

## DEVELOPMENT COMMITTEE

13 JUNE 2013

### REPORT OF APPLICATION AND ADVICE MANAGER

#### 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 adopt the revised local requirements for validating planning applications.

#### 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 and updates the documents used, particularly in relation to the NPPF. 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 considered that the changes are not significant and therefore there is no requirement to undertake a full consultation exercise. 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 The proposed changes to the list under this review are as follows;

1. Design and Access Statement not required for Conservation Area consent (legislation, incorrectly identified previously)
2. Application forms for application types not a requirement just optional (legislation, incorrectly identified previously)
3. Tree Preservation Order applications required using form and plan identifying site (incorrectly shown previously as optional)
4. Non material amendment does not require ownership certificates (form identifies by questions, incorrectly identified previously)
5. Add cross-section for doors and windows to Listed Building Consent applications.
6. Coal mining risk assessment maybe required for listed building consent in some areas (incorrectly identified previously)
7. Planning statement not a requirement, it may assist an application but not essential (incorrectly identified previously)
8. SAC and SPA reports required for householder applications in Rutland and NWL (form required) (incorrectly identified previously)
9. Lawful development supporting information. Not essential but if not submitted may result in refusal. Can not force to submit.

4.3 Other changes to the document include;

- a. Linking all requirements to legislation or NPPF.
- b. Updating legislation and policy comments
- c. Typographical changes.
- d. Change "Will" to "may" set up a development team in Para 10
- e. Delete para which refers to further information required since it does not invalidate the application.
- f. Add reference to CIL regulations under legal agreements.
- g. Delete reference to advising applicants if refusal (not all LAs do this on every application.)

## 5. CONSULTATION PROCESS

- 5.1 It is not proposed to undertake consultation on the revision as these are minor amendments to the previously adopted list. However, it is proposed to advertise the new list on the Councils website before adoption on the 1<sup>st</sup> July 2013.

## 5. OUTCOME

- 5.1 Having undertaken the review of the local list requirements, the group of Leicestershire and Rutland Planning Authorities are satisfied with the final version and each authority is required to adopt the revised lists.
- 5.2 It is intended that, after Committee authorisation, the local requirements are adopted and published on the Council's website.

### Background Papers:

Guidance on information requirements and validation, March 2010  
Department for Communities and Local Government

Officer to contact: Jennifer Wallis, Application and Advice Manager