

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

25 February 2008

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 DEVELOPMENT CONTROL – LOCAL VALIDATION CRITERIA FOR PLANNING AND ALLIED APPLICATIONS

Summary

To report the results of the consultation exercise in respect of the validation of planning applications.

1.1 Introduction

1.1.1 I reported to the last meeting of the Board about changes to the Development Control process and in particular the need to adopt local validation criteria. The Board and subsequently Cabinet authorised consultation on such criteria.

1.1.2 The draft Validation Advice Note and over 20 validation check lists have been placed on a dedicated webpage. This may be accessed via both the main website Home Page and the Planning Services page. We have provided an interactive form for comments. Comments have been invited to be received by post, fax, email or interactive form.

1.1.3 To ensure the widest circulation, our initial consultation was carried-out by letter. Responses were invited by all the channels mentioned above. When we have been asked to, we have provided hard copies of the consultation documents.

1.1.4 We despatched over 150 letters as follows:

- Planning agents/applicants – 90
- Statutory and other consultees – 59
- Parish/Town Councils - 27

1.1.5 At the time of writing five replies had been received – two from consultees, one each from an applicant, a Parish Council and a local resident. Any further representations will be reported at the meeting.

- 1.1.6 Southern Water Services suggest additional documents that could be added to the technical references in the Validation Advice Note. These would be useful additions to the guidance but it will be necessary to obtain the agreement from one of the authors.
- 1.1.7 Kent Wildlife Trust has made a number of suggestions for added emphasis on matters related to biodiversity, a number of further suggested reference documents and some changes to some of the validation lists. I feel that all of the suggested changes are helpful and can be adopted in one way or another.
- 1.1.8 The remaining comments are not directly related to this project and are informed by either matters where the standards are defined nationally or are legal requirements that cannot be set aside.
- 1.1.9 While the level of response may be considered somewhat disappointing it may also possibly reveal that most of those operating in and around the development industry are aware that the changes proposed by the Government are going to happen and also find that the approach adopted in the consultation is appropriate.
- 1.1.10 In addition to the matters raised by consultees the reference documents in the Validation Advice Note will be kept under constant review and enhanced as and when necessary.
- 1.1.11 The changes to the validation process are one part of a move to clarify and smarten aspects of the planning process as a whole. Another initiative is the introduction of a national standard application form (IAPP) which is being developed electronically for use through the Planning Portal. This is required to be in place by the beginning of April and we are on course to meet that timetable which will align with the introduction of the new local validation criteria.

1.2 Legal Implications

- 1.2.1 This work is to give effect to Government guidance.

1.3 Financial and Value for Money Considerations

- 1.3.1 No additional costs to the Authority and may effect some value for money benefits from the submission of better quality applications

1.4 Risk Assessment

- 1.4.1 The principle was agreed at last Planning and Transportation Board.

1.5 Recommendation

- 1.5.1 The results of the consultation process, as set out in paragraphs 1.1.6 and 1.1.7 **BE ADOPTED** for integration into the appropriate Local Validation documents.

The Director of Planning Transport and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Lindsay Pearson

Nil

Steve Humphrey
Director of Planning Transport and Leisure