STRATEGIC PLANNING BOARD

Date of meeting: **25 March 2009**
Report of: **Shawn Fleet, Principal Planning Officer, Congleton Borough Council.**
Title: **Planning Application Validation: Local Check Lists.**

1.0 Purpose of Report

1.1 To consider the implementation of the local check lists to be used in the validation of planning applications across Cheshire East. It should be noted that there are a series of lists for the various types of planning application that may be made (Full, Outline, Listed Building Consent etc.).

1.2 The local lists defines what information needs to be submitted with a planning application for it to be registered. The local lists must be read in conjunction with the national validation list as set out in Circular 02/2008. The national list applies to all the Planning Authorities across the Country and sets out the minimum level of information needed to accompany an application.

2.0 Decision Required

2.1 To agree the requirements of the local lists as set out in the appendices.

3.0 Financial Implications for Transition Costs

3.1 Administration – There will need to be a short process of training of frontline reception staff to make them aware of the additional information that will be required from applicants. This training though may be limited depending on the level of support for reception duties available from Planning Officers.

3.2 Web-Site – The introduction of the lists will necessitate some redesign of the web-site. It is envisaged that this will be dealt with under the wider work undertaken on the design of the new Cheshire East web-site.

4.0 Financial Implications 2009/10 and beyond

4.1 No additional costs are anticipated.

5.0 Legal Implications

5.1 The introduction of the local lists is undertaken in accordance with the guidance in Circular 2/2008: Standard Application Forms and Validation (DCLG; 2008). For the local lists to become enforceable, the must be published on the Councils web-site.

6.0   Risk Assessment

6.1   Failure to introduce the 'local list' will result in a less efficient and effective planning service. The 'local list' of requirements it considered to be essential to assist in making quality decision and ensure speedy processing of applications. They will ensure that applications contain sufficient and relevant information to adequately assess all of the impacts of a particular proposal.

7.0   Background and Options

7.1   As part of the drive to provide a quicker, more predictable and efficient planning service, Communities and Local Government (CLG) has published its guidance for Local Planning Authorities on the Validation of Planning Applications, in anticipation of the introduction of a new standard electronic application form (1APP), which will become mandatory from 6th April 2008.

7.2   Alongside this and to support the use of these standard application forms, CLG will introduce new information requirements for the validation of planning applications by local authorities. The 'best practice' guidance is designed to support the use of the standard application form. It outlines and provides guidance on the scope of information that should be supplied with planning applications, which are set out under 'national' and 'local' requirements. National requirements will apply to all submitted applications and local requirements will be drawn up by each local authority to reflect local plan policies and circumstances. The new system responds to the recommendations in the Barker Review of Land Use Planning – Final Report (December 2006) to reduce the information requirements to support planning applications.

7.3   CLG intends that the planning process will be greatly improved by the introduction of Standard Applications Forms, which are for use throughout England, whether the planning application is made electronically through the internet or on paper. Previously, local authorities could design their own planning application forms, and there was a wide variation in the information which authorities sought from applicants.

7.4   Different types of application and scale of applications will require different levels of information and supporting documentation to be submitted. There are 25 application forms in total, as set out in Appendix 1a. Under the new arrangements, the standard application forms will be required to be accompanied by the most common types of information and supporting documentation as set out in a national mandatory core list. Additional items specified locally from a 'list' provided by central government may also be required, as summarised in Appendix 1b.

7.5   The overall content of the 'local list' is at the discretion of the local planning authority. However, as a minimum where national policy requires the provision of certain information this must be specified on the 'local list' if it is relevant. For example, a flood risk assessment described in Planning Policy Statement 25: Development and Flood Risk, must be provided in circumstances where it is a requirement.

7.6 If an applicant submits an application not in accordance with both the national and 'local lists' the authority will be entitled to declare the application invalid, and so decline to determine it. The Government expects local planning authorities to seek information that is necessary for a decision to be made and should not require a level of detail to be provided that is unreasonable or disproportionate to the scale of the application.

7.7 Each local authority is encouraged to consult on their proposed 'local lists' to ensure that they are clear and transparent to potential applicants affected by the new requirements before the lists are adopted and published.

7.8 Publication of the adopted 'local lists' will be set out on the Council's website and will also be made available through the Planning Portal in addition to paper copies being made available from reception desks where planning matters are dealt with.

7.9 At present, the County Council, Macclesfield Borough Council and the Borough of Crewe and Nantwich have in place local lists for their respective areas. These are all designed on a similar template with a separate list for each different form of development.

7.10 The proposed local lists are closely based on the existing documents but amalgamate the common requirements from the existing Councils. Requirements specific to one Council area are highlighted within the form.

8.0 Equality Impact Assessment

8.1 An Equality Impact Assessment has been carried out in connection with this proposed policy for Cheshire East. In terms of the different equality strands the overall assessment is that the risk of inequality is low assuming that mitigation is in place as set in the Assessment.

9.0 Reasons for Recommendation

9.1 To ensure consistency across all parts of Cheshire East, it is recommended that the local lists be adopted for the purposes of validating planning applications.

For further information:

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APPENDIX 1a

Validation Requirements – Local Lists

NATIONAL APPLICATION FORM	LOCAL REQUIREMENTS FORM NUMBER
Householder application for planning permission for works or extension to a dwelling	V1
Application for planning permission (Residential)	V2
Application for planning permission (Non-residential)	V3
Application for outline planning permission with some matters reserved	V4
Application for outline planning permission with all matters reserved	V4
Application for approval of reserved matters following outline approval	V5
Application for listed building consent for alterations, extension or demolition of a listed building	V6
Application for consent to display an advertisement(s)	V7
Application for a Lawful Development Certificate for an EXISTING use or operation or activity including those in breach of a planning condition	V8
Application for a Lawful Development Certificate for a PROPOSED use or development	V8
Application for prior notification of proposed development by telecommunications code systems operators	V9
Application for prior notification of agricultural or forestry development – Proposed building	V10
Application for prior notification of agricultural or forestry development – Proposed road	V10
Application for prior notification of agricultural or forestry development – Excavation/waste material	V10
Application for prior notification of agricultural or forestry development – Proposed fish tank (cage)	V10

Application for conservation area consent for demolition in a conservation area	V11
Application for prior notification of proposed demolition	V12
Application for mineral or waste development	V13

Combined Applications

Householder application for planning permission for works or extension to a dwelling and listed building consent	V1 & V6
Householder application for planning permission for works or extension to a dwelling and conservation area consent	V1 & V11
Application for planning permission and conservation area consent for demolition in a conservation area	V2/V3 & V11
Application for planning permission and listed building consent for alterations, extension or demolition of a listed building	V2/V3 & V6
Application for planning permission and consent to display an advertisement(s)	V2 & V7

Future Local Check Lists

Application for removal or variation of a condition following grant of planning permission	To be reviewed at a later date
Application for approval of details reserved by a condition	To be reviewed at a later date
Application for Hedgerow Removal Notice	To be reviewed at a later date
Application for tree works, works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in conservation areas	To be reviewed at a later date

APPENDIX 1b: A full set of the 'Local list' requirements, for each of the application types as listed above will be available in the Members room.

'LOCAL LIST' REQUIREMENTS - may include some or all of the following:

- Affordable housing statement
- Air quality assessment
- Biodiversity survey and report (including Ecological Surveys)
- Daylight/Sunlight assessment
- Economic statement/Marketing information
- Environmental Statement
- Flood risk assessment
- Foul sewage and utilities assessment
- Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)
- Local Contamination assessment
- Landfill statement
- Landscape details
- Lighting assessment
- Noise impact assessment
- Open Space assessment
- Parking Provision
- Photographs/Photomontages
- Planning Obligations – Draft Head(s) of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Telecommunication Development – supplementary information
- Town Centre Uses – Evidence to accompany applications
- Transport assessment
- Travel Plan
- Tree survey/Arboriculture implications
- Ventilation/Extraction statement