

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 2 NOVEMBER 2010

Title:

**REVIEW OF THE LOCAL INFORMATION REQUIREMENTS FOR THE
VALIDATION OF PLANNING AND OTHER APPLICATIONS**

[Portfolio Holder: Cllr Adam Taylor-Smith]

[Wards Affected: All]

Summary and purpose:

The purpose of this report is to seek members' approval of a revised list of local requirements for validation of planning applications.

How this report relates to the Council's Corporate Priorities:

An up-to-date and relevant local list informs the quality and validity of planning applications which can contribute to the provision of affordable housing, leisure facilities, improving lives and quality of the environment.

Equality and Diversity Implications:

There are no equality and diversity implications arising specifically from this report.

Climate Change Implications:

There are no climate change implications arising specifically from this report

Sustainability objectives will continue to be pursued through the development control process.

Resource / Value for Money Implications:

Clarity of the requirements for planning applications helps to provide a development control service that minimizes waste for customers and officers.

Legal Implications:

The review of the Local List is advised by Government guidance and the authority to require such information is statutory under the Town and Country Planning Act.

Background

1. The purpose of this report is for members to consider and agree the information required to be provided by those submitting a planning application.

2. In March 2008, the Executive agreed the current local list prepared following consultation with the public and other stakeholders. This list came into effect from April 6 2008 and is available to view on the Council's website. Following the Killian Pretty Review of the planning system, the Government recommended that there should be a more proportionate approach to information requirements to reduce time and costs for applicants and local planning authorities (LPAs). The Government's document Guidance on Information Requirements and Validation March 2010 requires LPAs to review their lists and publish a revised list on their websites by December 2010. The guidance states that a revised list should be agreed by an LPA by the end of December 2010.

The Review Process

3. The Review of the Local List has followed that advised by Government Guidance. This includes four main stages:-
 - initial review;
 - proposed revised list;
 - consultation;
 - finalising and publishing revised list.
4. The original list was assessed against five criteria set out within the Guidance: necessity, precision, proportionality, fitness for purpose and source of further assistance.
5. These criteria guide the list requirements to be relevant, proportionate and justified from the viewpoint of both the LPA and the planning applicant. A draft list was prepared and then placed on the Council's website for a period of eight weeks from 19 July until 13 September 2010. Comments on the revised list have been invited from all interested parties.
6. A presentation was made to regular planning agents and separately to Town and Parish Council representatives explaining the process and inviting to comment on the revised list. A forum with the Citizens Panel was held on 23 August 2010 to explain the process and seek views on the revised Local List.

Results of Consultation

7. The results of consultation have been contained with a summary table which is available for inspection on request.
8. The main themes of comment were as follows:
 - (i) An emphasis by many consultees on requiring as much detail as possible to inform proper understanding;
 - (ii) Resistance to requirements and detail by many applicants / agents in the interests of proportionality and cost / time burden;

- (iii) Planning requirements should not duplicate other legislation, e.g. Building Regulations.
- (iv) Emphasis by some consultees on use of conditions for achieving detail rather than supplying information up front at registration stage in the interests of cost/time burden.

The Final List

9. Following consultation, the Local List has been revised in the following key ways:
- (a) deletion of items that are not relevant to some types of development;
 - (b) addition of items that are missing;
 - (c) enhancement of the “where to look for further information” list to include newly published documents, e.g. Village Design Statements;
 - (d) change to definition of some items to clarify requirement or be more reasonable, e.g. use of blue lines on plans;
 - (e) inclusion of the mandatory national requirements which are already set out by the General Development Procedure Order (as amended) within the Local List to aid customers better to find all necessary information in a single document. Copies of the revised list are available on the website or from Democratic Services.

Conclusion

10. The Council's requirements for validation of planning applications has been reviewed in line with government advice. It has been subject to an extensive consultation exercise with stakeholders. The list has been revised in accordance with relevant criteria and consultation responses. It is recommended that the Executive agrees the revised list as the new Local List.
11. The review process has been necessarily complex to reflect government guidance. However, it has the overall benefit of making information required of planning applicants more proportionate to the impact of the proposal, thus avoiding unnecessary costs being incurred. At the same time consultees will continue to have sufficient information available to them to allow a proper assessment of proposals.

Recommendation

That the Executive agrees the revised list of requirements as the Local List for the Council (to replace the existing Local List agreed in 2008) and that the revised list be placed on the Council's website by 31 December 2010 to be in use from 1 January 2011.

Background Papers

1. Guidance on Information Requirements and Validation DCLG March 2010.
2. Development Management Policy Annexe, Information Requirements and Validation for planning applications DCLG March 2010.
3. Town and Country Planning (General Development Procedure) Order 1995 (As Amended).

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