



PLANNING COMMITTEE: 11 June 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

PURPOSE: To consider the review of the Local Requirements for the Validation of Planning Applications

REFERRED BY: Head of Planning
REASON: Committee Decision under the Scheme of Delegation

1. RECOMMENDATION

1.1 That Members:

- Approve the draft Local Validation List appended at Annex A
- Approve the proposed consultation procedure
- Delegate authority to the Head of Planning to incorporate consultation responses into the list and
- Adopt an amended final version by July 31st 2013

2. BACKGROUND

2.1 Since April 2008 the validity of planning applications received by this authority has been informed by a locally adopted Local Validation List. This sets out what information, over and above the national requirements, is necessary to accompany planning applications before it is registered as a valid application.

2.2 It was always the Government's intention that local planning authorities (LPAs) review their local validation lists and in summer 2009 it issued three consultation papers in response to the Killian Pretty review of 2008 which recommended reforms to the planning system. One paper was entitled Streamlining Information Requirements for Planning Applications.

2.3 The Killian Pretty Review recommended that there should be a more proportionate approach to information requirements to reduce costs for the applicant and to reduce the amount of time taken by LPAs and statutory consultees to read unnecessary detail during the

determination period. There was concern that LPAs' local lists of requirements were too long and that some local lists were being applied in a manner which results in the submission of a large number of supporting documents, some of which were not necessary for the determination of the application.

- 2.4 In The Plan for Growth issued alongside the 2011 Budget, the Government announced a programme of measures to simplify and streamline the arrangements for making and determining planning applications in England. This reflects its wider ambition to make the planning system more efficient and positive in outlook and operation.
- 2.5 An important part of this is making sure that what an applicant must do to seek and obtain planning permission is proportionate. Applicants are obliged to satisfy a wide range of information requirements when they submit their planning applications to the LPA. Some of these requirements are nationally prescribed, but local planning authorities have strong, broad powers to impose their own requirements by means of their Local Validation List.
- 2.6 The key purpose of stipulating what a planning application must comprise is to ensure its validity so that LPAs have 'up front' the information that is essential for a sound, timely and confident decision. It also means that statutory consultees and other third parties who look at and comment on applications can clearly understand the development for which permission is being sought, and what the impacts (both positive and negative) are likely to be.
- 2.7 The Killian Pretty Review recommended that information requirements for all planning applications should be made clearer, simpler and more proportionate, with unnecessary requirements removed. A range of regulatory, policy and guidance changes were then made, but concern about disproportionate information persists.
- 2.8 The key issue is that the right information must be available, at an appropriate time, to support good decision-making. The National Planning Policy Framework guides applicants to discuss information requirements with the LPA and key consultees early on. The changes proposed support this approach: they remove nationally-imposed requirements that are not needed for every application, allowing space for local agreement on what is needed.
- 2.9 The Government wants to ensure that the information that applicants for planning permission are asked to provide is proportionate. This applies to both national and local information requirements and intends to go further than the improvements already made, particularly for outline applications. In 2012 the Government sought views on changes to secondary legislation including that there should be "strong encouragement for local planning authorities to keep their local information requirements under frequent review".

- 2.10 A statutory instrument came into force on 31 January 2013 the effect of which is that for a Local Validation List to carry any weight it must have been published within 2 years before the planning application is made. This applies to applications made on or after 31 July 2013.
- 2.11 Northampton Borough Council's Local Validation Requirements list was published in April 2008 and therefore will not carry any weight after 30th July 2013, unless a revised list is adopted on or before this date. In the absence of this, only the national requirements will apply from the 30th July.
- 2.12 The Local Validation List has therefore been reviewed in the light of the statutory instrument and Government policy.
- 2.13 New draft validation requirements have been produced which represent a fundamental rewrite of the requirements, so that only those items which are necessary for the particular application are required to be submitted. The review will also to make the document more readable. The draft document is appended to this report as Annex A.
- 2.14 The document is been broken down into individual application types, with the requirements listed for each type in Section 1. An applicant making a particular application can thus go directly to their application type and need not concern themselves with requirements for other applications.
- 2.15 Section 2 of the document then sets out in detail what is entailed in each of the required elements. This format means that the detail of each element needs only to be set out once thereby avoiding the unnecessary duplication of the current document.
- 2.16 It is considered that the document now provides a clear statement of the requirements, which will be readable and understandable by all types of applicant, from householders applying for the first time to experienced agents.
- 2.17 As regards the content of the requirements, this has been set out to include the national as well as the local requirements. Although the national requirements would apply in any event, it is considered that this format will mean that applicants only need to refer to one document when making a planning application to Northampton Borough Council.
- 2.18 All that remains is for consultation to be carried out on the content of the requirements, in accordance with the regulations. It is proposed to consult a range of local agents, major developers and other relevant interested parties.
- 2.19 Following on from this consultation, amendments to the list of requirements will be carried out, as appropriate. Authority is sought from the Planning Committee for these amendments to be made by the

Head of Planning, unless these fundamentally alter the scope and nature of the draft requirements. This is necessary in order to ensure that the list of requirements can be adopted by July 31st. Once adopted the list can be reviewed at any time so there will be opportunity for any requirements in the final version which are of concern to Committee members to be reconsidered.

3. CONCLUSION

- 3.1 Committee is recommended to approve the draft list of Local Validation Requirements and consultation procedure and to delegate authority to the Head of Planning for any necessary amendments

4. BACKGROUND PAPERS

- 4.1 The Validation of Planning Applications: Guidance for Local Planning Authorities. DCLG, December 2007.
Killian Pretty Review, DCLG, November 2008
The Plan for Growth, HM Treasury, March 2011
Streamlining Information Requirements for Planning Applications, DCLG, July 2012

5. LEGAL IMPLICATIONS

- 5.1 None.

6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies. The recommendations are consistent with the objectives of securing an efficient and effective planning service.