

DELEGATED

AGENDA NO:

**REPORT TO PLANNING
COMMITTEE**

DATE 31st OCTOBER 2007

**REPORT OF CORPORATE
DIRECTOR OF DEVELOPMENT
AND NEIGHBOURHOOD
SERVICES**

**DRAFT PLANNING GUIDANCE ON THE VALIDATION OF PLANNING
APPLICATIONS**

SUMMARY

- 1.1. This report invites the Planning Committee to note and endorse this interim document to assist officers of Stockton Planning Services in the validation of planning applications and to enable consultation with interested parties as recommended by Central Government. Members considered a report last year for interim supplementary planning guidance as outlined in the ODPM publication Best Practice Guidance on the Validation of Planning Applications. However the Government changed its mind that it was not appropriate to produce local guidance under a Supplementary Planning Document
- 1.2. The Government now intends to amend the Town and Country (General Development Procedure) Order 1995 (the GDPO) to introduce a mandatory standard application form and associated information requirements for validation of applications, from 6 April 2008. Different types of application and scale of applications will require different levels of information and supporting documentation to be submitted. However, in all cases the requirements will be specified by the local planning authority. Under the new arrangements, these will comprise a national core list that will apply in all cases and additional items specified locally from a list provided by central government
- 1.3. 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.

- 1.4. 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.

RECOMMENDATIONS

- 1. Approval for Officers to consult on the Validation of Planning Applications as detailed in the report.**
- 2. The results of the consultation and analysis of representations made will be duly considered and reported back to the Planning Committee for formal resolution and adoption of the local list.**

Detail

This is a draft document to assist developers and Stockton Planning Services in the validation of planning applications. 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.

This draft 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.

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.

The national list sets out statutory requirements (which include the completed application form; the correct fee (where one is necessary); ownership certificates; agricultural holdings certificate; design and access statement (where one is necessary); the location plan; site plan; other plans and drawings or information necessary to describe the subject of the application; and environmental statement (where one is necessary) for applications).

The local list comprises additional information which local planning authorities can require to validate an application. Local planning authorities are encouraged to consult on and adopt 'local' lists drawn from a recommended nationally defined list which is set out on page 22. Where local planning authorities have not adopted a 'local list' then the default position for validating applications will be the statutory national requirements only. However, the combined use of the national and local list will afford both the authority and applicant more certainty when submitting applications and ensure that the information requested is

proportionate to the type and scale of application being made.

The DCLG recommended process for determining information requirements for planning applications is now: -

1. **Resolution to the relevant committee to consult on the proposed local list for different application types.**

2. **Minimum period for consultation with relevant stakeholders should be 6 weeks.**

3. **Relevant stakeholders should include: -**

Statutory consultees (including the Environment Agency, Natural England, English Heritage, the Greater London Authority, Network Rail, the local highway authority, Regional Development Agency, Strategic Health Authority, County Council and statutory undertakers)

Parish/Town Councils

Relevant voluntary and community groups e.g. Residents

Groups/amenity societies

Agents/applicants forums or representative group of agents

Groups or organisations referred to the adopted statement of community involvement.

4. Formal review of comments and report back for formal resolution and adoption of the local lists by the relevant committee.

5. Publication of the adopted local lists on the local planning authority website (and made available through the Planning Portal) in addition to paper copies being made available at planning reception or on request.

6. • Where a local planning authority has consulted and adopted local lists in accordance with the procedures outlined above, they can be used as the local requirements when validating applications under the amended GDPO.

7. Authorities should review their lists every three years and if they are proposing to make amendments (other than minor amendments) should re-consult and adopt new lists. Minor amendments to take account of statutory changes or Government guidance may be made as required without undertaking a full review or consultation.

1. Common reasons why applications are considered to be invalid

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

2. Use of Agents

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.

3. Pre-application discussions

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.

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

Appendix 1 of this report is the proposed Supplementary Planning Document

Corporate Director of Development and Neighbourhood Services

Contact Officer: Barry Jackson

Telephone Number: 01642 526066

Email Address: barry.jackson@stockton.gov.uk

Financial Implications.

Improved quality of applications submitted 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 and meet Government Performance targets.

Environmental Implications.

As Report.

Community Safety Implications.

Not Applicable.

Human Rights Implications.

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers.

The Validation of Planning Applications. Draft Guidance for Local Planning Authorities

Ward(s) and Ward Councillors(s).

All