

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Monday 13th July 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: LOCAL LIST OF VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS

Contact Officer: Gemma Usher, Deputy Development Control Manager
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Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

National Government Guidance requires Local Planning Authorities to undertake a regular review of their validation requirements for planning applications. It is necessary to ensure that the list remains fit for purpose in the context of changes to National Legislation and development plan policies.

A revised local list was reported to DC Committee on 10th February 2015. Members agreed to the proposed revised list subject to some minor tweaks to wording and a period of public consultation on the revised list which is a statutory requirement before formally adopting any amendments.

A period of public consultation was undertaken for 8 weeks (13.04.2015 – 22.06.2015).

This report sets out the updated requirements taking account of the amendments requested at DC Committee on 10th February as well as addressing issues that arose as a result of public consultation and seeks Members agreement to formally adopt the updated document.

2. **RECOMMENDATION(S)**

Formally adopt the revised Local List of Validation Requirements.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Quality Environment:
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Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning and Renewal
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Staff

N/A

Legal

1. Legal Requirement: Statutory Requirement: Article 10 of the Town and Country Planning (Development Management Procedure) Order 2015
 2. Call-in: Not Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Users of planning service
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Ward Councillor Views

1. Public consultation undertaken.
2. Summary of Ward Councillors comments: None received

3. COMMENTARY

On 8 October 2013 Members of the Development Control Committee agreed to adopt the Council's updated local list of validation requirements for planning applications. This list has been used since that time to ensure that planning applications are accompanied by all documentation necessary to ensure proper consideration, in addition to the basic documentation required by primary legislation.

The Town and Country Planning (Development Management Procedure) Order 2015 require the Local Planning Authority to review its local validation requirements every two years. However, it is open for a Local Planning Authority to review the requirements more frequently if necessary.

In the majority of cases agreement is easily reached with applicants regarding what is required to be submitted with an application, as officers use discretion to ask only for relevant documentation. The list predominantly provides guidance and help to those wishing to submit a planning application and explains why documents are required in certain circumstances. However, the legislation also introduced a right of appeal where an applicant disputes the necessity of a document required by the Authority. If such an appeal is submitted, the local validation document will provide the basic justification as to why the document was requested to help settle the dispute.

The review process for the local validation requirements is set out in National Planning Practice Guidance (2014). For the reasons set out above, the local list of validation requirements has been reviewed. As reported to the DC Committee on 10th February 2015 the review has led to minor changes to items already on the list by way of making requirements clearer for applicants and ensuring that the most up-to-date policies are referenced. The revised list also introduces some additional requirements for non-householder applications to ensure that proposals meet current legislative and policy requirements, are capable of delivering high quality design and addressing sustainability policies. Furthermore by requiring applicants to submit certain details as part of the planning application for major and/or complex and sensitive proposals it is possible to prevent the use of conditions requiring further submissions which will reduce timescales for implementing permissions as well as reducing pressure on workload and resources.

Public consultation was undertaken and only two representations were received. The first query related to whether the Council will make Financial Viability Assessments available for public view as part of the planning file. At present the Council do not make sensitive information such as this available for public view in general. However, such material may be open to public inspection as the Freedom of Information Act 2000 and Environmental Information Regulations 2004 apply. This has been explained in the relevant section of the document.

The second query related to whether the Council intend to use this document consistently to assess applications. It is confirmed that that once adopted this document will be used to determine whether applications are valid or not.

The following minor changes have been made to the attached document since formal consultation (the changes are highlighted in the attached)

- The Town and Country Planning (Development Management Procedure) Order 2015 came into effect on 15th April 2015
- Block/Site Plan – New development must be shown with written dimensions to boundaries (page 4)
- Wording amended in respect of the trigger for requesting documents. Wording amended from 'likely to be required for' to 'application trigger' (page 9 onwards)
- The Council has introduced a Commercial Property Database which should be used as part of a marketing strategy for vacant premises (page 22)

POLICY IMPLICATIONS

The continued ability to require applicants to submit additional material with applications will assist in assessing them against development plan policies and help to maintain the quality of decisions.

Non-Applicable Sections:	Financial; Legal; Personnel
Background Documents: (Access via Contact Officer)	Town and Country Planning (Development Management Procedure) Order 2015 National Planning Practice Guidance 2014