

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Thursday 21st June 2018

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

Title: LOCAL LIST OF VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS

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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.

The document sets out the level of information required by the local planning authority to support a planning application. The document is intended to explain clearly what plans and documents are required as part of a planning application to ensure that the council can make transparent, well informed and robust decisions on planning applications in the public interest

The intention is to clearly define the minimum amount of information required for proper assessment of an application. Requirements are not intended to be onerous and information will only be requested when it is necessary to enable full and proper assessment of a proposal.

The document is divided into two sections:

1. National and standard requirements for all application types (including householder applications)
2. Technical supporting statements/documents required for more complex applications (could be requested for householder applications if required, this will be determined on a case by case basis)

National requirements are set by government and are consistent across all local planning authorities in England. These are set out on the Planning Portal. The local requirements must be prepared by each local planning authority and should be tailored to reflect the material planning considerations that are relevant for that area.

Planning legislation requires that the local planning authority must review its local list every two years. As part of that process the council is required to consult on a draft local list and then formally publish the document having taken any representations into consideration. A copy of the final local list must be made available on our website and the list must be subsequently reviewed every two years.

A formal four week consultation period has been undertaken from 24.04.2018 until 18.05.2018. This comprised a consultation page on the Council's website. An email was sent to regular agents to advise them of the consultation and details were also provided on decision notices during that period.

The consultation page is still available on the website so any comments received after publication of this agenda will be reported verbally to the committee.

One representation was received but this did not relate to a local list matter.

This report sets out the updated requirements and seeks Members' agreement to the updated document.

2. RECOMMENDATION

Formally adopt the revised Local List of Validation Requirements.

Corporate Policy

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

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:
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

On 13 July 2015 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 Legislation¹ requires the Local Planning Authority to review its local validation requirements every two years and also sets out the process that should be followed. 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 provides 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 has led to a change in style and format of the document to make it easier to navigate and more user friendly particularly for householder planning applications. There have been 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 and are capable of delivering high quality housing which meets national technical standards. In accordance with changes to government guidance and standard practice it is also intended to make Financial Viability information publically available. 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. This is particularly important give the forthcoming changes to legislation in respect of pre commencement conditions².

Public consultation was undertaken and only one representation was received but this did not relate to a local list matter.

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 Act 1990 Growth and Infrastructure Act (2013) Town and Country Planning (Development Management Procedure) Order 2015 National Planning Policy Framework (2012)) The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 National Planning Practice Guidance 2014

¹ Section 62(4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act (2013) (supported by Article 11(3)(c) of the Town and Country Planning (Development Management Procedure) Order 2015 and paragraph 193 of the National Planning Policy Framework (2012))

² The Town and Country Planning (Pre-commencement Conditions) Regulations 2018