DEVELOPMENT COMMITTEE

17 MARCH 2011

REPORT OF PRINCIPAL PLANNING OFFICER

REVISED REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS

1.   PURPOSE OF THE REPORT

1.1   To seek approval on the revisions to local requirements for validating planning applications

2.   RECOMMENDATION

2.1   That approval is given to commence consultation before the end of April 2011 on the proposed list of local requirements for the validation of planning applications attached at Appendix 1, and to adopt the validation requirements following consultation.

3.   BACKGROUND

3.1   In 2008 the standard '1APP' form and validation requirements was introduced and this Council, working with other local authorities, adopted a local list of requirements. In March 2010 the government issued revised guidance on information requirements and validation. This stated that where local authorities wish to maintain their own distinct 'local list' (in addition to the 'national list') of information, this should be reviewed, consulted upon and adopted. Therefore this revised document has been published to take account of these requirements, as well as other changes in national, regional and local planning policy as applicable to Leicestershire and Rutland.

3.2   With this in mind, the group of Leicestershire and Rutland Planning Authorities which adopted the initial list has sought through this document to set down a consistent and proportionate approach to the information that is required for all different types of applications. This will be kept under review to ensure that it is meeting its objectives. In setting out these requirements, we are seeking to minimise the number of applications which have to be returned as invalid due to insufficient information or being wrongly completed.

3.3   This revised document takes full account of the Department of Communities and Local Government document 'Guidance on Information Requirements and Validation' and the key principles Necessity, Precision, Proportionality, Fitness for Purpose and Assistance have been carefully considered. The proposed revisions to the list basically simplify the local requirements. It includes items that have been taken out of the national requirements but removes items that are required by the 1APP form or items that can not be taken into account in determining the application. Items where the probability the information is so limited in its usefulness is very high have also been removed because of the implications it may have in the majority of cases of holding up development unnecessarily. This does not prevent the authority from requesting information not in the list in order to assess the application fully or from refusing permission on the basis of a lack of evidence.

3.4   It is required to consult for a minimum of 8 weeks on the local list and any delay in the adoption may result in applications being received without the necessary information in which to determine the application and thus cause delays in the service or result in more applications being refused. Adopting a local list with other local authorities in the area provides a consistent approach and service to our customers, especially agents and consultees.

4. VALIDATION CRITERIA

4.1 The DCLG guidance offers advice on possible requirements for the Local Requirements list and this, together with a consideration of local circumstances forms the basis of the recommended list of requirements set out below.

4.2 It is considered that the most significant use of local requirements will relate to Major applications although there is scope for applying them to certain other types of application which would be classified as Minor or Other applications.

4.3 The table at Appendix 1 sets out a suggested basis for consultation on various types of planning application. This list is not exhaustive and requirements may be added or deleted as a result of responses received during the consultation process.

5. CONSULTATION PROCESS

5.1 It is proposed that consultation on the PARLs will take place with appropriate stakeholders, principally statutory and other consultees and regular users of the Development Control service (eg regular agents). The relevant stakeholders for consultation are considered to include:
- Melton Borough Council Members
- Parish Councils
- Highway Authority
- Environment Agency
- LCC Arboricultural Section
- LCC Archaeology
- LCC Land Agent
- Agents who regularly submit applications to Melton Borough Council

5.2 It is intended that, after Committee authorisation, the consultation process will begin in March/April 2011. Following the consultation exercise, it is anticipated that the findings and recommendations will be reported back to the Development Committee.

Background Papers:
Guidance on information requirements and validation, March2010
Department for Communities and Local Government

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