

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 26 SEPTEMBER 2013
 title: DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2013
 submitted by: JOHN HEAP – DIRECTOR OF COMMUNITY SERVICES
 principal author: JOHN MACHOLC – HEAD OF PLANNING SERVICES

1 PURPOSE

- 1.1 To inform Members of the main changes in relation to the procedure on planning applications as a result of the alterations to the Development Management Procedure following the implementation of the Town and Country Planning (Development Management Procedure) Amendment Order 2013 which came into effect on 26 June 2013.
- 1.2 Members will be aware of a report taken to the 18 July 2013 Committee which informed them of the changes in relation to permitted development rights, this report highlights some of the changes in relation to the procedural matters relating to the content of planning applications and the way in which decisions need to be made.
- 1.3 A report was also taken to Planning and Development Committee for decision purposes regarding the local validation requirements which made reference to the need for an up to date local list for contents of planning applications which in itself was a result of changes from the Development Management Procedure Order 2013.
- 1.4 Relevance to the Council's ambitions and priorities:
- Council Ambitions – }
 - Community Objectives – }
 - Corporate Priorities – }
- Through the planning system to protect and enhance the natural and built features and contribute to the quality of the environment.
- Other Considerations – None.

2 BACKGROUND

- 2.1 The Development Management Procedure Order 2013 came partly as a result of consultation with key stakeholders with the drive to make the planning system less bureaucratic; consider whether or not the system could be improved to speed up the decision-making process and reduce the need for unnecessary information in relation to the submission of planning applications.
- 2.2 The purpose of this report is to highlight some of the procedural changes which will affect both the content of planning applications and the content of the decision notice.

3 ISSUES

3.1 The purpose of this section is to highlight the main changes in relation to the information required in submitting a planning application and the formal contents of decision notices.

Design and Access Statement (Article 4)

3.2 The new Article 8 (Design and Access Statements) means that significantly fewer types of applications would now require a Design and Access Statement to be submitted with planning applications. Design and Access Statements will now be submitted in the following circumstances:

- Major development proposals.
- The provision of one or more dwellinghouses where any part of the development is in a designated area. Designated areas are referred to as Conservation Areas or World Heritage Sites.
- Provision of building or buildings where the floor space created by the development is 100m² or more and within a designated area.

3.3 In certain circumstances, even in designated areas, not all types of applications will require Design and Access Statements. These relate to variation of conditions, extension of time limits for implementation of an extant permission, a material change of use in land or buildings or for engineering, minor operations or proposals for waste development.

3.4 This would now mean that any work on a residential property such as an extension or alteration, will no longer require a Design and Access Statement providing the extension is less than 100m² irrespective whether or not it is in a Conservation Area.

3.5 The changes also mean less information need to be included in any Design and Access Statement. It is only now the case that a Design and Access Statement should explain the design principles and how they have been applied to the development.

3.6 The net result of these changes in design and access requirements is to reduce the number of types of applications which must be accompanied by a Design and Access Statement and to simplify their required contents.

Decision Notice

3.7 Members will be aware that it was previously required that where planning permission is granted the decision notice shall:

- include a summary of the reasons for the grant of permission;
- include a summary of relevant policies.
- Details of the reasons for the conditions on any approved scheme and relate them to appropriate policies.

3.8 The above has been replaced by a new requirement that simply states that:

- where planning permission is granted subject to conditions any notice shall state clearly and precisely the full reasons for each condition imposed.

- 3.9 The above means that it is no longer necessary for a decision notice to include a summary reason for the grant of permission nor to include the policies that were relevant to the decision.
- 3.10 Members will be aware that both details in delegated reports and on a Committee report, reference is made to relevant policies, this will still be an essential part of consideration but is no longer necessary to refer to these points in the formal decision notice. Members will also be aware of that in the likelihood of Members overturning of the recommendation at Committee, previously the Head of Planning Services has requested a summary of reasons for such decision but this will no longer be necessary. However, I consider that it would still be beneficial and transparent to report the reasoning for such decisions. In the same way any officer report should clearly explain the justification for each recommendation.

Reserved Matters

- 3.11 The definition of reserved matters has been amended to remove the obsolete reference to Article 4(4). It was amended in January 2013 so that where scale is a reserved matter the outline application no longer needs to state the upper and lower limits, height, width and length of each building.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:

- Resources – The reduced requirements both in the form of the decision notice and the Design and Access Statement will have a marginal impact in relation to existing resources in the form of administrative support staff.
- Technical, Environmental and Legal – None identified.
- Political – None identified.
- Reputation – None identified.
- Equality & Diversity – None identified.

5 CONCLUSION

- 5.1 That Members note the changes.

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BACKGROUND PAPERS

Town and Country Planning (Development Management Procedure) Amendment Order 2013

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