

Appendix D - Specification

This document sets out the Council's requirements, quality standards and key performance indicators with respect to the proposed contract. Please ensure that you read this carefully and ensure these requirements are incorporated into your pricing submission and the quality of services provided.

A. Council's Requirements

Summary

1. Lambeth are seeking to appoint a consultancy for a 2 year period to provide support primarily to its Development Management service to enable it to deliver against its current planning policies and service delivery targets. Lambeth's preference is for the support to be provided by a single consultancy but there is the option for the support to be provided by multiple providers. The support will comprise of observations and advice on environmental matters relating to planning applications (excluding applications which are subject to Planning Performance Agreements) with occasional attendance at planning applications committee to provide technical advice to elected members if required.
2. This brief sets out the context and further information about the opportunity.

Context

3. The planning system can be used to control environmentally harmful activities. Lambeth Council, through the exercise of its Development Management function, seeks to ensure that future development within the borough is delivered with the highest standards of amenity, from planning to construction and subsequent operation. The Development Management service is required to assess applications in relation to noise pollution, light pollution, development on contaminated land, waste disposal, flood risk, air quality, wind microclimate and fume extraction.
4. Lambeth is a central London authority that deals with a wide range of planning applications; ranging from large scale redevelopment projects in the London Plan designated Waterloo and Vauxhall opportunity areas; to estate renewal schemes; commercial/industrial, to residential extensions and alterations.
5. Lambeth is seeking to appoint a consultancy to provide support to its Development Management service to enable it to deliver against current planning policies and service delivery targets. The support will comprise of environmental observations (as per item 1) relating to planning applications (excluding applications which are subject to Planning Performance Agreements).
6. Lambeth will require advice on the degree of compliance of development proposals with current planning policy requirements, on potential amendments which would further improve the performance of the development and on suggested conditions and planning obligations that would enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects.
7. In rare circumstances, the successful consultants may be required to provide occasional additional advice to respond to comments received from interested parties, at planning committee (evening), at an appeal hearing or inquiries, or at a judicial review hearing, where the environmental advice provided is a key factor in the application decision or subject to questions or dispute. This is to be incorporated within your assessment pricing.
8. During the year 2020/21 Lambeth has made 291 consultations for independent advice on noise and vibration, fume extraction, light pollution, construction impacts and contamination of land. These consultations were made against 225 individual applications from the following planning category types:
 - o 33 Major applications;

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- o 34 Minor applications;
- o 52 Other applications (e.g. Change of use, householder, Prior approval)
- o 99 Discharge of condition applications; and
- o 7 Pre-applications.

Each referral generally seeks advice on a single area alone. On occasion (usually in relation to larger applications) the advice required may cover more than one area. Recently the work is breaking down as follows:

Recent split of requests for advice by area for recent planning application cases referred				
Noise and vibration	Fume Extraction	Light pollution	Construction impacts	Contamination of land
183	25	19	15	49

9. In addition, 172 cases were referred for air quality advice and it is anticipated that approximately 40 cases per year would require external flooding advice. Recent workloads can be seen as a predictive indication of future workloads, but cannot be guaranteed. The applications the council receive are of varying complexity. It should be noted that not all applications submitted to the council will require consultation and not all applications requiring observations of this nature will necessarily be passed for external assessment.
10. A spreadsheet is included at Appendix E which provides further detail of the planning application cases above recently referred for consideration.
11. The largest and most complex development schemes we deal with are usually progressed through Planning Performance Agreements (PPAs). The environmental consultancy work related to those schemes is excluded from this invitation and would be procured on a case by case basis.

Method and Requirements of the Brief

12. The selected contractors delivering the service will be required to collaborate remotely with officers within the Development Management service. The provision will be for an off-site, electronic service. If you will require anything specific in order to carry out this function (in particular ICT factors), please include this within your brief (as part of question 2). Meetings and site visits for more complex sites may also be required from time to time. Any additional costs (such as travel costs, meetings and sites visits) should be incorporated within your assessment pricing, and not billed as a separate entity.
13. It is not always possible to predict an exact workflow arising from planning applications. Lambeth will therefore require a degree of flexibility from the selected provider to account for peaks and troughs of submission, so as to ensure optimum service delivery. Lambeth are not able to guarantee a minimum volume of work. The full value of the contract cannot however be exceeded in the 2 year period. The cost of the contract will be monitored on a monthly basis, along with the quality of advice being provided.
14. Key outputs should include:
 - a. **Noise and vibration**; Assessment of noise and vibration along with mitigation measures from proposed plant and machinery, traffic and servicing, bad neighbour uses (such as car washes), impact of noise sources e.g. railways, air-conditioning units and on occupiers of new development.
 - b. **Fume extraction**; primarily associated with restaurant/café/takeaway uses, but also occasionally in relation to environmental control systems and light industrial uses.

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- c. **Light pollution:** Assessment of light pollution in sensitive environments. For example, when illuminated floodlit grounds or office and public buildings are located in close proximity to residential properties.
- d. **Impacts of construction:** Assessment of environmental aspects of submitted Method of Construction Statements, Construction Environmental Management Plans and Construction Logistic Plans which set out the proposed construction and logistics methodology.
- e. **Contaminated land:** Where required some applications are accompanied by a land contamination risk assessment. This should provide sufficient site information to determine the existence or otherwise of contamination, its nature, the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. The assessment must relate both to human health risks for the proposed development and to risks to controlled waters. Where contamination is known or suspected or the proposed use would be particularly vulnerable, determination of whether the proposed development can proceed, such as mitigation measures and/or proposals for site remediation would require assessment.
- f. **Flood risk** – Assessment of the impact of basements on ground water and land stability and the impact of basements on other properties. Occasionally there may be other applications where the council needs advice on matters relating to flood risk and surface water management.
- g. **Air quality** – a) Assessment of applications to ensure development proposals do not lead to further deterioration of existing poor air quality, create new areas that exceed air quality limits or delay date at which compliance will be achieved in areas that are currently in exceedance of legal limits or create unacceptable risk of high levels of exposure to poor air quality. This will include, but is not limited to, review of:
 - i. Air Quality Assessments
 - ii. Air Quality Neutral Assessment or Air Quality Positive Assessments when in effect
 - iii. Air Quality and Dust Management Plans
 - iv. Other relevant construction-related documents
 - v. Documents for other applications which have not considered air quality but meeting the below criteria and will be required to submit one of the abovefor applications for development which meet the following criteria:
 - i) If it is a new development in an Air Quality Focus Area
 - ii) More than 75 dwellings
 - iii) With potential to significantly change road traffic on major roads
 - iv) If there are any proposed new residential units with a façade facing a main road
 - v) If the proposed development is a care home, school, nursery, college or hospital or a change of use to a class with more vulnerable users
 - vi) If the proposed new development is within 150m of a care home, school, nursery, college or hospital
 - vii) If new development or new use class is a waste management facility
 - viii) If new car parking more than the required blue badge spaces is provided
 - ix) If a diesel generator, biomass boiler or gas-fired CHP is proposed
- b) Assessment of submissions for discharge of conditions relating to air quality
- c) Maintain Air Quality Monitoring requirements as detailed in appendix F for purposes of reporting to the Greater London Authority (GLA), which may be subject to change depending on reporting requirements.

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- h. **Wind microclimate** – Assessment of the potential changes to the local wind environment arising from the proposed development including the requirement for any mitigation.

B. Insurance Requirements

- 15. The Service Provider shall maintain at its own cost a policy of insurance, to cover its liability in respect of any act or default for which it may become liable to indemnify the Council under the terms of this Contract in the following minimum sums:
 - a) Employers' liability of £10,000,000 (ten million)
 - b) Public liability of £5,000,000 (five million)
 - c) Professional indemnity of £2,000,000 (two million)

C. Quality Standards

- 16. The advice provided under the contract should be presented in a succinct written format. It should include a clear recommendation and simple summary that wherever possible uses plain English and is suitable for use in an Officer's Report. Where the advice provided is critical or negative, advice on potential solutions to the issues highlighted should also be provided. The selected contractors should also make provision for a monthly virtual drop-in workshop to provide officers with the opportunity to clarify advice or seek advice on minor issues.
- 17. The council retains the right to suspend this procurement process and/or not continue with the tender process at any point at its own discretion.

D. Experience

- 18. The provider should have the professional and technical expertise to provide observations on the matters set out in paragraph 14 and experience of providing similar services.

E. Key Performance Indicators

- 19. Lambeth's initial statutory response period for consultees is 21 days. Responses under this contract would be required within that timeframe (potentially earlier) to enable the Council to deliver against its statutory planning application performance targets. Within 21 days a response to all consultations will be expected from the provider. It should be noted that, from time to time, re-consultations are sought when amendments to proposed developments are received for consideration.

F. Frequency of Contract Meetings

- 20. The selected contractors should also make provision for a monthly virtual drop-in workshop to provide officers with the opportunity to clarify advice or seek advice on minor issues.

G. Contract Management Arrangements

- 21. The selected contractors should provide a single point of contact for the contract.