

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

20 November 2012

Supplementary 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 GOVERNMENT PLANNING REFORMS UPDATE

Summary

This report provides Members with an update on the latest Government Planning Reforms. As a Local Planning Authority it is vital that we are aware of the many and various changes to the Planning System that the current Government have initiated.

1.1 Extending permitted development rights for homeowners and businesses

1.1.1 Since the substantive report that appears on the agenda was drafted the Government has published its formal consultation document with regard to the proposed changes to allow substantially larger single storey extensions to be erected during a 3-year period. The consultation also includes some other changes to 'permitted development.

1.1.2 There are five areas of change propose as follows:

- § *Increasing the size limits for the depth of single-storey domestic extensions from 4m to 8m (for detached houses) and from 3m to 6m (for all other houses), in non-protected areas, for a period of three years. No changes are proposed for extensions of more than one storey.*
- § *Increasing the size limits for extensions to shop and professional/financial services establishments to 100m², and allowing the building of these extensions up to the boundary of the property (except where the boundary is with a residential property), in non-protected areas, for a period of three years.*
- § *Increasing the size limits for extensions to offices to 100m², in non-protected areas, for a period of three years.*

- § *Increasing the size limits for new industrial buildings within the curtilage of existing industrial premises to 200m², in non-protected areas, for a period of three years.*
- § *Removing some prior approval requirements for the installation of broadband infrastructure for a period of five years.*
- § *We also wish to explore whether there is scope to use permitted development to make it easier to carry out garage conversions. “*

- 1.1.3 I must say that I have grave reservations with regard to the increases in size of domestic extensions because as far as can be ascertained no clear assessment has been made of the impact that this may cause to occupiers of adjoining residential properties in various circumstances.
- 1.1.4 When the Secretary of State first announced these types of changes a report was made to the Cabinet and Cabinet resolved that representations were sent to the local Members of Parliament. That was duly done and a copy of the letter is annexed. **Annex 1.**
- 1.1.5 I also have reservations about the notion of conversion of existing garages. Where these are protected by planning condition this is to avoid the adverse impacts of on-street parking. If a garage conversion were to go ahead without compensatory parking there is the risk of localised adverse impacts.
- 1.1.6 A full assessment needs to be made of all options and a response drafted to ensure that a response is made by 24 December. The previous consideration by Members has assisted in steering the representations and taking a lead from that, I propose that I be authorised to compose a formal response to the current consultation in consultation with the Chairman and Cabinet Member for Planning and Transportation.

1.2 Legal Implications

- 1.2.1 See report on main agenda

1.3 Financial and Value for Money Considerations

- 1.3.1 See report on main agenda

1.4 Risk Assessment

- 1.4.1 See report on main agenda

1.5 Equality Impact Assessment

- 1.5.1 See report on main agenda.

1.6 Policy Considerations

1.6.1 See report on main agenda

1.7 Recommendations

1.7.1 A detailed response to the consultation document **BE PREPARD** in consultation with the Chairman of this Board and the Cabinet Member for Planning and Transportation and then submitted to Government.

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

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	See main agenda report
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	See main agenda report
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.