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<b>REPORT TO:</b>	<b>Development Control Committee</b>	<b>AGENDA ITEM: 6</b>
<b>DATE OF MEETING:</b>	<b>4 March 2008</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>Director of Community Services</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>Tony Sylvester Ext. 5743</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>New scheme for the validation of planning applications</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>All</b>	<b>TERMS OF REFERENCE: DC01</b>

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#### **1.0 Reason for Exempt (if appropriate)**

1.1 Not applicable.

#### **2.0 Recommendations**

2.1 That delegated powers be granted to the Head of Planning Services to consider/assess any comments/representations from consultees and to adopt a new planning application validation scheme as considered appropriate by her.

#### **3.0 Purpose of Report**

3.1 To inform Members of the situation and seek their agreement to adopt a new validation procedure for planning applications in accordance with government advice.

#### **4.0 Detail**

- 4.1 The Government is planning to introduce a standard national planning application form in April. This is known as the 1APP project. Alongside this, and to support the use of the new form, the Government intends to introduce new information requirements for the validation of planning applications by Local Planning Authorities. The new requirements will include a national list of statutory requirements, which have been drawn up by the government, and local lists of additional requirements which local authorities can require to validate applications.
- 4.2 Each local authority's local list is drawn from a nationally defined list of additional requirements. Each local authority is required to have a period

of consultation with major users of the planning process (i.e. usual consultees and local planning agents) on their proposed local lists. The period for South Derbyshire District Council will close on 3 March 2008. The national list and draft local list of requirements are available to view on the Council's website at <http://www.south-derbys.gov.uk/Environment/Planning/Applications/HowToApply.htm>. There are specific local list requirements for each type of application and there are 25 new application forms.

- 4.3 Local requirements will clearly vary according to the type and scale of development and the advice notes will give more detail to this. The established approach of offering pre-application advice will also help applicants understand which requirements they will have to meet. In some instances applicants may consider the amount of information too onerous, but the information may be required to assess the impact of development; an approach 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.
- 4.4 It is envisaged that once all of the comments are received, all will be assessed and consideration will be given to any valid points made and the scheme amended accordingly. The scheme would then be published and adopted for use on all applications.
- 4.5 The only alternative to this recommended course of action is not to adopt any local requirements for the validation of planning applications. The reason for selecting the recommended option is that this should ensure a higher quality of submissions of planning applications.

## **5.0 Financial Implications**

- 5.1 Little or none.

## **6.0 Corporate Implications**

- 6.1 None

## **7.0 Community Implications**

- 7.1 None

## **8.0 Conclusions**

- 8.1 The Department of Communities and Local Government has published guidance for the standards required in the submission of planning applications. This guidance will form the basis of amended regulations to come into force in April 2008.

- 8.2 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 decide its requirements and then undertake consultation before formally adopting them.

## 9.0 **Background Papers**

- 9.1 [The Validation of Planning Applications - Guidance for local planning authorities](#) which was published in December 2007 (DCLG).