

Strategic Environment Cabinet Committee

Wednesday, 29 March 2023

19:30pm

Present:

Cllr Lauren Sullivan (Chair)
Cllr Brian Sangha (Vice-Chair)

Councillors: John Caller
Dakota Dibben
Brian Francis
Leslie Hills
Les Hoskins
Nirmal Khabra
Bob Lane

Wendy Lane Assistant Director (Planning)
Ben Clarke Committee Services Officer (Minutes)

130. Apologies for Absence

An apology for absence was received from Cllr Emma Morley (Cllr John Caller substituted).

131. Declarations of Interest

There were no declarations of interest.

132. Minutes

The minutes of the meeting of the Strategic Environment Cabinet Committee held on Monday, 10 October 2022 were signed by the Chair

133. Review of the Local Validation List

2022. As such, the three-step review process recommended by the Government National Planning Practice Guidance had been enacted and the Assistant Director (Planning) sought Members views regarding the operation of the current Local Validation List, draft consultation survey, and support for engaging in wider public consultation.

The Assistant Director (Planning) fielded questions from Members and explained that:

- Fundamentally, the Council was supposed to review the Local Validation List every two years; the List adopted in 2020 was the Council's first Local Validation List and had nothing previously to compare too so it was compared against Government Guidance
- The List affected larger development more than normal house holders as the rules didn't apply as much to single home planning changes
- Prior to the List being adopted in 2020, the Council was not able request supporting information with a planning application which led to delays in the process and in

certain cases invalid planning applications which had to be resubmitted. By requiring that extra detail as part of the planning application, it was often possible to prevent the need for conditions that would require further submissions post decision. That reduced timescales for implementing permissions as well as reduced pressure on workload and resources

- Step one of the three step review process had been followed and the Council had determined that the List was not in line with the National Planning Policy Framework; Members were asked to support the consultation so that step two of the process could be followed
- No changes have been proposed to the List yet; the consultation survey would glean information from relevant parties and the responses received would determine what changes needed to be made to the List
- Neighbouring Local Authorities Local Validation Lists had been reviewed and some of those local authorities that had adopted their Lists more recently had created user guides to assist users with understanding the List
- A key change made to the 2021 National Planning Policy Framework (NPPF) was the inclusion of a concept of beauty component; currently the Council did not ask for that component when requesting the landscape and visual studies. Changes such as that need to be added to the Local Validation List so that everything is in line with the NPPF
- With regards to Section 106 monies, the Councils policy was compliant with national policy and the Council frequently requested section 106 monies with planning developments. However if a developer could prove, with a viability assessment, that the payments were not viable then the section 106 monies did not need to be paid. The Government recognised the limitations of their section 106 policy and had begun consultations for an infrastructure levy which was due to end of 09 June 2023; the levy was designed to look at end value of a development rather than up front value. A report would be brought to Members in due course, but Members should note that the 64-page consultation was a very complex document
- Under the Councils climate change policy CS18, before a development could be considered the Planning Service required certain studies to be undertaken as well as a strategic flood risk assessment through the local plan process. Further information on changes made to the NPPF with regards to carbon assessment for house building was being awaited from the Government
- Protective measures for fires/overheating came under building control rather than the planning process and care was needed to ensure the two areas did not overlap but were compatible. Fire protection in building control was still being looked into due to the Grenfell fire
- A consultation to the parties most affected by the Local Validation List was the best way of reviewing the document; the survey covered all the main areas regarding the List but it did not ask questions about any other function of Planning
- The Government are conducting a consultation on a planning fee uplift and part of the consultation was looking into whether or not there should be mandatory customer surveys for the planning process
- Officers appreciated the positive feedback from Members about the improved planning process and the public finding it easier to follow but the team were constantly trying to improve wherever possible and there was always room for improvement
- The list has been in effect for several years now and the Council has been proactive with the List especially with Parish Councils so it was expected that the response rate from Parish Councils to the consultation would be far higher than the 2019

consultation. Officers were also able to place items on the Meeting with Parish Council Chairmen agenda, such as an update on the Local Validation List, if required

- The Assistant Director (Planning) did not have any statistics on the number of invalid applications submitted prior to the list being implemented and following implementation; the number had decreased however it was still an issue. The key change from the implementation of the List was reducing the timeframe for completing an application and assisting with the submission of more complex applications

In response to the Vice-Chairs suggestion of creating a focus group made up of the Councils most worked with agents and asking them what they wanted to see improved to make the list more user friendly, the Assistant Director (Planning) advised that the agents are a key group that will be consulted with. The Assistant Director (Planning) added that the agents could be contacted following the consultation to ask them if they would be interested in a subsequent group to further discuss improvements to the list.

Members supported a public consultation being undertaken to gather wider views to inform the update of the Local Validation List.

134. Q3 2022-23 Corporate Performance Report

The Committee were provided with the third Corporate Performance Update report for 2022-23 which gave an update against the Performance Management Framework, as introduced within the council's Corporate Plan, for Quarter Three 2022-23 (October to December 2022).

The Assistant Director (Planning) took Members through appendix one to the report and gave Members an overview of the council's performance against the Corporate Plan for Quarter Three 2022-23, covering the period October to December 2022.

The Assistant Director (Planning) advised that a comparison with neighbouring local authorities on the '% of 'Non-Major' planning applications processed on time' had previously been shared with Members separately. The Government had an online ABI dashboard which allowed users to select the local authority, the measures and view a comparison but a local authority could be reviewed by the Government if its statistics for non-major applications fell below 70%. Gravesham statistics were very good, higher than other local authorities and had been consistent over the last few years; the lower percentage seen in 2019 was due to an issue with a backlog and having to use agency staff due to a staff shortage.

The Chair thanked the Assistant Director (Planning) for her presentation.

Close of meeting

The meeting ended at 20:09pm.