

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure

**Decision No:
D160059MEM**

Date: 26 July 2016

Decision(s) and Reason(s)

Local Validation Requirements List

(Report of Director of Planning, Housing and Environmental Health)

The report summarised the Borough Council's obligations in respect of the validation of planning applications, together with associated submissions, and made recommendations for local requirements to provide clarity on what information should be submitted to make an application valid.

The adoption of a Local Validation Requirement List (LVRL) would enable the Council to seek the provision of information over and above the submission of application forms, certificates of ownership and plans. A LVRL, drafted in accordance with national guidance and comprising a matrix setting out validation requirements, was attached as Annex 1 to the report for consideration.

Concern was expressed that the average homeowner could find the validation requirements complicated. It was proposed that an Executive Summary setting out the basic steps be prepared to simplify the process for inexperienced applicants.

It was also suggested that a general disclaimer 'reserving the right to request additional information' be included to enable Planning Officers to pursue extra material outside of the validation requirements.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

The Local Validation Requirement List, attached as Annex 1 to the report, be adopted with effect from 14 September 2016; subject to minor amendments regarding an Executive Summary and general disclaimer statement as set out above.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 26 July 2016

Signed Cabinet Member for Strategic Planning and Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

Date of publication: 29 July 2016

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

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Decision(s) and Reason(s)

Planning Enforcement Plan

(Report of Director of Planning, Housing and Environmental Health)

The report gave an overview of a proposed Planning Enforcement Plan intended to provide a clear and transparent structure for dealing with planning enforcement matters. Particular reference was made to how complaints would be managed and prioritised.

The proposed approach to enforcement, including timescales for action, details of responses to suspected breaches of planning control and prioritisation of planning enforcement resources were set out in the Plan, attached as Annex 1 to the report.

After careful consideration of the Plan, concern was expressed about the consistency of the terminology used and whether there could be confusion around the meaning of expedient and 'serious harm'. Officers recognised the importance of consistency and suggested that paragraph 2.6 of the Plan be amended to reflect that the test for expediency was 'serious' harm and not just 'general' harm.

In addition, it was suggested that the Enforcement Plan be reviewed in 6 months to check and monitor progress.

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

The Planning Enforcement Plan, set out in Annex 1 to the report, be adopted, subject to the amendment to paragraph 2.6 as set out above.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 26 July 2016.

Signed Cabinet Member for Strategic Planning and Infrastructure H Rogers

Signed Leader: N Heslop

Signed Chief Executive: J Beilby

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