



PLANNING COMMITTEE: 2nd September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

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

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Committee Decision under the Scheme of Delegation

1. RECOMMENDATION

- 1.1 That Members **APPROVE** the revised draft Local Validation List appended at Annex A.

2. BACKGROUND

- 2.1 In September 2013, the Council adopted its Local Validation Requirements in accordance with planning legislation. This sets out what information, over and above the national requirements, is necessary to accompany a planning application before it is registered as valid.
- 2.2 The key purpose of stipulating what a planning application must comprise is to ensure its validity so that Local Planning Authorities (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.
- 2.3 The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the National Planning Practice Guidance (NPPG) state that LPAs should have a list of local requirements that is no more than two years old and that the list should be reviewed every two years. Consequently the Requirements adopted in September 2013 now need to be reviewed to ensure that the Authority has valid Requirements in place.
- 2.4 The NPPG also sets out the process by which this review should be carried out. In the first place the existing list should be reviewed to ensure it includes up to date statutory advice and guidance as well as policy changes and follows current best practice. There should then be a period of consultation on the proposed changes with the local community and applicant's/agents. The final stage is to finalise and publish the revised list.

3. REVIEW PROCESS

- 3.1 The Requirements adopted in 2013 have been reviewed by Officers and various changes have been made to incorporate the latest advice and guidance from Government as well as legislation changes and current best practice. These changes were incorporated into the Draft Local Validation Requirements which were subject to a consultation for six weeks during June/July.
- 3.2 The consultation took the form of a newspaper advertisement to announce the changes to the wider public and to invite comment. There was also a page on the Council's web site dedicated to this matter and again inviting comment. Alongside this there was consultation with regular users of the Planning Service over the last two years with letters being sent to applicants who had made more than five applications and agents who had submitted more than 10. In addition various technical consultees have also been consulted on the changes.

4. CONSULTATION RESPONSES

- 4.1 Five comments have been received from consultees including Sport England, Natural England, Duston Parish Council and the County Council's Surface Water Drainage Assessment Team and Archaeologist. The responses are summarised below.
- 4.2 **Sport England** has requested various pieces of information be provided with a consultation. The requested information is incorporated within the draft Requirements.
- 4.3 **Natural England** supports the inclusion of the requirement for a biodiversity assessment.
- 4.4 **Duston Parish Council** have commented that no mention is made of Neighbourhood Plans and whether these are complied with. It is not considered that this is necessary as a local requirement, and where appropriate the issue of neighbourhood plans would be included in the required planning statements.
- 4.5 **NCC Surface Water Drainage Assessment Team** have commented on some of the technical definitions contained in the draft Requirements as well as the need for Drainage Assessments to be included as an explicit requirement. These suggestions have been incorporated into the draft Requirements contained in Annex A.
- 4.6 **NCC Archaeologist** has commented that the identification of archaeological potential or significance should take place as part of pre-application discussions with a qualified heritage professional. This is already included in the draft Requirements.

5. EXPLANATORY COMMENTS

- 5.1 The draft Validation Requirements proposed are largely similar in format to those adopted in 2013. The document is 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.

- 5.2 Section 2 of the document then defines each item required. 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.
- 5.3 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.
- 5.4 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.

6. CONCLUSION

- 6.1 Members are recommended to approve the draft Local Validation Requirements.

7. BACKGROUND PAPERS

- 7.1 National Planning Practice Guidance and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

8. LEGAL IMPLICATIONS

- 8.1 Without adopted Local Validation Requirements the Council has no basis upon which to require the submission of information not specified by the National Validation Requirements when validating planning applications.

9. SUMMARY AND LINKS TO CORPORATE PLAN

- 9.1 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.