



Planning Peer Challenge

Tonbridge and Malling Borough Council

15 – 18 September 2025

Feedback Report

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1.0 Executive Summary

- 1.1 This report presents the findings of a peer review of the Planning Service at Tonbridge and Malling Borough Council (TMBC). The review was organised at the request of the council by the Planning Advisory Service (PAS) and Local Government Association (LGA), it was undertaken on site between the 15th and 18th September 2025.
- 1.2 TMBC's Planning Service is clearly on an improvement journey and there have been significant steps made to improve the development management performance and culture and to focus on adopting a Local Plan under the current plan-making system. Even though TMBC will shortly be subject to local government reorganisation the officers and members at TMBC want the council to be in the best possible position to ensure that planning at TMBC will be a positive benefit to the new council. Possibly the most important attribute of the Planning Service is that people like working at TMBC and value the environment where they live and work.
- 1.3 TMBC has a strong senior leadership. It has a Chief Executive who has a clear vision for the area and is well regarded by staff and members. In turn, the Leader of the Council has a clear set of priorities and the Cabinet member is committed to delivering a high quality Planning Service. This strategic management is focussed and works well. The Planning Service also has a clear leadership structure with strong lines of management communication with committed managers at all levels of the service. No political party has overall control at TMBC, however, it is led by members who understand the planning system and understand the importance of a clear planning vision through the Local Plan and defensible decision-making. They also have a clear understanding of the challenge in adopting a Local Plan under the current plan-making system when there is an anti-growth / pro conservation agenda from some members and strong resistance to growth from some parts of the community.
- 1.4 One of the biggest obstacles to TMBC meeting its planning ambitions is the lack of understanding and trust between some members and officers. This is by no means a situation that affects all members and officers, but the issue is creating a culture of caution, defensiveness and upward delegation. This is played out most practically in decision-making. Officers feel the need to write very long, detailed reports to cover every issue that could be raised by members and managers feel the need to protect officers rather than delegating decisions. This behaviour is because some members feel the need to robustly scrutinise officer recommendations to identify weaknesses in their arguments and to challenge officers in a public forum such as planning committee. The peer team found that at the strongest performing councils there will be a mutual trust between officers and members where there is healthy scrutiny of officers' recommendations, but also respect for the role of the professional officer and the elected member.
- 1.5 Whilst the peer team saw clear statistical evidence that TMBC's Planning Service has improved over the last year, there remains a culture that has not fully embraced the objectives and priorities in the new Corporate Strategy. It appears that some officers do not fully understand the ambition of the council to work openly and in partnership with the local community and this could be creating a resistance to change. Compounding this there are some elements of a "them and us" culture between the plan-making and decision-making parts of the Planning Service with some officers having a lingering legacy of a *development control* rather than *development management* approach. This has led to a tendency among some staff in upward delegation rather than taking responsibility directly. The peer team would like to emphasise that this is not common to all staff, but perhaps a legacy. The overall direction of travel is positive and we are confident the culture is changing for the better.

- 1.6 The Planning Service has a stark lack of specialists and relies almost entirely on planning officers and technical support staff. There is therefore a strong dependence on external sources to advise the planning staff from outside the Planning Service and assistance is sought from councils such as Kent County Council and Sevenoaks District Council. This is surprising given the council's growth ambitions and the prominence given to the built and natural heritage and good design. The lack of specialists is both putting significant pressure on planning staff workloads and also fostering a more insular culture. There is a reliance on others telling staff how to respond rather than proactive, collaborative working with partners across the council and externally.
- 1.7 The Planning Service is also hindered by its processes and inefficiencies. This is mostly due to the imposition a few years ago of a new software system that officers consider is not fit for purpose. This has resulted in a disruptive return to the original Uniform IDOX system. The peer team feels that it is important that officers reflect on why such a high impact decision was taken with insufficient involvement and understanding of the requirements of the planning staff and service. In this way the same problems should not be replicated in the return to the Uniform IDOX system. However, it has become apparent that the software system is not the only problem with the development management processes as there is also a lack of consistency in approaches with some staff creating their own systems rather than adopting a service wide approach to managing their own workloads and performance. This issue is covered in greater detail in the Development Management Review (appendix 1).
- 1.8 There are some significant improvements taking place at TMBC and the Planning Service has a feel of transition taking place that is very positive and encouraging. Leadership is strong at the highest level of the council, and the Planning Service is very self-aware of its challenges as it moves towards local government reorganisation and requirements nationally to meet the Government agenda on growth. The Planning Service is in a good position to meet these challenges provided it stays focused on its key priorities and breaks away from its past weaknesses in terms of culture and anti-growth agenda.

2.0 Key Recommendations

- 2.1 The table below sets out the key recommendations from our review. Further detail on each can be found in the main body of the report.

R1	Embed strategic leadership, vision and culture Build on the updated Corporate Strategy by working with the planning teams and members to better articulate how planning supports the ambition and long-term vision in the Corporate Plan. The involvement with the Chief Executive, Leader and Cabinet Member is important in this process to foster a culture of trust, collaboration, and strategic thinking within the Planning Service.
R2	Enhance governance and delivery capacity Introduce a programme of training for middle management within the Planning Service to increase their skills and awareness in delivering the corporate ambitions of the wider council. This should provide these key individuals with better confidence to deliver the ambitions set out in the emerging Local Plan.
R3	Rebuild member-officer relationships Invest in targeted member development and joint officer-member working initiatives and training opportunities to reduce the “us vs them” dynamic. Promote shared ownership of the Local Plan and democratic decision-making. This can be carried out in different ways and could include: learning from experience discussions from appeal decisions and other contentious planning decisions; a joint exercise to review the format of officer reports; and chair of planning committee “meet the staff” sessions.
R4	Review of the service structure To strengthen the effectiveness of the current Planning Service, a review of the current staff structure is required to address existing skills deficiencies—particularly in the areas of heritage and design support, which are increasingly critical to good planning outcomes. There are opportunities within the service to better support Planning Officers and build capacity without exceeding the existing budget envelope. This could be achieved through a strategic redesign of roles and responsibilities. For example, the Technical Team, which is relatively large for a service of this size, could be better utilised to provide broader support across the service. Additionally, the Business Support Manager post is a valuable resource that is currently underutilised. A clearer alignment of this role with service needs could significantly enhance operational efficiency and coordination. This review should be approached with a view to maximising internal talent, improving service resilience, and ensuring TMBC is equipped to meet both current and future demands.
R5	Pre-application service As part of the wider review of the Planning Service, the Business Support Manager role presents a valuable opportunity to strengthen operational delivery and strategic oversight. A focused review of this post will enable TMBC to assess its alignment with service needs and unlock its potential to support key functions more effectively.

	In particular, this review should include a comprehensive evaluation of the Pre-Application and Planning Performance Agreement (PPA) service, using the PAS guidance as a benchmark. This is a critical area where improved structure, performance monitoring, and customer value can significantly enhance planning outcomes. By refining this service, there is the opportunity to: • Address current gaps in performance and consistency. • Introduce a robust performance management system to assess effectiveness and ensure accountability. • Reinforce the value of the PPA and pre-application process to developers, members, and residents. • Generate additional income to support service delivery and capacity building. This approach will also help ensure that the service is transparent, responsive, and aligned with the Council's broader growth and regeneration objectives. It is essential that any enhancements are embedded within a framework that supports member and resident oversight, while also delivering a high-quality, commercially viable Planning Service.
R6	Planning software transfer As part of the ongoing transfer of planning software from Agile to IDOX Uniform, ensure that all staff are engaged in testing the software to confirm that it meets the requirements of all staff within the Planning Service who will need to use the software. This should include a learning through experience exercise so that the service can understand why the previous transfer from Uniform IDOX to Agile did not meet the expectations of staff and ensure the same mistakes are not replicated.
R7	Parish council and other community engagement Create a stronger relationship with parish councils and other community groups so that TMBC can maximise the local knowledge and expertise from within the local community whilst managing the expectations in delivering the Government's wider growth targets. A practical example of achieving this would be through the local community support in preparing a local list and conservation area management plans. This will ensure the local community can have a clear role in bringing forward a Local Plan that properly respects the heritage of the local area.
R8	Community engagement in the Local Plan process Ensure that the local community is empowered to engage positively in the Local Plan process. This should ensure there are clear messages from the senior leadership in the council about the growth agenda that needs to be delivered at TMBC, whilst articulating how the community can engage in a meaningful and timely way.
R9	Neighbourhood planning Provide support to parish councils / community groups to establish neighbourhood planning forums so that, where appropriate, neighbourhood plans can be prepared by the local community in parallel with the Local Plan timetable. This should include a training programme so that community expectations are managed and there is a greater understanding of the role of neighbourhood planning in the development plan process.
R10	Development and agents forums Engage with developers and local agents in a more structured way. This should take the form of developer and agents forums so that the development community has a channel for finding out about key initiatives taking place at TMBC, such as key stages in the Local Plan process. The forums should also be used to improve performance and customer service and create a collaborative environment whereby the development community can help improve the Planning Service provided by TMBC.

R11	Connections with wider partnerships Ensure that the Planning Service is in the best possible position to engage in local government reorganisation by improving its involvement in existing wider partnerships. For example, the Planning Service would benefit from greater involvement with the local Chamber of Commerce, Kent Nature Partnership, the Kent Association of Local Councils and joint planning initiatives involving neighbouring authorities.
R12	Member and officer planning committee learning Undertake a joint training programme with officers and members to learn from other best practice councils in running planning committees. This should involve discussing different approaches to running planning committees and how they impact on planning outcomes. Through this joint learning TMBC should review its current planning committee protocol so that it both meets the requirements set out by Government whilst also addressing the priorities for TMBC. Reference should be made to the PAS planning committee best practice self-assessment toolkit to help the planning committee review.
R13	Planning appeals Introduce a learning through experience process whereby members and officers can reflect on key planning decisions made, learning from areas of best practice and avoiding, wherever possible, planning appeal overturns and costs awards. The learning should build on the current regular reporting at planning committee on appeal decisions to a more active learning approach.
R14	Planning enforcement Build on the progress that has already been made on strengthening planning enforcement performance by creating a culture of proactive enforcement. This should involve local members in helping officers to prioritise planning enforcement activities that makes the biggest impact to areas of most concern to the local community.

3.0 The Peer review approach

The Peer review team

- 3.1 Peer reviews, often referred to as peer challenges, are delivered by experienced elected councillors and officer peers. The make-up of the peer team reflected the focus of the peer review and peers were selected based on their relevant expertise. The peers were:
- **Councillor David Brackenbury**, North Northamptonshire Council
 - **Mark Cassidy**, Chief Officer – Planning and Climate Change, Lancaster City Council
 - **Christine Lyons**, Executive Director Growth and Partnerships, Basildon Borough Council
 - **Rachel Murtagh**, Principal Consultant, PAS
 - **Peter Ford**, Peer Review Manager and Principal Consultant, PAS

The Planning Advisory Service (PAS)

- 3.2 PAS is an LGA programme funded primarily by a grant from the Ministry of Housing, Communities and Local Government (MHCLG). It is our principal mission to ensure that Local Planning authorities (LPAs) are continuously improving in their execution and delivery of Planning Services.
- 3.3 To achieve this, the PAS work programme focuses on:
- Helping local government officers and councillors to stay effective and up to date by guiding them on the implementation of the latest reforms to planning.
 - Promoting a 'sector-led' improvement programme that encourages and facilitates local authorities to help each other through peer support and the sharing of best practice.
 - Providing consultancy and peer support, designing and delivering training and learning events, and publishing a range of resources online.
 - Facilitating organisational change, improvement and capacity building programmes - promoting, sharing and helping implement the very latest and best ways of delivering the Planning Service.
- 3.4 PAS also delivers some of its services on a commercial basis including change and improvement programmes for individual and groups of planning authorities.

Scope of the review

- 3.5 The aims of this review were developed following initial conversations and correspondence with TMBC as well as consideration of background documents. They are to:
- The strength of the development management and enforcement service and how it engages with the other areas of planning, the wider council and its customers
 - The effectiveness of the planning committees
 - Resourcing across the service and particularly development management
 - The culture within planning and how it aligns with the direction of the council
- 3.6 These aims and the issues they raise were examined by the peer team across five key themes, which are common to all peer reviews and form the structure for this feedback report. They are:

- **Vision and leadership** - how the authority demonstrates leadership to integrate planning within corporate working to support delivery of corporate objectives
- **Performance and Management** - the effective use of skills and resources to achieve value for money, and the effectiveness of processes (and the roles of officers and members) in decision-making on development proposals.
- **Community engagement** – how the authority understands its community leadership role and community aspirations and uses planning to help deliver them.
- **Partnership engagement** – how the authority works with partners to balance priorities and resources to deliver agreed priorities.
- **Achieving outcomes** - how well the service leverages national and Local Planning policy to deliver the sustainable development and planning outcomes its community requires.

3.6 The peer challenge work was preceded by a separate Development Management Review that was carried out by PAS in July 2025. The review was based on the [PAS Development Management Challenge Toolkit](#). The toolkit provides an opportunity for councils to undertake a 'health check' on their development management service. The purpose of the review was not to cover every aspect of the development management service, but to focus on the areas that had been highlighted by TMBC as being of particular concern in relation to performance. TMBC was asked to identify the most relevant of the 15 sections covered in the PAS Development Management Challenge Toolkit. The specific sections selected by TMBC to focus on were:

- Performance management
- Workload management
- Team management
- Officer reports

The development management report with specific recommendations should form an addendum to this peer challenge report and is included as appendix 1.

The peer review process

- 3.7 Peer reviews are improvement focused, and it is important to stress that the review of TMBC's Planning Service was not an inspection. The process is not designed to provide an in-depth or technical assessment of all plans and proposals or to undertake a forensic analysis of every aspect of service. The peer team used their experience and knowledge of local government to reflect on the information presented to them by TMBC as well as by people they met and the things they saw, reviewing this through a strategic lens to focus on the most important issues for the Planning Service.
- 3.8 The peer team prepared by reviewing a range of documents and information to ensure we were familiar with the Planning Service and the challenges it is facing. The team then carried out the core of the review onsite between 15th and 18th September 2025. As well as in-person meetings, some meetings were held virtually during the onsite review to reach as many people as possible. In total, the team gathered information and views from over 50 people. All the information collected is on a non-attributable basis to inform this report. In addition, the peer team was taken on a bus tour of the council area to visit some of the key opportunity sites that are coming forward as part of TMBC's emerging Local Plan. It also attended the live Area 2 Planning Committee on 17th September 2025.
- 3.9 In presenting this feedback report, the peer team has done so as fellow local government members and officers. By its nature, the review represents a snapshot in time, and the peer team appreciates that some of the points in this report may touch on things that TMBC is already addressing or progressing. However, the team is keen to provide a comprehensive report and full understanding of its conclusions. As part of the work, the peer team presented

a verbal summary of this report and evolving recommendations to an audience made up of some of those who took part in / were interviewed as part of the review.

- 3.10 The peer team would like to thank councillors, staff, community representatives and partners for their open, honest and constructive responses during the review process. The team was made to feel very welcome and appreciate the time that everyone committed to their work.

4.0 Context and background to the review

- 4.1 TMBC is a two-tier district council that has 44 councillors covering 19 wards. There are 21 Conservative, 11 Liberal Democrat, 8 Green, 2 Labour and 2 Independent councillors. Therefore, the council is under no overall control. TMBC forms part of the Kent councils and is undergoing local government reform. A decision on the new Kent councils structure is still to be decided with proposals to be submitted by 28th November 2025. Whatever the final outcome, TMBC has a limited period of time in its current structure, and the council wants to ensure that its Planning Service is in the best possible condition when local government reform takes place.
- 4.2 The Council's current Local Plan dates from 2007. It comprises the Core Strategy with a subsequent Managing Development and the Environment Development Plan Document adopted in 2010. Work is currently underway on a replacement plan with a Regulation 18 Consultation due to take place in November 2025, Regulation 19 in August 2026 and submission by November 2026. A previous Local Plan was withdrawn in 2019 since it failed to meet the Planning Inspector's test on duty to cooperate. Considerable work is taking place to ensure that the emerging plan will be seen as 'sound' when tested through the examination process. The council does not have a five-year housing land supply and at the time of the review it had 2.89 years of housing land supply (interim position from January 2025).
- 4.3 The Council deals with approximately 2000 planning and related applications per year. It has a formal scheme of charging for pre-application advice. In line with the national economic picture, application numbers have steadily increased in the past couple of years. In the financial year 2024/25 planning application fee income was slightly higher than forecast. This was due to the submission of a significant strategic application for 1300 dwellings. This planning application is being managed by an external consultancy secured through a Planning Performance Agreement (PPA).
- 4.4 The Planning Service comprises a development management officer team, a policy team and a separate technical support team. The team is led by a Head of Planning Services with a Head of Development Management (vacant at the time of the peer review), a Head of Planning Policy and Business Support Manager.
- 4.4 With regard to the Government's measures of planning performance on decision-making TMBC is currently well clear of the Government's minimum threshold in respect to speed of decision-making. For the year October 2024 to September 2025 TMBC has so far determined 95% of its majors in time (against a minimum threshold of 60%) and 79% of its non-majors in time (against a minimum threshold of 70%). The last quarter of data (July to September 2025) is still to be collected. However, with regard to quality of decision-making TMBC has had four upheld appeals for the 45 major decisions in the period April 2023 to September 2024. The Government will next be assessing the quality of decision-making between April 2023 and March 2025 and at present TMBC is close to the maximum threshold set by Government with 8.9% of major decisions upheld at appeal against the maximum threshold of 10%. The council has also been exposed to a significant costs award for one of its appeals amounting to £311,000.

- 4.5 Most unusually for a council the size of TMBC the council operates three planning committees operating on an area basis with every member of the council sitting on one of the planning committees. Between January and August 2025, a total of 13 planning committee meetings were held and another 6 were cancelled due to lack of items coming forward.
- 4.6 The planning enforcement team deals with between 260-300 requests to investigate in a year. The Council's Enforcement Policy was reviewed through an internal scrutiny process in 2022. A limited number of notices are issued each year with the emphasis being on seeking to ensure that breaches of control are regularised. With the recruitment of a new Planning Enforcement Manager, the Council is seeking to take a more pro-active stance with enforcement appeals and is looking to refresh the Local Enforcement Plan in the coming months. The Council operates a priority system with regard to cases requiring enforcement action based on the requirements sets out in the Local Enforcement Plan.
- 4.7 There are over 1318 listed buildings (over 90% which are Grade II, 5 % Grade II* and 3% are Grade I) and 60 conservation areas in TMBC. The council has no dedicated Conservation Officer with conservation advice being provided by Sevenoaks District Council for eight hours per week.
- 4.8 The peer review took place at a time when a major change was taking place over the processes used to manage the development management information. The council is moving back to using Uniform IDOX as its software provider after an unsuccessful change to Agile. This is causing significant upheaval within the Planning Service both logistically and in terms of relationships as the Agile system has been unpopular among staff and a common reason blamed by staff on application backlogs and inefficiencies. The Development Management Review (appendix 1) considers the implications of this change in greater detail than can be included in this peer review report.

5.0 Detailed Feedback

- 5.0.1 The following sections set out the findings of the peer review, including an analysis of strengths and areas for improvement. In line with the peer review process, findings are structured around each of the five key themes considered in a review.

5.1 Vision and Leadership

Ambition & Strategic Direction

- 5.1.1 TMBC is a council that has a clear vision as articulated in the updated Corporate Strategy. It has four clear priorities, all of which closely align with the planning agenda in terms of efficient services, sustainability, housing needs for the local population and supporting local businesses for promoting sustainable growth. These strategic priorities should help to steer the direction of the Local Plan and, in turn, ensure that the priorities for inward investment and clear decision-making give a clear steer to the customers of the planning system. This is both in terms of the potential applicants and the community who will be affected by planning decisions.
- 5.1.2 TMBC has not managed to adopt a Local Plan since 2007 and has not been able to meet its requirements in consenting housing schemes that has resulted in the council operating under paragraph 11 of the National Planning Policy Framework (NPPF) - presumption in favour of sustainable development. The peer team saw a clear commitment from officers and some members to move the Local Plan process forward so that it can be submitted in line with the Government's target of December 2026 under the current plan-making system. However, the peer team was unconvinced that this focus was shared across the broad political leadership. TMBC's Local Plan had previously been withdrawn in 2019 due to issues with the duty to cooperate and the peer team understands that, even if it had passed the duty to cooperate test, it may well have been withdrawn for other reasons. A crucial meeting is being held with members on site allocations in October 2025 and the peer team is curious as to whether the importance and sense of urgency to move the Local Plan forward is owned throughout the council. A quote from one interviewee was "The Local Plan process is seen as solidifying sites that members don't want to come forward".
- 5.1.3 The peer team also saw evidence of a lack of joined up thinking to deliver key strategic projects that are critical to the delivery of the council's corporate objectives. One example was issues of temporary accommodation where the peer team observed a fragmented approach across council departments. The council has rightly pushed back on this perception that the peer team has gained on the lack of joined up thinking and it is certainly acknowledged by the peer team that there are areas of best practice exhibited across the council. However, in the same way, specific examples of lack of cohesion within the council are damaging the council's reputation to external partners.

Leadership & Political Engagement

- 5.1.4 The peer team was very impressed by the clarity of direction articulated by the Chief Executive, the Leader of the Council and Cabinet Member. This strong leadership is enabling the council to move forward on key planning priorities such as the delivery of the key housing allocation sites. The council also has active MPs who are able to champion the priorities of the council at the national level. In the same way there are areas of excellence within the

Planning Service with individuals who display strong political awareness and strategic thinking.

- 5.1.5 The peer team found that in planning there was an inconsistent approach to following the clear leadership from the senior managers and members. At an officer level, a heavy reliance is being placed on the Head of Planning Services to lead in plan-making and decision-making. It was unfortunate that there was no Head of Development Management in place when the peer team carried out the peer review and therefore the peer team could not see the management team operating as it would normally. This temporary gap in the team structure might explain why senior managers appeared unwilling to delegate responsibilities, even though there are clearly some excellent professionals within the Planning Service. However, it was also clear to the peer team that staff relied on the Head of Planning Services to make decisions and that there was a culture of upward delegation.
- 5.1.6 An example of the approach to management was demonstrated when the peer team watched a planning committee meeting. The items on the agenda were very minor and the case officer and team leader seemingly addressed the concerns of members. However, there was a view by both officers and members that a very straightforward decision should be deferred to the Head of Planning Services following discussion over changes. In the peer team's view, it was unnecessary for the Head of Planning Services to intervene in the decision-making process in this way and the officers had provided all the necessary information for members to make a decision.
- 5.1.7 With regard to leadership at member level, TMBC has a very unusual arrangement of three planning committees operated by members from three different political parties. This arrangement is not unique amongst English councils, but is not regarded by PAS as good practice. The peer team noted that only one of the planning committees dealt with the majority of the strategically important planning applications with the other committees largely dealing with very minor planning applications and even applications that did not constitute planning applications. In addition, there were a notable number of deferrals of planning decisions and also a referral system that is being used to Full Council for some planning decisions. This level of uncertainty in political decision-making was commented on by developers and is being interpreted by some as inconsistent political leadership (refer also to section 5.5 (Achieving Outcomes)). The deferral / referral system is not conducive to efficient planning application decision-making or always the most responsible use of public money.

The Planning Service and wider organisational issues

- 5.1.3 The Planning Service has a strong management structure with a manager responsible for the overall Planning Service, supported by a Head of Development Management, a Head of Planning Policy and a Business Support Manager supporting the technical services related to planning. In PAS's experience this is a structure that is likely to be most effective in a council the size and make-up of TMBC. The Planning Service also appears to be financially sound with a strong income stream through planning applications and pre-application discretionally income. However, the strong income is partly dependent on the PPA income from a single 1,300 dwelling development that will have a finite income stream.
- 5.1.4 There is evidence of commitment from the management team to upskill more junior staff and to develop staff in-house. The council appears to have learnt its lessons from a recent loss of key staff to other councils or the private sector who were offering greater employment

prospects and career progression. As a consequence, there appears to be a stronger commitment to staff development that, hopefully, will reduce the loss of key staff in the future.

- 5.1.5 There is also clear evidence that the Planning Service is improving both in terms of speed of decision-making and customer service and this has been acknowledged both within the council and externally. A quote from a staff member within the Planning Service was “We are a small shire with large ambitions” and from an external customer “Officers try to be positive and proactive”. Individual case officers were singled out during interviews as having a positive attitude and performing to a very high professional standard.
- 5.1.6 A key hindrance to effective leadership in the Planning Service is the ongoing distrust of members in the planning process and the distrust from officers in making sound decisions. The vast majority (approximately 98%) of planning decisions are delegated to officers and so the quality of decision-making is not being unduly affected by member decisions. However, the peer team found a culture within planning whereby officers are preparing extremely detailed reports to counter questions that they might be asked by members and members are taking, in the words of one interviewee a “forensic approach” to challenging officer recommendations. This is evidenced in the length of officer reports and examples seen by the peer team of reasons for referral to planning committee. This lack of trust from both members and officers is exacerbating workload pressures. More detail on the issues in officer reports is highlighted in the Development Management Review (appendix 1).
- 5.1.6 The member distrust in the planning system is also impacting on the risk to the Local Plan with members openly challenging many of the site allocations that will need to come forward if the council is to meet its commitment to housing delivery. Members at a very senior level are openly stating their opposition to sites being put forward in the Local Plan whilst another rejected the notion that the Local Plan needed to be advanced without delay. This suggests to the peer team that the ability to bring the Local Plan to examination stage within the current plan making period is extremely challenging. The peer team believes that member uncertainty over the planning process is partly down to training and understanding the implications of a decision-by-appeal environment. However, it is also due to the range of political views and priorities within the council.
- 5.1.7 The peer team observed evidence of frustration from both the development industry and the local community over the uncertainty on plan-making and decision-making. A quote from the community representatives was “The public is losing confidence in the planning system” largely based on the concern at the pressures being put on the council to deliver large quantities of housing in the plan period. A quote from the development industry was “Get on and get a Local Plan in place!”. This was borne by the frustration from developers that the council was taking so long in adopting a Local Plan. Also, the uncertainty when applications were submitted which, as they saw it, was causing delays and uncertainty through the appeals process.

5.2 Performance and management

Development Management performance

- 5.2.1 The peer team heard from a broad spectrum of users of the Planning Service and there was a general feeling that the reputation of development management is improving after a difficult period where there were a number of staff changes, use of agency staff and consequence

backlog in processing planning applications. The development management teams are nearly fully staffed now, and this is having a positive impact on the quality and speed of service. In particular, the people who the peer team spoke to identified individuals within the development management service who they felt provided a particularly good service. The peer team also observed the professional competence of individual staff in the way that they presented to the planning committees and addressed member questions.

- 5.2.2 The overall improvement does, however, appear to be inconsistent and, anecdotally, the peer team heard about poor service persisting in some areas. For example, the peer team was told that a member of staff had taken two months to reply to their email. The peer team also heard some worrying comments from members of staff that indicates that the overall improvements were not *owned* by everyone in the teams. A couple of quotes heard during the interviews: “We pay little attention to residents”; and “Members of the public are seen as an irritant!”. This attitude reflects the pressures that the national growth targets are having in a sensitive area that is rather resistant to large scale development. The written information given to applicants also does not instil a sense of commitment to customer service and states “We will try and meet the timescales, but we cannot guarantee”.
- 5.2.3 The Government performance standards on speed of decision-making are easily being met by TMBC with current figures standing at 95% of majors in time (against a Government target of 60%) and 79% of non-majors in time (against a Government target of 70%). However, this takes into account extensions of time. The performance figures without extensions of time are 21% for majors and 43% for non-majors. Whilst these figures are by no means exceptional and broadly in line with the national average, the council should be aware that, if as has been suggested through recent consultations, the Government was to remove extensions of time for some applications, or set a national target, TMBC may have an issue with meeting performance targets.
- 5.2.4 TMBC’s performance on quality of decision-making is of greater concern with current performance at 8.9% of major applications overturned at appeal for decisions made between April 2023 and June 2024, against a maximum target of 10%. The Government will be assessing decisions up until March 2025 and therefore there is a real possibility of TMBC of being subject to possible designation. This matter will be covered in more detail under section 5.5 (Achieving outcomes).

Skills within the Planning Service

- 5.2.5 The planning team has a number of planning professionals at different stages in their careers. This is a healthy position for the Planning Service as it allows staff to develop in their careers and gain experience from staff who have been at the council longer. The technical support team is reasonably well staffed with a Business Support Manager and, in addition, 6.7 full time equivalents (FTEs) (4 full time and 4 part time), plus a vacant post. 4 staff have responsibilities for validation. The number of technical support staff is higher than the peer team would expect for the size of the council and number of planning applications received. The peer team would be cautious in advising that the team are overstaffed as there was not sufficient time to fully understand all the roles being provided by the technical team and the team is also aware that the team is carrying some vacancies. However, it is an area of staff resourcing that should be considered further in light of other areas of resource deficiency outlined below.
- 5.2.6 The main areas of improvement that the peer team identified in the planning teams is the lack of specialist skills. The council does employ a Landscape and Tree Officer which is very positive and important for providing advice on tree issues and determining specific

applications relating to trees. The council does not have a Heritage Officer even though it has 60 conservation areas and 1,318 listed buildings. This is very unusual for a council with such heritage significance. Support is provided by Sevenoaks District Council, but this is only for 8 hours a week and is acknowledged by both TMBC and Sevenoaks officers that it is insufficient with many heritage matters being considered by planning officers without the necessary specialist knowledge. TMBC also does not have an Urban Designer or dedicated Landscape Officer, which again is surprising given the scale of growth that is being planned for through the emerging Local Plan.

- 5.2.7 Planning staff reported to the peer team that they are overworked and are still struggling to meet their performance targets, even though, based on the caseload figures provided to the peer team, the workload would appear to be manageable in the context of best practice found elsewhere in the country. The cause of the work pressures are likely due to the extra work that case officers need to undertake as part of their duties. This will also cause additional pressures on staff when they feel they do not have the skills to undertake their work. The peer team was told about concerns in particular on case officer design and landscaping skills. It would therefore be helpful if there was a review of the staff structure to see if staff with these specialist skills could be recruited into the service.

Planning application processes

- 5.2.8 The Development Management Review covers in detail the issues with development management processes at TMBC and the lack of consistency that has been highlighted by PAS. This is in part due to the issues over the changeover from the Agile software system to Uniform IDOX. A major advantage that TMBC has in its staff structure is the Business Support Manager position. A Business Support Manager post is often identified by councils as a resource that can be used to embed more consistent and streamlined processes and be a conduit for public relations between users of the service, including applicants, and TMBC's planning team. The post is also used by many councils to provide capacity for the planning managers and carry out activities that require wider organisational skills rather than planning technical skills. At TMBC the written role description of the Business Support Manager identifies some of these key roles in ensuring processes run effectively. However, the peer team found that the purpose of the Business Support Manager is, in reality, less clearly defined and is not being used as effectively as it could be. A wider review of staff structures would be an ideal opportunity to reassess the role of the Business Support Manager and to learn from best practice at other councils where this role has enabled significant service improvements.
- 5.2.9 Related to the point above is the issue of delegation and officer empowerment. One of the key obstacles identified by staff in workflow management was the delays caused by the need for more senior officers to check work of case officers. It is important that there are checks and balances in place in a development management service to ensure consistency of decision-making and to ensure that, in particular, more junior officers are given the support they need in making sound decisions. However, a common complaint raised by staff was the delays caused by officer recommendations needing to be checked by team managers. This is causing bottlenecks and impacting on individual staff performance and morale (i.e. officers were being cited by applicants as the cause of delay, when in reality their reports had already been submitted to managers). The peer team suggests that signoff procedures are therefore reviewed based on a risk-based approach. For example, team leaders could limit themselves to checking the more complex, contentious decisions so that delegation can be moved further down the staff hierarchy.

5.3 Community Engagement

Local Plan engagement

- 5.3.1 The council is going through a critical stage in its community engagement programme on the Local Plan. The community is already very engaged in the process through the strong network of parish councils and other community organisations. The Leader and Cabinet Member are both committed to properly engaging with the community and to champion the policy and site allocations within the Local Plan. Some of the sites being identified will be contentious with local residents and it is very positive that the key leaders in the Local Planning process are committed to meeting the very challenging Local Plan adoption requirements and timetable.
- 5.3.2 It was clear to the peer team from discussions that local community representatives feel exposed by the out-of-date Local Plan and the lack of a five-year housing land supply. This is leading to a position where the planning balance is weighing heavily towards a presumption in favour of sustainable development and local community representatives appear very aware of the importance of having an up-to-date Local Plan.

Development management engagement

- 5.3.3 As with the Local Plan engagement process, local community representatives are very knowledgeable and engaged in the development management process with strong representations at the planning committees from parish councils and other community groups. However, there is a level of scepticism within the community on the decisions made by TMBC on key planning decisions. This is leading to a loss of confidence by some in the planning system generally and a feeling of powerlessness in being able to influence decision-making.
- 5.3.4 In some ways the dynamic between the Planning Service and the local community will inevitably be adversarial because the council needs to respond to the Government's agenda on growth and this will inevitably conflict with the views of local residents who tend to be resistant to growth. However, the peer team feels that there are a number of lost opportunities that could and should be taken up with the engaged local community groups that can empower them to be able to influence planning decisions.

Heritage management

- 5.3.5 TMBC has a very rich built heritage and this heritage is, in part, protected through conservation area and listed building status. However, the council acknowledges its weakness in being able simply to respond to developments that impact on its heritage and is unable to resource any proactive heritage work. Many councils will actively engage their local communities to help prepare Conservation Area Management Plans and the preparation of local lists. These can provide important evidence and guidance to support the

preparation of Local Plans. TMBC's neighbour, Sevenoaks District Council, has a strong heritage resource, and worked with the Sevenoaks Society to prepare a local list that is now a Supplementary Planning Document as part of the Development Plan. TMBC equally has engaged heritage groups who could take a proactive role in working with officers to better manage the council's built heritage.

Neighbourhood planning

- 5.3.6 The peer team understands that little progress has been made within TMBC with regards to neighbourhood planning. The main reason cited is the lack of an up-to-date Local Plan. Whilst the issues with the Local Plan are a considerable hindrance to the progress of neighbourhood plans, many communities in other councils are working with the council in parallel to produce neighbourhood plans so that the community can take a proactive role in policy development. With such an engaged local community and strong network of parish councils, neighbourhood planning could be a good way to channel local knowledge in a positive way working in partnership with TMBC and might also prove helpful in sharing information regarding the Government's growth agenda.

5.4 Partnership Engagement

Consultee engagement

- 5.4.1 The relationship between the Planning Service at TMBC and both internal and external consultees is good both within development management and on the Local Plan. Consultees acknowledge how busy officers are at TMBC but found them willing to engage with consultees and to take on board the advice that is given. However, the observation that was repeatedly made was that consultees were often consulted at the last minute and the consultees that the peer team spoke to often felt it challenging to meet the timeframes set by TMBC. This was the position expressed for both the planning applications process and for Local Plan input.
- 5.4.2 The peer team also heard of some very positive partnerships that had been forged between TMBC and its partners. For example, reference was made to the preparation of a heritage strategy with Historic England and also work with Kent Downs National Landscape on developing model policies for the Local Plan. Reference was also made by external consultees to TMBC staff attending cross county officer forums to ensure that TMBC is properly engaged with Kent wide related issues. Whilst this proactive work is encouraging, there are some key gaps in the level of engagement TMBC has with its partners and particularly in taking advantage of wider county and sub regional partnerships and collaborations. For example, at the time of the review the peer team could find little evidence of a coordinated approach with wider nature, climate and environmental priorities in planning to achieve the council's corporate priority of "*Sustaining a borough which cares for the environment*". However, since the review a Climate Change Officer has been appointed who works collaboratively with planning and other departments in the Council to further our ambitions on Climate Change. TMBC is a supporting authority for the Kent and Medway Local Nature Recovery Strategy. As Local Planning Authorities have a legal duty to have regard to the relevant (LNRS) strategy for their area TMBC needs to be developing Local Plan policies that link to this strategy.

Engagement with developers and agents

- 5.4.3 The peer team found some positive engagement with developers and agents with the recently introduced pre-application briefings between developers and members receiving a positive response from both members and the development community. It is also clear that TMBC is willing to enter into PPAs on key development opportunities so that appropriate resources can be channelled to key development opportunities. In general, the peer team heard that the engagement with developers was limited and inconsistent and that more work is needed to enable the council to bring forward some of the key development opportunities that are coming forward in the Local Plan.
- 5.4.4 TMBC does not operate an agents' forum and there appeared to be limited enthusiasm for agents to engage with the peer team during the peer review. This is a potential opportunity missed as the best performing councils find that agents' forums are an ideal way to engage with local agents on discussing changes in policy and processes and to help improve performance. TMBC is reaching a critical stage both in Local Plan preparation and in the migration to a new software provider. It is an ideal time to build relations with developers and agents so that the challenges facing the council can be owned by all participants in the development process.

5.5 Achieving Outcomes

Pre-application process

- 5.5.1 TMBC has taken positive steps to give greater priority to pre-application discussions as a way to de-risk planning outcomes and better bring together the development community and the local community. The introduction of pre-application briefings for members is a clear sign of this commitment to front-loading engagement. TMBC is also willing to enter into PPAs and commit to resourcing these agreements. The peer team found that this attitude has changed even since the development management review that took place in July 2025 where staff were openly saying that they were discouraging pre-application discussions because the council was not prioritising such engagement.
- 5.5.2 Pre-applications are not performance monitored at TMBC and there was limited information about the outcomes, so it is too early to assess the difference whether these pre-application and PPA commitments are having a meaningful impact on outcomes and whether there has been a genuine change in culture at TMBC to show a step change in performance and customer service through front-loading the development process, but the initial signs are encouraging.

Planning Committee outcomes

- 5.5.3 TMBC has an unusual planning committee set up whereby every member of the council sits on a planning committee and only one of these planning committees sits on a regular basis. The [PAS Modernising Planning Committees Survey 2025](#) identified that only 21% of councils had more than one planning committee and when there was more than one planning committee 51% operated a strategic developments committee due to the growth agendas taking place at the councils. It is extremely unusual for a council the size of TMBC to have three planning committees, particularly as only 14 major applications were determined in the year 2024/25. In the period August 2024 to July 2025 only six major applications were considered across the three committees and the other applications considered were for minor, household or non-planning application issues.

- 5.5.4 The planning committees also have an unusually generous speaking arrangement. Until recently there was no limit to the number of speakers allowed and only this year has this changed to a maximum of seven speakers (each allowed to speak for three minutes). Whilst planning committee meetings are not excessively long – averaging at approximately two hours per meeting – the speaking arrangements are far more generous than most councils. The PAS Modernising Planning Committees Survey 2025 found that most councils have three speakers – an objector, a supporter and a ward councillor.
- 5.5.5 There are many issues that were identified by the peer team regarding the planning committee arrangements that did not align with national best practice. However, the peer team understands that the current arrangements are popular with members because every member can take an active part in planning decisions within their areas. However, the Government will shortly announce changes to the planning committee arrangements that are likely to involve a national scheme of delegation, limits to the number of members who can sit on a planning committee and mandatory training. The peer team therefore recommends that the council reviews its planning committee arrangements, particularly the protocols for planning committee, once the national requirements are better understood.

Appeals

- 5.5.6 As outlined in para 4.4 TMBC is close to the Government's maximum level of major decisions allowed at appeal with four appeals allowed out of a total of 45 major decisions between April 2023 and September 2024. Some of these appeals have been expensive and damaging for the council with one where costs awarded amounted to £311,000 due to an error by the council. The council also has an appeal ongoing on a site at Ivy Farm that is very contentious and has an uncertain outcome. The reasons for the recent appeal overturns have been due to a combination of planning committee decision-making and officer delegated decisions and so it is essential that TMBC closely monitors decisions and avoids putting itself under risk of designation due to the quality of decision-making. The council already reports appeal decisions at the planning committees to allow reflection and consider any lessons to be learnt. It will be even more important in the coming months for members and officers to own planning decisions, to celebrate successes and learn from poor decision-making.

Planning enforcement

- 5.5.7 TMBC has made improvements to its planning enforcement service in recent months with new appointments and an impressive reduction in the number of outstanding enforcement cases in recent months. The council has a Local Enforcement Plan with a clear system of prioritising cases. The peer team was also told that the council is reviewing the existing Local Enforcement Plan. TMBC officers are quite open in stating "We don't do proactive enforcement; we are only reactive". This is perhaps understandable given the historic backlog of cases and resource difficulties. However, it is an area that members and the local community feel strongly about, and many councils have built better relations with local communities by increasing the level of pro-active enforcement by focusing activity in areas that might have the greater impact and are of greatest concern to local residents. For example, there is an active and involved local heritage group who are concerned at the limited and reactive focus on heritage enforcement.
- 5.5.8 The peer team also heard that Members would welcome further training on enforcement matters, particularly the issues of expediency. This type of training will help make the

planning enforcement system more transparent. Similar 'enforcement system' training might also reasonably be provided in due course to Parish Councils.

6.0 Implementation, next steps and further support

- 6.1 It is recognised that TMBC and the Planning Service will want to consider and reflect on these findings.
- 6.2 To support openness and transparency, we recommend that the Council shares this report with officers and that they publish it for information for wider stakeholders. There is also an expectation that the Council responds to the findings and recommendations in the report with an action plan, publishing this alongside the report itself.
- 6.3 Where possible, PAS and the LGA will support councils with the implementation of the recommendations as part of the Council's action plan. A range of support from the [LGA](#) and [PAS](#) is available on their websites.
- 6.4 TMBC is also invited to discuss ongoing PAS support with Peter Ford, Principal Consultant, peter.ford@local.gov.uk and any corporate support with Nick Searle, Senior LGA Regional Nick.Searle@local.gov.uk.
- 6.5 As part of the LGA's peer review peer impact assessment and evaluation, PAS and the LGA will contact the Council in 6-12 months' time to see how the recommendations are being implemented and the beneficial impact experienced.
- 6.6 The author of this report is Peter Ford (peter.ford@local.gov.uk), on behalf of the peer review team.
- 6.7 This report was finalised in agreement with the Council on 3rd November 2025.

We are grateful for the support of everyone that contributed to this review.



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Appendix 1 Development Management Review

(separate document)