

# PLANNING PROTOCOL



York & North  
Yorkshire Chamber  
of Commerce



CITY OF  
**YORK**  
COUNCIL



The background of the entire page is a photograph of York, England. In the upper center, the tall, ornate spires of York Minster are visible against a pale sky. To the left, there are bare trees and a stone wall. In the foreground, a paved street curves through the scene, with a small green lawn and a black metal railing on the right. The overall tone is somewhat muted, with a focus on the historic architecture.

Together we aim to work successfully together to deliver inclusive growth within the City of York Council area through the planning process.

## OUR PLEDGE

### INTRODUCTION

York's civic and business leadership have a shared duty to deliver growth for the city's inhabitants.

To make the city a more prosperous, equal and attractive city, there is a need to deliver the infrastructure that will enable this process.

As well as the requirement to build thousands of new houses, there is a broader need for increased development to meet the Council's agenda for economic growth. All of this can be achieved whilst retaining the focus on building strong and vibrant communities with the emphasis on good place making and high-quality homes.

This sustainable growth can only happen if the right development comes forward in the right place at the right time. It will only be successful if there is collaboration between the Council, local communities and developers to secure that growth.

This planning protocol therefore is the result of a joint venture between City of York Council and the York & North Yorkshire Chamber of Commerce and sets a commitment to working together to deliver a smooth and efficient process.

It builds on the existing good practices of engaging with communities and front loading the planning process and aims to provide a more proactive approach in delivering the good growth needed in York, helping to create jobs and attract investment.





## 1 COMMITMENT TO SERVICE IMPROVEMENT

- The Council will continuously try to improve planning services by engaging with the development industry through workshops, meetings, forums and reviews to meet this aspiration.
- The Council will deliver training to elected members and in particular members of Planning Committees to support quality, and timely decision making. The Council will look for innovation and seek out best practice from other authorities to improve the development management process in the interests of expeditious decision making.
- The Council will invest in its staff, providing them with support and training to ensure competency and ensure their skills and knowledge is current. This will allow for better use of time for both officers and agents.
- Council departments need to be adequately resourced to be capable of delivering service requirements.
- The development community must respect the professional opinion of officers, the city council will seek to deliver consistency of approach
- A template Section 106 agreement needs to be utilised.
- 'One Opportunity' process for all applications. If it is possible to make an amendment to an application to make it acceptable, clear advice will be given as to how to best to achieve this. There will be only one opportunity to amend the proposal after this a decision will be made.





# EFFECTIVE COMMUNICATION & ENGAGEMENT

## 2 EFFECTIVE COMMUNICATION & ENGAGEMENT

- Council will strongly encourage pre-application engagement at the initial stages in the formulation of a project to identify issues early on. This will include the promotion of Planning Performance Agreements where appropriate to ensure greater clarity of the level of service and timeliness from pre-application through to delivery on site.
- The Council and the development sector will work together as Local Authority funding allows with the objective of providing the necessary resources to ensure responses to pre-application enquiries are delivered in the timescale set out in the Council pre-application advice
- Pre-application fees will be proportionate
- The process must be a two-way process based on respect and trust. Information put forth by engineers and developers needs to be treated as fair and accurate. Equally, developers must ensure that they put forth all the required information, when required to, as part of the process.
- Developers should take into account pre-application advice given by officers. If an application is subsequently submitted which significantly fails to meet the pre application advice, the Applicant will be expected to justify why the application fails to meet the pre application advice. Failure to justify why pre-application advice has not been followed may result in a refusal of planning permission.
- Developers will submit clear, evidenced, good quality pre-application enquiries and applications. This will ensure that development proposals are made with sufficient and accurate supporting information and are well-presented, enabling Council Officers to efficiently manage the application through the planning system for determination within the statutory or agreed period.
- The council will provide agents and developers with email contact details for planning officers for all applications. Planning agents and developers can email a planning officer to request a phone call to discuss a case should there be a need to do so.
- The Council will ensure that Public Access (online planning register) is kept up to date with all the relevant information, to ensure all interested parties are kept up to date with application.
- The Developers and Agents, can where appropriate, engage with Executive elected members, through briefings at the pre- application stage.
- Developers will engage early and openly with the community, amenity groups, neighbourhood planning forums/groups and where relevant, Town and Parish Councils in line with the advice from the planner and the Statement of Community Involvement, both at pre-application stage and when planning applications are made. Developers will demonstrate, in supporting documentation of any subsequent planning application, how the responses to this local engagement have been considered and have shaped the scheme.
- Developers will continue to engage with the community through the implementation stage to ensure residents and relevant groups are kept informed of demolition and/or construction stages where appropriate.





# CERTAINTY & CONSISTENCY

## 3 CERTAINTY & CONSISTENCY

- The Council will provide a mechanism to escalate issues to senior officers when agreed timescales and actions are not being met in the interests of expeditious decision making.
- For larger and more complex proposals, the use of Planning Performance Agreements (PPAs) will be encouraged, to achieve a more project managed approach from pre-application, through to the application process and discharge of conditions.
- All parties will engage positively and proactively with consultees to ensure that all considerations are addressed at an early stage.
- The Council's internal consultees will provide clear consistent advice on applications and at pre- application. Planning applications should have regard to relevant Policies. Where applications do not comply with the relevant policies, the Developer will be expected to clearly justify why the application departs from relevant policies. Developers will need to submit this information in a clear and accessible format, provided within agreed timescales.
- Developers will provide and pay for a viability assessment where relevant, which will be independently assessed.
- Wherever possible developers will provide Draft Heads of Terms for the Section 106 agreement at the pre-application stage using the Council's Draft S106 Template, or if not at submission of the application.
- All parties will seek to negotiate and conclude Section 106 agreements using the Council's Section 106 template so that planning permissions can be granted without unreasonable delay through agreed timescales.
- Developers will provide comprehensive, high quality supporting information, reducing the need for conditions.
- Developers shall submit the relevant, high-quality information with discharge of conditions applications so they can be discharged expeditiously.
- All parties will seek to develop a better shared understanding of design quality standards, and, where appropriate, to engage in a design review process with the Council, at the earliest stage.
- Applications submitted to vary a permitted scheme or discharge a condition where a material reduction in quality is proposed should not be expected to be supported.





## MONITORING

This protocol sets out a shared approach to development by the Chamber of Commerce and City of York Council and will review on a regular basis the implementation and effectiveness of the Protocol and share best practice that emerges from such reviews.

## FOR MORE INFORMATION OR QUERIES:

### YORK & NORTH YORKSHIRE CHAMBER OF COMMERCE

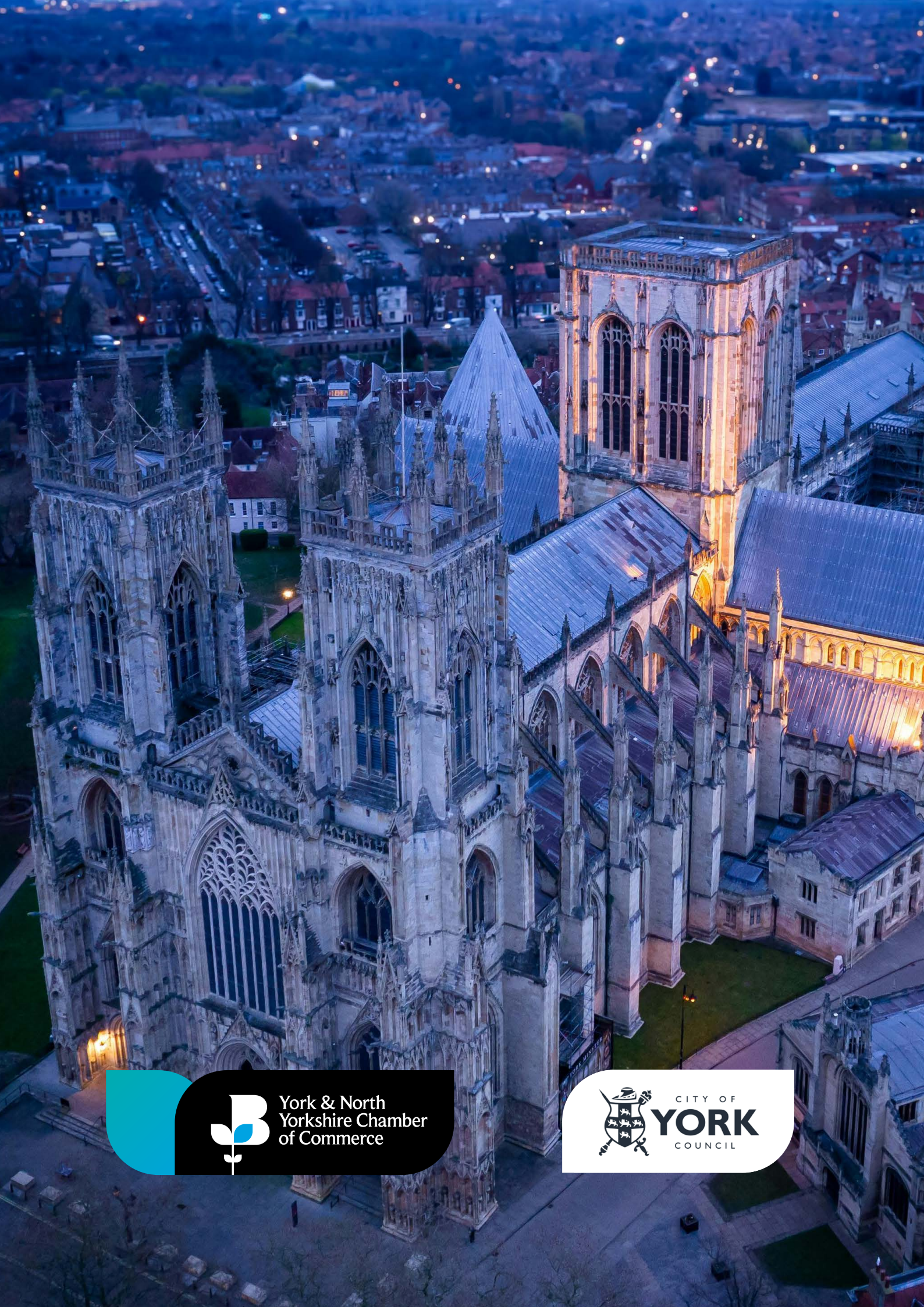
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