
MEETING: EXECUTIVE COMMITTEE
DATE: 17 OCTOBER 2007
SUBJECT: THE VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS
REPORT FROM: EXECUTIVE FOR ENVIRONMENT & TRANSPORT
CONTACT OFFICER: TOM MITCHELL, DEVELOPMENT MANAGER

TYPE OF DECISION: EXECUTIVE KEY DECISION

FREEDOM OF INFORMATION/ STATUS: This paper is within the public domain

SUMMARY:

The Department of Communities and Local Government have published "Draft Guidance" for the standards required in the submission of Planning applications. This guidance will form the basis of amended regulations in April of 2008.

The guidance sets out National Requirements but also enables Local Authorities to establish Local Requirements. In order to do this the Council is required to formally resolve its requirements and to enter into a formal consultation period prior to their adoption by the Council.

OPTIONS AND RECOMMENDED OPTION (with reasons):

- A) To not adopt any Local requirements for the validation of Planning Applications.
- B) To agree the proposed Local Requirements for the validation of Planning Applications for the purposes of public consultation.

In the interest of ensuring high quality submissions for planning permission it is recommended that the Council does pursue a set of Local Requirements – Option B.

IMPLICATIONS -

Corporate Aims/Policy Framework: Do the proposals accord with the Policy Framework? Yes No

Financial Implications and Risk Considerations

There are no financial implications to the Authority of the proposals

Statement by Director of Finance and E-Government:

The agreement of the local requirements for planning applications will not result in any additional call on the Authority's resources. Any consultation costs will be met from existing budgets. Members should note that the requirements will also apply to local authority applications and the costs of providing the information will need to be taken into account when preparing project budgets.

Equality/Diversity implications

Yes No (see paragraph 2.4 below)

Considered by Monitoring Officer:

Yes

Comments. The requirements are properly formulated in accordance with government planning guidance.

Are there any legal implications?

Yes No

None arising from the requirements as drawn

Staffing/ICT/Property:

N/A

Wards Affected:

All

Scrutiny Interest:

TRACKING/PROCESS

DIRECTOR:

| | | | |
|--------------------------------------|----------------------------|--------------|----------|
| Chief Executive/ Management Board | Executive Member/ Chair | Ward Members | Partners |
| | | | |
| Scrutiny Commission | Executive | Committee | Council |
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1.0 BACKGROUND

1.1 In March of this year a report was submitted for information to the planning Committee setting out a list of Local Requirements for the validation of planning permission. This was part of the drive to informally improve the information submitted with planning applications and followed earlier government guidance on Best practice produced in March 2005. This drive was intended:

- to ensure that interested parties and consultees were provided sufficient information in order to comment.
- To assist in the proper assessment of the merits of any proposals.
- To ensure that the applications can be speedily and efficiently processed within established targets.

This is part of a national drive with many authorities adopting more rigorous standards for planning applications prior to their acceptance as valid and registered applications.

- 1.2 The existing list has been used to validate planning applications and applications failing to meet the requirements have not been registered. However this mechanism is now to be enshrined in regulations giving a statutory basis to the requirements. There are to be standard National Requirements but there will also be to opportunity for each Authority to adopt its own Local Requirements. The regulations will however require formal processes to be followed in order to adopt the Local Requirements including a minimum period of 6 weeks for public consultation, a formal review of any comments received, adoption of the Local Requirements and the publication of the Local Requirements.

2.0 ISSUES

- 2.1 The attached document sets out the proposed requirements for the submission of Planning applications in Bury. The document is necessary lengthy and covers a range of legal and technical issues which need to be addressed by applicants. The document includes National requirements which are not optional but the remainder reflect a local perspective. These Local Requirements will clearly vary according to the type and scale of development and the advice notes have tried to give more detail to this. There is also the established approach of offering pre-application advice which should help applicants to meet the requirements.
- 2.2 The Local Requirements are considered essential in order to achieve an acceptable standard of planning application which provides adequate details, sufficient for the Council, its consultees and the people of Bury to understand and appreciate the proposed development. The securing of adequate information on receipt also avoids delays in the processing of the applications. The application of these requirements will support the Council's drive for improved efficiency but will also enhance its ability to consider applications.
- 2.3 In some instance applicant's may consider the amount of information burdensome, but the information is required to properly to ensure the accuracy of information and assess the impact of development, and this approach is now well established as best practice. Applicant's who do not agree with any particular Local Requirement can challenge the decision not to validate an application by exercising their right of appeal under section 78 of the Town and Country Planning Act 1990.
- 2.4 An initial Equality and Diversity screening has been undertaken and the findings are summarised below:

Summary of Equality Impact Assessment

1. **Purpose**

To improve the quality of planning applications prior to registration and compliance with Government regulations

2. **Desired Outcomes**

Improved quality of information submitted with planning applications to assist the better understanding and consideration of development proposals by all parties.

Support the efficient handling of planning applications within Government targets.

3. **Who is intended to benefit from the policy, procedure or working practice and how will they benefit?**
The Council – improved speed and quality to decision making
Consultees – better quality information upon which to comment
The public - better quality information upon which to comment
4. **Who are the main stakeholders? (eg partnerships, other departments etc)**
Statutory and non-statutory consultees (internal and external)
Third parties (the public and community of Bury)
Applicants and developers
Application agents.
5. **Affected Groups**
No group is negatively affected. As an improvement to the information available about planning applications there is a positive impact on the 'disability' group as the requirements will raise the profile of mobility and access issues.

3.0 CONCLUSION

- 3.1 The Local list of requirements for planning applications is considered to be essential to assist in making quality decisions and ensure efficient processing of the applications.
- 3.2 The requirements are now to undertake a public consultation exercise, seeking comments on the range of the Local Requirements and the application of these requirements. Following the consultation period a further report will be brought back detailing the responses.

List of Background Papers:-

“Validation of Planning Applications – Draft guidance for local planning authorities”
Communities and Local Government.

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