviews for two to three schemes and provides independent and locally informed advice. Normally up to five panellists and one chair of the panel will sit on a panel at any one time, selected based on the relevance of their specialisms to the schemes under review. There may be a pool of twenty-two panellists and three panel chairs available to select from
- 5.4 As part of the Place Review applicants will be required to present their schemes to the panel. Presentations will be followed by clarification questions and comments from the panel and further discussion between The Panel and the Applicant Team. The panel's advice will be subsequently summarised in a report from the Chair of the Panel (please refer to section 5.12 for further details).
- 5.5 Design Reviews will be incorporated into project programmes and Planning Performance Agreements.
- 5.6 Large, complex and/or strategic schemes will usually be expected to undergo a Design Review at an early stage in their pre-application processes and potentially again as designs develop, depending on the complexity and nature proposals under review. A Design Review will provide an important, moment in time, design quality check and often act as a gateway to taking a scheme in pre-application stage)to Planning Committee.

- 5.7 As the NPPF and best practice guidance states, undergoing a Design Review at an early stage during the pre-application process should mean that a greater number of issues are resolved prior to planning applications being submitted, making both the pre application and application processes more efficient, and thus saving time and design costs for the applicant.
- 5.8 Design Reviews may also be important for reserved matters and conditions of large and complex schemes where the determination of these matters will have a significant impact on the design, appearance and impact of a development.
- 5.9 Advice provided by the Design Review Panel does not alter the importance and significance of the proactive planning and design advisory services currently offered by the Development Management and Spatial Planning (Plan Making and Placemaking) teams, as well as the Planning Committee. These proactive officer functions are vital in ensuring that high quality design and place advice is strongly integrated throughout every stage of the pre-application process and as a scheme develops.
- 5.10 Schemes reviewed by the Design Review Panel are confidential during pre-application unless they are presented to Planning Committee.
- 5.11 If a scheme is presented to Planning Committee during its pre-application and has undergone a Design Review this will be stated in the Planning Committee Report and the Design Review Panel Report on the scheme will be summarised.
- 5.12 Design Review Panel reports will be published on the Council's Planning Register along with all other application documents once a valid planning application has been submitted and registered for a scheme, unless otherwise agreed in special circumstances. For schemes that do not require planning consent, the Design Review Panel reports will be provided on request once applications for any other relevant consents have been submitted.
- 5.13 It is important to note that Design Panel Review advice (verbal or written) is advisory and should not be considered formal planning advice unless it is officially included as part of formal planning advice from Council Officers. If advice is actioned that has not been issued as official pre-application advice by Council officers this is done at the applicant's own risk.
- 5.14 The applicant team must declare any conflicts of interest two weeks before prior to a review taking place. This will require declaring any associations they may have with panel members.
- 5.15 For probity, the views of Design Review Panel on the appropriateness or otherwise of a proposal cannot be solicited directly by applicants. Applicants should not lobby members of the Design Review Panel or seek to communicate with them outside of the formal framework of the Place Review Panel Service, as this may be perceived by the public, Planning Committee and other statutory or decision making bodies, to be prejudicing Members' impartiality.
- 5.16 Further information regarding the Place Review Panel, including the Terms of Reference and fees are available on the Council's website at: www.croydon.gov.uk/planningandregeneration/planning/pre-application-advice).
- 5.17 There are other Design Review Panels available, however, please note that schemes should not be presented to these Design Review Panels in lieu of presenting to Croydon's Design Review Panel.

6 DEDICATED OFFICER SERVICE

- 6.1 Where large and complex development proposals are being put forward, it will be important to ensure there is sufficient resource available to the Council to process the scheme in accordance with the timeframes and workload agreed in the PPA. At the pre-application stage, the services of a dedicated planning officer may be required; to service either the largest of pre and post planning application processes and/or a range of proposals to amend schemes post determination. A dedicated officer will allocate significant priority to these specific work streams and work proactively in all respects to ensure that the Council responds effectively to prioritised service requests. This dedicated service will take this officer out of day to day duties, with the Council having to deal with the opportunity cost of that officer not responding to more day to day service demands. In such circumstances, the Council will be obliged to re-allocate funds to backfill vacancies resulting from this more proactive approach to service delivery. Under these circumstances, the additional cost of providing this service is met by the applicant and will be set out in a Planning Performance Agreement (PPA).

7 POST-DECISION SERVICES

- 7.1 The determination of a planning application will not be the end of engagement with the local planning authority. It will invariably be the case that planning conditions will need to be discharged. Furthermore, developers may elect to materially amend planning permissions or vary planning conditions. Finally, there might be circumstances where an applicant elects to amend development proposals post refusal of planning permission (irrespective of any related planning appeal process being progressed). The local planning authority will need to engage in such situations and the related charges for these services are again outlined in Appendix A.

Amended Scheme Service

- 7.2 There may also be situations where an applicant elects to undertake amendments to a scheme previously granted planning permission (under S.96A of the 1990 Act – as amended) or vary imposed planning conditions (under S.73 of the 1990 Act – as amended). The outcome of this process might well trigger a fresh planning permission with associated modifications to a related S.106 Agreement. In such situations, it is considered most appropriate that the “Meeting Service” should be followed with the appropriate fee paid (see Appendix A).

Discharge of Conditions Service

- 7.3 Invariably, planning permission is granted subject to various planning conditions, a number of which will require the submission of further details for approval (linked to various triggers as determined by the relevant planning condition). The Council is committed to reducing its use of planning conditions and is seeking to work with developers to manage the planning condition discharge process more effectively (ensuring especially that planning condition discharge is more closely aligned to construction programmes).
- 7.4 The speed of planning condition discharge is heavily reliant upon the quality and clarity of information submitted by the applicant. There is clear benefit to engage with the local planning authority at an early stage, to ensure that the information submitted meets expectations and is sufficient in terms of content and level of detail. The Council will not hesitate refusing to discharge planning conditions within the prescribed period where the

applicant has failed to submit sufficient information or appropriate details and/or has not engaged with the local planning authority and responded positively to advice offered. Refusal to discharge planning conditions may well delay commencement or completion of development and it is in developers' interest to ensure that the local planning authority is engaged at an early stage.

- 7.5 The Council therefore encourages developers to engage with the local planning authority and make use of the Councils "Meeting Service" (in accordance with the associated fees outlined in Appendix A) in order to reduce the risks associated with planning condition discharge. This service will not apply to details submitted pursuant to reserved matters or in relation to Major Application schemes which will need to be dealt with through a more extensive Meeting Service approach or through a further PPA, and may require a Place Review (See Section 5 for further information regarding The Place Review Panel).
- 7.6 As part of this service the Planning Case officer will liaise with relevant specialist consultees, to obtain the necessary advice from Specialist consultees in advance of the meeting. Specialist consultee may attend these meetings in certain circumstances. Once a valid request has been received the case officer will make contact within 20 working days to set up a meeting. Following the meeting the written advice will be provided within 20 days.

8 CONFIDENTIALITY

- 8.1 The Council is governed by the Freedom of Information Act 2000, the Data Protection Act 1998, and the Environmental Information Regulations 2004 (EI Regulations) in how it handles the information that it holds.
- 8.2 Under this legislation, there is a presumption that Councils should disclose information (including pre-application information) to the public, unless its disclosure would adversely affect the interests of the person who provided the information (Regulation 12(5) EI Regulations) or where certain specific exceptions apply, and the public interest in maintaining the exception outweighs the public interest in disclosing the information. The Council retains absolute discretion on the disclosure of any information it holds.
- 8.3 At pre-application stage, no statutory decision-making takes place, and the Council is in no way bound by its pre-application advice. However, if a subsequent planning application is submitted (by the same applicant), the Council expects applicants to submit details of the pre-application advice, including a summary of the proposal and the Council's written feedback, as part of the planning application documents. In the past, the Council has taken the decision to publish pre-application advice itself, however this is resource intensive and occasionally has been delayed due to human error. The onus should be on the applicant to demonstrate how they have engaged with the Council and the wider community when preparing their planning application. Therefore, the Council now expects the applicant to submit details of their pre-application advice with their application, to be uploaded to the Council's website alongside the other application documents. If you do not include this, the Council may invalidate your application (subject to the most up to date validation list), or publish the pre-application advice anyway.
- 8.4 If you wish us to treat pre-application material as confidential, then you will need to set out the reasons why and for how long any information needs to remain confidential. This statement should make reference to the provisions in the Regulations, particularly Regulation 12(5).

- 8.5 Please be aware that if the Council subsequently receives a request to disclose pre-application information, it is under a duty to consider why the information cannot be disclosed at that time. If you have indicated that you wish us to treat any material as confidential, we will contact you to see if the circumstances have changed and whether you still wish the material to be treated as confidential, before we make a decision about disclosure.
- 8.6 The Mayor of London considers that information relevant to planning determinations should be publicly available alongside other application documents in order to foster a greater understanding of and trust in the planning system. This includes Viability assessments, as explained within the Affordable Housing and Viability Supplementary Planning Guidance (SPG) 2017. The Council will therefore make viability information public in line with the SPG at application stage.
- 8.7 A full schedule of pre-application fees and charges is re-produced as Appendix A.
- 8.8 Related Place Review fees are included in Appendix B.

9 COMPLAINTS PROCEDURE

- 9.1 We hope that you will not have to, but if you feel that you have not received the level of service that we have promised, you should in the first instance contact the lead officer directly. He/she will listen to your concerns and seek to resolve your issues with you. If you remain dissatisfied, you should contact the Head of Development Management who will look into your concerns and respond to you in writing. If this does not resolve the issue, the Council operates an established Corporate Complaints Procedure, details of which are available from Access Croydon or via the Council's website www.croydon.gov.uk.

APPENDIX A: SUMMARY OF PRE-APPLICATION FEES AND CHARGES

SERVICE PROVIDED	INITIAL MEETING FEE
A: Householder and small scale developments	
<p>Small householder or non-residential development including:</p> <ul style="list-style-type: none"> • Small scale householder and small scale commercial development (up to 99 sq metres additional floor area); • Advertisements on business premises. • Changes of use of property involving up to 150 sq metres of existing floorspace • Works to protected trees and other protected landscape features <p>Extensions to listed buildings and developments within conservation areas require consideration by a Conservation officer and are not included in this service.</p>	£300 (plus VAT)
B: Small minor developments	
<p>Small (minor) development proposals involving the following:</p> <ul style="list-style-type: none"> • The erection of 1 to 4 new dwellings; • The conversion of property to provide up to 4 self contained flats; • The use of a property as a House in Multiple Occupation (HMO); • Proposed advert hoardings; • Proposals for telecommunications roll out; • Proposed changes of use involving in excess of 150 sq metres of floorspace • New commercial developments (including extensions and free standing development) of between 100 sq metres and 499 sq metres of proposed floorspace. • Changes of use and extensions to listed buildings (up to 499 sq metres) • The display of advertisement hoardings; and • Telecommunications roll-out. 	£1,250 (plus VAT)
C: Medium sized developments	
<p>Medium sized (minor) developments involving the following:</p> <ul style="list-style-type: none"> • The erection of 5 to 9 new dwellings: • The conversion to provide between 5 and 9 self-contained flats • New commercial developments (including extensions and new development) of between 500 sq metres and 999 sq metres. • Changes of use and extensions to listed buildings of 500 to 999 sq metres. 	£2,500 (£1,250 plus VAT)
D: Major Applications	

Major Applications (as defined by DCLG) (see paragraph 4.15 of this document for the definition of what constitutes “major” development).	£4375 (plus VAT)
E: Discharge of Planning Condition Minor Development (excluding reserved matters)	
Discussion relating to each planning condition discharge	£300 (plus VAT)
<ul style="list-style-type: none"> • Planning condition discharge (5-8 conditions*) <p>*For subsequent applications to discharge more than one planning condition, each condition should be applied for separately as only one decision will be issued per application which may result in acceptable details being refused if part of an application which includes other unacceptable details. If more than 8 planning conditions apply, a bespoke PPA is recommended.</p> <p>For Discharge of condition application relating to major applications will be subject to a bespoke fee.</p>	<p>£1,250 (Plus VAT)</p> <p>Bespoke Fee for (major applications)</p>
F: Post decision services Minor Development (excluding reserved matters)	
Discussion relating to the following post decision services:	£1,250 (Plus VAT)
<ul style="list-style-type: none"> • Material/non-material amendments to planning permissions • Variations of planning conditions <p>For major applications post decision matters will be subject to bespoke fee</p>	Bespoke fee for Major applications
G: Alterations to listed buildings	
Discussion relating to:	£625 (plus VAT)
<ul style="list-style-type: none"> • Alterations and householder extensions to listed dwellings, including a householder extension • Alterations to other listed buildings (not requiring planning permission). <p>N.B. Extensions to listed buildings other than houses are covered by other fee rates</p>	
Follow-up meetings	
The above fees are for an initial meeting. Follow up meetings (if required) will be charged at 60% the relevant charge (on the date of payment) limited to 2 follow up meetings within a 12 month period of the initial advice letter.	

PPA(Service Level H)	
<p>Including but not exclusive to the following development types:</p> <ul style="list-style-type: none"> • Provision of 25 or more dwellings (major application) on one site; • Provision of 25 or more dwellings across more than one more site; • Development of tall buildings that exceed the London Mayoral referral threshold; • Provision of over 10,000 sq metres of commercial space; • Change of use of over 10,000 sq metres of floorspace; • Development of a site in excess of 2.5 hectares; and • Reserved matters pursuant to outline planning permissions relating to large scale major development. • Other bespoke arrangements which are not covered by the standard fees set out above. 	<p>£5625 (plus VAT) for the Inception Meeting</p> <p>£2500 (plus VAT) per meeting thereafter (excluding Planning Committee Presentations)</p> <p><u>Dedicated Officer Fees</u> The fee for this service will depend of the nature of the development proposal and programme of work required, and will be calculated as part of agreeing the PPA.</p>
Planning Committee Presentation	
Presentation of schemes to the planning committee	£3,750 (no VAT payable)
Post Decision – Variations to Legal Agreements (Service Level I)	
<p>Discussion relating to the following post decision services:</p> <ul style="list-style-type: none"> • Variation to a Legal Agreement 	Bespoke Fee dependent upon the nature and complexity of the requested variation

The government has made it clear that Councils should engage in pre applications discussion in order to facilitate a proactive and collaborative approach to development. Generally, the Council will not refuse to engage with applicants, however there may be some cases where the services set out above are not appropriate, therefore the Council may decline to provide a particular service. The fees set out above do not always reflect the amount of work required to provide the service due to the specific nature of the

proposed development. The above fees are discretionary and if officers are of the view that the proposal falls outside the scope or the spirit of the fee schedule set out above such that an alternative fee is required to cover the cost of providing the service, the Council reserves the right to charge an alternative fee accordingly. The above definitions of “major” and “minor” developments are those set out in legislation.

APPENDIX B: SUMMARY OF PLACE REVIEW FEES AND CHARGES

2. Please find a summary of Place Review charges (as of 01 October 2022) below.
- First review = £4,500 (plus VAT)
 - Follow up reviews = £4,000 (plus VAT)
 - Post submission reviews charged at the same rate as follow up reviews, i.e. £4,000 (plus VAT)

These Place Review Panel fees are listed here for information only, and are subject to change. Please see the Council's website for the latest fees.

APPENDIX C: PPA - WHAT INFORMATION DOES THE COUNCIL NEED?

1. We strongly encourage you to contact us at the initial appraisal stage (RIBA Work Stage 0 Strategic Definition) so that you gain the most out of this service. We aim to provide a service that caters for all stages of a scheme, but proposals that are well developed without input from us may be ill conceived and difficult for us to advise on. It is likely that if you present us with a scheme that is developed to an advanced stage, we will recommend our Meeting Service rather than the PPA service, but this will much depend on the scale and complexity of the proposed development.
2. 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 PPA to advise you during the pre-application stage of what information is needed to accompany your scheme in any subsequent planning application.

How Does It Work?

3. In addition to an Inception Meeting, there are three key stages to the PPA process, each with its specific meetings schedule. 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. These stages do not represent the whole of the service; in between, we will continue to communicate with you by phone, by email, or in writing. These stages are set out below. What you need to provide and what you can expect from each stage is included.

Initial "High Level" Discussions

4. There may be value in engaging in "High Level" conversations with relevant officers (outside the formal pre-application process) to ensure the Council at a more corporate level is able to understand and engage with developers at the earliest stage of scheme development. It helps ensure that development aspirations are suitably aligned between the public and private sector and helps focus specific corporate priorities. It also may assist in the identification of public sector funding streams or may well help facilitate joint working on a range of development initiatives. It is clear however that this "High Level" engagement is totally separate from the formal pre-application engagement process which will be focussed on the promotion of sustainable development in accordance with the established town planning framework.

Inception Meeting

5. What you need to provide:
 - Details of the site location on an Ordnance Survey Map
 - A description of the development
 - A completed Pre application form
 - your initial conceptual ideas
 - your approaches to design and policy compliance, especially the high level policy considerations (affordable housing delivery, housing mix, landuse principles, sustainability credentials, traffic and transportation issues - including car parking and early indications of viability and deliverability)
 - Site Photograph and contextual photographs

6. This meeting will be with the planning officer who will make contact within 20 working days of validation of the pre-application submission to arrange for the Inception Meeting. It is anticipated that the Inception Meeting will take place within 30 days from this initial contact, although it is recognised that the scheduling of such a meeting might need to suitably align with the consultant team and officers' diaries.
7. The 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. If your proposals can be supported by the development plan, we will then agree a project plan, deadlines and a set of commitments on both sides, so that you can be informed of the likely number of meetings and the approximate cost of the PPA. It is also highly likely we will recommend that your scheme undergoes a Design Review from Croydon's independent DDesign Review (see Section 5 for further information). These elements will form the basis of a PPA to enable proper project management of the pre-application process. We will also identify relevant consultees and discuss with you the methodology and process for carrying out effective consultation.
8. The Council will prepare a Planning Statement covering the key constraints and opportunities relating to the site, strategic policy issues, a DTS project plan and a draft PPA (which will be aligned to any agreed project plan). This will enable you to move from RIBA Work Stage 0 (Strategic Definition) to RIBA Work Stage 1 (Preparation and Brief).
9. Critical to any major housing development is the maximisation of on-site affordable housing delivery, whilst seeking a policy compliant split between intermediate and affordable rented accommodation. There is a firm expectation that affordable housing strategies will be discussed at this Inception Meeting, as the planned internal arrangements of any building (irrespective of its scale, form and density) will 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.
10. It is also critical that scheme viability is considered at an early stage, as this can also influence the 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 as well to properly consider the extent to which scheme viability can constrain the ability of schemes to comply with other planning policies.

Stage 1 - Addressing the Issues

11. At this stage you will need to have provided a Draft Design and Draft Town Planning Statement
12. At this stage our advice will concentrate on ensuring that your proposal addresses the 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 Statement that will accompany any planning application should be developed.
13. We will also give advice on whether the strategic policy issues have been addressed (including compliance with land-use policies, affordable housing policies and car parking as well as environmental and transportation impacts) and will then begin to 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.

14. This stage will enable you to complete the Design Statement and produce a concept scheme. This will enable you to move from RIBA Work Stage 1 (Preparation and Brief) to RIBA Work Stage 2 (Concept Design).

Stage 2 – Consultation

15. You will need to have provided illustrative material of your proposed scheme, preferably including options.
16. This is likely to be an appropriate time in the design process for the proposals to receive a Design Review by Croydon's independent Design Review Panel. (See Section 5 for further information).
17. This stage will start with an applicant's presentation of the concept scheme to the Council's 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). We will provide you with detailed advice on how you should prepare for this meeting in advance. Officers are keen to review the presentation prior to the Planning Committee and provide any pointers and advise accordingly.
18. This stage will enable you to prepare a public consultation document (with community engagement with the local community) and consider amendments to the concept scheme. This will enable you to move from RIBA Work Stage 2 (Concept Design) to RIBA Work Stage 3 (Developed Design)

Stage 3 - Preparing the Planning Application

19. After the consultation exercise, we will work with you to develop your scheme in detail to ensure that it further addresses the 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.
20. You will have a further opportunity to present your scheme to 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 and 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 Planning Committee and to give them a further opportunity to engage in the process. The officer's report will be a material planning consideration in the determination of the planning application. We will also provide minute notes of the meetings held throughout the process so that you are clear about the advice given. This will enable you to finalise RIBA Work Stage 3 (Developed Design).
21. If a scheme received a Design Review from the independent Design Review Panel and the designs have significantly changed since this review, Officers may recommend that the revised scheme undergoes a subsequent Design Review to help optimise and elevate quality (See Section 5 for further information).

22. 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. In certain cases we may agree to reviewing 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 S.106 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 also 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.