

**BROMSGROVE DISTRICT COUNCIL**

**PLANNING COMMITTEE**

15th August 2010

**PLANNING APPLICATION VALIDATION CRITERIA**

Relevant Portfolio Holder	Councillor C. B. Taylor
Relevant Head of Service	Head of Planning and Regeneration Services
Non-Key Decision	

1. **SUMMARY OF PROPOSALS**

- 1.1 This report informs Members of the proposed Planning Application Validation Criteria to be used by planning staff, applicants and agents to ensure that planning applications submitted to the Council contain all information necessary for the applications to be validated.

2. **RECOMMENDATION**

- 2.1 That Planning Committee approves the Planning Application Validation Criteria for Consultation. The validation checklist is attached as Appendix 1.

3. **BACKGROUND**

- 3.1 The Department of Communities and Local Government published new guidance on the validation of planning and other associated applications in December 2007 and this accompanied the introduction of the standard application form in April 2008. Revised guidance has now been published in the form of Guidance on Information Requirements and Validation March 2010. Central to the new validation regime was the introduction of a 'National List' of statutory information required to accompany all applications. The guidance also encouraged local authorities to publish its own 'local validation requirements' which sets out locally relevant information it would expect to accompany applications.
- 3.2 The term validation means the very first step that is taken when an application is received by the Council. Essentially it is an administrative process to check whether the application is complete and includes all the necessary information, plans, fee, etc., for it to be registered as an application and thus begin to be considered by the Council. Validation does not mean that the application proposals are in any sense being approved. It merely signifies that the application can begin consideration by the Council. Making an application valid does not imply any judgement about the merits of the proposals.

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- 3.3 The national list only covers the most basic and fundamental requirements for an application to be validated. There are many additional requirements which this council currently seeks depending on the type of application. Different types and scale of application require different levels of information and supporting documentation to be submitted. This is why the local list is important. Both the national and local lists are structured in a way which distinguishes clearly between these different types and scale of development and their differing information requirements.
- 3.4 Once adopted the requirements are mandatory and mean that an application which does not comply with them will not be able to be registered.
- 3.5 It is considered that adopting a local list will
- help planning applicants and agents to understand from the outset the type and extent of information that will be required of them
  - provide greater certainty for the applicant, and
  - enable the local planning authority to have all the information it needs in order to determine the application, draft the planning permission and word any planning conditions required, and
  - minimise the risk that the local planning authority will have to go back to an applicant for more information resulting in a more timely decision on the proposal.
- 3.6 There are three parts to the document:
- The first section sets out the different types of application;
  - The second section provides details of the information needed (both nationally and locally) as applicable to each application type;
  - The third section provides explanatory notes for the information requirements together with links to useful documents and other sources of information.
- 3.7 The layout and presentation of the information follows recommendations in the government guidance on validation of planning applications.

## **4. KEY ISSUES**

- 4.1 The main benefit of a local validation checklist is to provide a greater degree of certainty for applicants and agents as to the level of information required to accompany applications. This will enable a better quality of submission and improve existing rates of validation. There is a balance to be struck between local authorities undertaking a 'tick box' approach to

validation and the need to take into account the more individual characteristics of schemes. It is important therefore that care is taken to ensure that requests are proportionate to the scheme under consideration. Applicants proposing major schemes or proposals with significant impacts are of course encouraged to engage with the local planning authority using the pre application discussion route. A part of these discussions would include the submission requirements to accompany the application and this would provide the applicant with clarity as to the information the local authority would need to assess the impact of the proposal.

- 4.2 In addition the checklist provides guidance on the level of detail of various requirements (such as Statements of Significance) which will ensure that when submitted such reports will be of a suitable quality on which to make informed and sound planning decisions.
- 4.3 The DCLG document 'Guidance on Information requirements and Validation' March 2010 sets out in section 5 that the validation checklist should be consulted on for a period of not less than eight weeks and should include applicants, agents and the local community. Appendix 2 includes a list of individuals and organisations that it is proposed to consult. Consultation responses received as a result of this process will be taken into account by the authority when preparing the final revised list. That final list will require the approval of the Planning Committee and will be published on the council's website.

5. **FINANCIAL IMPLICATIONS**

- 5.1 The only financial implications are those associated with carrying out the consultation. These can be accommodated within existing budgets.

6. **LEGAL IMPLICATIONS**

- 6.1 There are no significant legal implications identified with this report. The resultant adoption of a local validation checklist will bring the council in line with good practice guidance.

7. **POLICY IMPLICATIONS**

- 7.1 The final checklist would be adopted as formal Council procedural policy, and would complement rather than conflict with any existing policies.

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8. **COUNCIL OBJECTIVES**

- 8.1 The publication of Planning Application Requirements will meet Council objectives; Improvement and Environment.

9. **RISK MANAGEMENT INCLUDING HEALTH AND SAFETY CONSIDERATIONS**

- 9.1 Not publishing a local application requirement list will result in planning applications being validated just on the basic national statutory requirements. There would be limited power for the Local Planning Authority to request further information in order to validate applications. This would result in poor quality application submission with limited information to make an informed decision.

10. **CUSTOMER IMPLICATIONS**

- 10.1 This document will help planning applicants from the outset to understand the type and extent of information required.

11. **EQUALITIES AND DIVERSITY IMPLICATIONS**

- 11.1 None identified.

12. **VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

- 12.1 A thorough understanding of what is required to accompany an application will be beneficial to both developer and the Council with respect to the efficient use of Officer time. This checklist will assist in supporting this objective. There are no procurement or asset management consequences. Costs associated with the consultation exercise will be borne from existing budgets.

13. **CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

- 13.1 The adoption of a checklist will enable the matters of climate change and biodiversity to be addressed with relevant information at the outset of the application process. This will support these objectives and ensure a robust planning decisions.

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14. **HUMAN RESOURCES IMPLICATIONS**

14.1 There are no additional HR implications as the minor alterations to back office systems that can be met from existing resources.

15. **GOVERNANCE / PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1 There are no direct governance issues arising from this report. The checklist will be published on the Council's website and its effectiveness in guiding applicant and agents will be monitored internally.

16. **COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

16.1 The impact of a development on crime and disorder is a material planning consideration to be taken into account in the determination of any proposal.

17. **HEALTH INEQUALITIES IMPLICATIONS**

17.1 None.

18. **LESSONS LEARNT**

This is a new procedure which follows the advice and case studies of others. Therefore, whilst learning some lessons others will come from the proposed consultation, after which the checklist can be evaluated and changed if it is considered necessary.

19. **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 Appendix 2 sets out the bodies that will be consulted on the local validation checklist. These organisations reflect both statutory and non statutory bodies as well as local interest groups and local agents. The consultation period will run for eight weeks and the resultant views of these organisations will be fed into the subsequent report.

20. **OTHERS CONSULTED ON THE REPORT**

20.1	Portfolio Holder	No
	Chief Executive	No

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	Executive Director (S.151 Officer)	No
	Executive Director - Leisure, Cultural, Environmental and Community Services	No
	Executive Director - Planning and Regeneration, Regulatory and Housing Services	No
	Director of Policy, Performance and Partnerships	No
	Head of Planning and Regeneration Services	Yes
	Head of Resources	No
	Head of Legal, Equalities and Democratic Services	No
	Corporate Procurement Team	No

21. **WARDS AFFECTED**

21.1 All wards

22. **APPENDICES**

Appendix 1 - Draft Planning Application Requirements  
Appendix 2 - Draft of external consultees

23. **BACKGROUND PAPERS**

Review of information requirements for validation of planning applications.  
DCLG November 2008.

Guidance on information requirements and validation. DCLG. March 2010

**AUTHOR OF REPORT**

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