

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

18TH MAY 2006

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

Regeneration & Transport-Lead Cabinet Member-Cllr R Cook

INTERIM SUPPLEMENTARY PLANNING GUIDANCE ON THE VALIDATION OF PLANNING APPLICATIONS

1. Summary

This report invites the Cabinet to note and endorse this interim document to assist officers of Stockton Planning Department in the validation of planning applications. It is the Council's intention to build upon this document and work towards a future Supplementary Planning Document (SPD) which will be formally adopted as part of the Council's Local Development Framework (LDF).

The purpose of this document is to outline the compulsory requirements of the Local Planning Authority and possible additional requirements for various planning applications in order for the Local Planning Authority to consider them as 'valid' planning applications.

This is aimed at enabling the Local Planning Authority to have sufficient information to confidently determine planning applications from the outset, in order to provide a fast and efficient planning service.

This report has been endorsed by the Planning Committee and will be forwarded to Full Council for adoption

2. Recommendations

1. Approval for Officers to consult on the Validation of Planning Applications as a Supplementary Planning Document (SPD), as detailed in Appendix 1.
2. Authority be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee and Cabinet Member of Regeneration & Transport, to refer this report to Cabinet and Full Council for it's approval and adoption as a SPD. The results of the consultation and analysis of representations made will be duly considered prior to adoption of the SPD and the Head of Planning be authorised to make any necessary amendments.

3. Reasons for the Recommendations/Decision(s)

This is an interim document to assist developers and Stockton Planning department in the validation of planning applications. To ensure the guidance is accorded appropriate weight by developers, it needs to be formally adopted by the Council. It is the Council's Intention to build upon this document and work towards a future Supplementary Planning Document (SPD) which will be formally adopted as part of the Council's Local Development Framework (LDF).

This document is intended to offer assistance and guidance to developers submitting planning applications detailing the expected requirements for a variety of types of planning application in order to achieve a quicker, more transparent and efficient planning service.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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SUMMARY

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RECOMMENDATIONS

1. Approval for Officers to consult on the Validation of Planning Applications as a Supplementary Planning Document (SPD), as detailed in Appendix 1.
2. Authority be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee and Cabinet Member of Development and Regeneration, to refer this report to Cabinet and Full Council for its approval and adoption as a SPD. The results of the consultation and analysis of representations made will be duly considered prior to adoption of the SPD and the Head of Planning be authorised to make any necessary amendments.

DETAIL

1. This is an interim document to assist developers and Stockton Planning department in the validation of planning applications. It is the Council's Intention to build upon this document and work towards a future Supplementary Planning Document (SPD) which will be formally adopted as part of the Council's Local Development Framework (LDF).

2. This document is intended to offer assistance and guidance to developers submitting planning applications detailing the expected requirements for a variety of types of planning application in order to achieve a quicker, more transparent and efficient planning service.
3. This interim document is intended to outline the current validation procedures of planning applications received by Stockton Borough Council, providing guidance on the information required to be submitted as part of a planning application.
4. This is aimed at lessening the ambiguity of what is classed as a valid planning application and enabling the Local Planning Authority to have sufficient information to confidently determine planning applications while offering a clear and detailed requirement from the outset in order to provide a fast and efficient service.
5. The checklists provided within the application pack are by no means comprehensive and are aimed at covering the majority information required for most types of planning application submitted. In certain instances and particularly with sensitive, complex and major applications additional information may be required, in these instances the Local Planning Authority will contact the applicant or agent in writing outlining the additional information required and the application will remain invalid until all the required information is submitted.

Common reasons why applications are considered to be invalid

6. There are many simple and avoidable reasons why the Planning Department consider applications to be invalid, below are some of the most common.
 - i. The drawings submitted do not show sufficient details or key elevations are missing.
 - ii. The application forms/certificates are not correctly signed or dated
 - iii. Incorrect fees enclosed or fee cheque not signed
 - iv. Information submitted is still inadequate or incorrect
 - v. Scales of drawings are incorrect, or not accurate
 - vi. Key elevations or site plans are missing

Use of Agents

7. In order to help you with the preparation and submission of planning applications and scaled drawing the use of planning agents can assist this process. The Local Planning Authority is also concerned that some refusals might have been avoided if a suitably experienced agent had been involved in helping with the preparation of the proposals. The Council advise that if an applicant decides to use an agent to check that they have either a proven track record with this type of application or the required skills to submit all the required information.

Pre-application discussions

8. An essential element of the planning process that is often neglected by both householder developments and commercial developments is the role of pre-application discussions. The Local Planning Authority offers a free and confidential service to pre-application enquiries and strongly encourages developers to write in, phone or arrange a meeting with a planner to discuss proposals prior to submission.
9. Some of the benefits of pre-application discussion are highlighted below;
 1. Outline whether the proposed development would, in principle be acceptable
 2. Highlight areas which need to be addressed, prior to submission
 3. Advise on what types of supporting information may need to be submitted
 4. Saves time and Money

5. Generally results in a smoother and quicker application process

Supplementary Planning Document

10. **Appendix 1** of this report is the proposed Supplementary Planning Document

FINANCIAL AND LEGAL IMPLICATIONS

Financial Implications

11. By improving the quality of applications submitted it would enable the Local Planning Authority to have sufficient information to confidently determine planning applications while offering a clear and detailed requirement from the outset in order to provide a fast and efficient service and assist in meeting Government Performance targets and the award of Planning Delivery Grant

Legal

12. This is an interim document to assist developers and Stockton Planning department in the validation of planning applications. To ensure the guidance is accorded appropriate weight by developers, it needs to be formally adopted by the Council otherwise any attempt to enforce the guidance could be subject to judicial review. It is the Council's Intention to build upon this document and work towards a future Supplementary Planning Document (SPD) which will be formally adopted as part of the Council's Local Development Framework (LDF).

RISK ASSESSMENT

13. The suggested reforms are categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk. The guidance will assist in meeting Government Performance targets

COMMUNITY STRATEGY IMPLICATIONS

Environment

14. The proposal will encourage good design

Economic Regeneration

15. The proposal will speed up the determination of planning applications enabling planning consents to be implemented earlier and contribute to economic regeneration of the area

CONSULTATION INCLUDING WARD/COUNCILLORS

16. The guidance was considered and endorsed by the Planning Committee on 19th April 2006 to be forwarded to Full Council for adoption

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Background Papers

INTERIM SUPPLEMENTARY PLANNING GUIDANCE ON THE VALIDATION OF PLANNING APPLICATIONS

Ward(s) and Ward Councillors:

All

Property

No implications