

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

29 July 2009

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 DRAFT PPS4 – PLANNING FOR PROSPEROUS ECONOMIES: CONSULTATION

Summary

The Government is consulting on a revised draft of PPS4 which consolidates advice on economic development from old PPG4, PPG5, PPS6 and PSS7. Subject to some points of detail the consolidation of this advice is welcomed.

1.1 Content of draft PPS4

1.1.1 The Government has published a consultation draft of a new Planning Policy Statement (PPS) on Planning for Prosperous Economies (PPS4). Its main purpose is to replace and bring together in one new PPS all national planning policy advice which has an effect on the economy. It sets out a comprehensive policy framework for planning for sustainable economic development in urban (including town centres) and rural areas, which:

- updates a previous Draft PPS 4: Sustainable Economic Development , (published in early 2008) which was originally intended to replace PPG 4: Industrial, Commercial Development and Small Firms (1992) incorporating CLG's response to views expressed by consultees;
- replaces PPG5 :Simplified Planning Zones (1992) which will now be published as separate guidance;
- replaces PPS6 (Planning for Town Centres) incorporating the outcome of the consultation last summer into changes the Government was proposing at that time plus the unaffected remaining policies in PPS6;
- incorporates the economic development elements of PPS7 (Sustainable Development in Rural Areas)

- replaces paragraphs 53, 54 and Annex D of Planning Policy Guidance Note 13: Transport relating to the issue of non-residential parking standards.
- 1.1.2 In states that it is in line with the principles established in Planning Policy Statement 1: Delivering Sustainable Development and the plan-led approach and emphasises the need for Regional Planning Bodies and Local Planning Authorities to plan proactively for economic development in their areas. The emphasis throughout is on giving appropriate weight to economic development impacts at all stages of the planning process. The draft PPS draws on recommendations made in the Taylor Review of the Rural Economy and Affordable Housing and in the Planning White Paper, Planning for a Sustainable Future.
- 1.1.3 The policies set out in this PPS should be taken into account by Regional Planning Bodies in the preparation of revisions to Regional Spatial Strategies, and by Local Planning Authorities in the preparation of their LDF. In considering planning applications for economic development, planning authorities should have regard to the policies in this PPS as material considerations.
- 1.1.4 The document comprises:
- a set of 10 proposed Plan-making policies and 12 decision making policies. In this respect the draft PPS adopts a marked change of style to previous PPSs with the policies being clearly identifiable from the rest of the text and numbered which makes it look much more like a high level development planning document;
 - a series of Annexes which go into considerable detail about evidence and impact tests that are needed to support these policies.
- 1.1.5 The key themes are:
- Local Planning Authorities, as well as Regional Planning Bodies, will be required to develop robust economic evidence bases on the need for employment land over the plan period and the demand for additional floorspace for retail, leisure and office development, having regard to market information and economic data;
 - Region Planning Bodies and Local Planning Authorities must aim to achieve sustainable economic development through flexible and pro-active policies taking into account the needs of the whole economy and responding to market signals;
 - For retail development, the current need and impact tests are to be replaced by an improved impact test which, supported by separately-published good practice guidance, will continue the strong focus on the “town centre first” policy;

- Complementing this is an emphasis on a sequential approach to town centre site selection in plan preparation and sequential assessments to accompany planning applications for main town centre uses which are not in an existing centre nor allocated in an up-to-date development plan;
- In rural areas:
 - § the general principle of protection of the countryside and its natural resources remains and there is still to be strict control of economic development away from existing settlements; most new development to be within or on edge of existing settlements;
 - § however, Local Authorities should consider the importance of village and local centre shops and services (e.g. pubs) to their local communities and support small scale economic development;
 - § the current requirement, which supports farm diversification for business purposes with an agricultural link, is to be broadened to include small-scale non-agricultural enterprise as well;
- Local Planning Authorities should set maximum parking standards for non-residential development in their area. There should be no minimum standards other than for parking for disabled people;
- recognising the importance of good design for sustainable economic development, low carbon emissions and facilitating green industry.

1.1.6 The consultation runs until **July 28th 2009**. It is anticipated that the final PPS will be published later in 2009.

1.2 Commentary

1.2.1 The intention to consolidate policy advice on economic development into a single PPS is welcomed, as is the new format (which hopefully will be adopted for future PPS reviews) which clearly identifies which elements of the document are actually “policy”. Generally, the policies are more clearly and fully expressed than previously.

1.2.2 On the substantive content of the document not a lot has changed though the emphasis is now strongly in favour of sustainable economic development and the policies are more clearly expressed. One notable feature is that, as was expected in light of the previous approach adopted on the earlier draft PPS6, the “needs test” for the justification of some retail schemes has now gone. However, the sequential and impacts tests are retained. When considering planning applications for development not in accordance with the development plan whilst there is no longer a requirement to demonstrate need, the requirement for a full impact assessment is unlikely to make things easier, since this will still require an assessment of need, before the impact can be assessed.

- 1.2.3 The slight change in emphasis in relation to farm diversification will introduce greater flexibility and will lead to less need for interpretation, but potentially greater impacts if adequate controls are not imposed. I am pleased to note that the previous proposals in the former draft revisions to PPS4 that “housing” should be included as a category of economic development is no longer being pursued.
- 1.2.4 While the document sets out some broad definitions of what constitute town and other centres in the Introduction, my main criticism of the document is the relative lack of any clarity in such definitions and these could usefully be included in a Glossary Annex. Without these, much will depend upon interpretation with the potential for legal challenge.

1.3 Legal Implications

- 1.3.1 None

1.4 Financial and Value for Money Considerations

- 1.4.1 None

1.5 Risk Assessment

- 1.5.1 None

1.6 Recommendations

- 1.6.1 That the views expressed in Section 1.2 of this report be endorsed as this Council’s response to the consultation.

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:

Nil

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