

BRIEFING NOTE

18 June 2012 – Agenda Item 9 – Planning Authority Update and Position Statement



1. Introduction

- 1.1 At an informal meeting on 23 May 2012 PLAF Members discussed the matter of position statements. This followed on from work carried out at a previous meeting where the Head of Planning attended and addressed the Forum on interaction between Planning Services and Transport with regard to public rights of way and development.

2. PRow and Planning

- 2.1 The Public Rights of Way Officer met with the Head of Planning Services to discuss the issues raised by the LAF at their last meeting. The situation as it currently stands is that Planning Services operate a “constraints map” which they use to identify triggers for consultation. The constraints map is a series of GIS layers which identify material planning considerations such as contaminated land, public highways, conservation areas and tree preservation orders. At the current time there are 34 separate layers which make up the constraints map, the intention is to reduce that significantly. When an application for planning permission is received the outline is plotted against the constraints map and on that basis Planning Services can identify any statutory consultation outside of the usual provisions. So for example if a public right of way ran through a development site then that would trigger consultation with the PRow officer. It was apparent that the highways layer which is used to identify public rights of way was out of date and that the South West Coast Path was not included. These are matters easily dealt with by regularly providing updates to Planning.
- 2.2 The second issue was the identification of unrecorded PRow in the same manner using the Ramblers88 map. This was a more difficult issue to address for two main reasons. Primarily it was accepted that the identification of a way which may, but which may not, carry public

rights was not a material planning consideration but merely a matter for individual case officers to be aware of where determining applications and which would need to be dealt with in one of several ways as part of the process. Secondly it was agreed that as unrecorded PRow were not a material consideration and as the corporate aim was to reduce, not increase the number of layers within the constraints map, then it would not be possible to include the Ramblers88 map as a means for triggering consultation.

- 2.3 Further remedies were discussed however and Planning offered to distribute the weekly planning list to LAF Members however this is already done. It was therefore proposed that the PRow officer manually inspect the weekly list and inform the LAF where a potential PRow was affected. To make this effective the LAF would need to put in place some mechanism to allow them to respond to any triggered application and Planning felt the most helpful way this could be done would be by means of standardised position statements.
- 2.4 Members are therefore requested to consider and review the enclosed draft Position Statement and process. If Members are minded to agree the statement further time could be invested by officers to fine tune it to meet the Forums requirements by including a process flow chart and identifying local and national planning policy which would support the adoption of their views by planners. This draft should provide a sensible starting point for that discussion.