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## VALIDATION OF PLANNING APPLICATIONS

### 1 SUMMARY

- 1.1 This report outlines proposals for a series of local checklists which will provide details of the documents that may be required to be submitted with different types of planning applications in accordance with new rules that come into operation on 6 April 2008.

### 2 BACKGROUND

- 2.1 On 6 April 2008 a mandatory standard planning application form will be introduced together with new associated information requirements for the validation of applications.
- 2.2 Each different application type must be accompanied by a specified set of national core documents, but can be accompanied by a local list of additional items specified by local planning authorities.
- 2.3 The purpose of the new validation arrangements, is to:-
- provide a guide to the information that may be required at the outset;
  - enable the local planning authority to provide applicants with certainty as to the information required;
  - enable the local planning authority to have all the necessary information to determine the application and to draft the planning permission and all conditions;
  - minimise the need for further submission of additional information in order to allow local planning authorities a reasonable opportunity to determine applications within the Best Value Performance Indicator (BVPI) 109 targets; and
  - ensure consistency in the approach taken by different local planning authorities in registering and validating applications whilst recognising the need for variation appropriate to local circumstances.

### 3 NATIONAL AND PROPOSED LOCAL REQUIREMENTS

- 3.1 Details of the national requirements by application type can be found in appendix one to this report. The national requirements are set by government and cannot be varied by local planning authorities.
- 3.2 A suggested list of local requirements by application type is also listed in appendix one. It is not intended that the listed documents or information will be provided in all cases – the exact requirements for each application type will depend on the development proposed and it is expected that applicants will discuss the specific requirements prior to submitting an application.

- 3.3 Explanatory notes are also included with the local list to provide clarification of the specific requirements for each item.

#### **4 CONSULTATION AND ADOPTION OF LOCAL LIST**

- 4.1 The guidance on validation of applications sets out a recommended process for adoption of local lists as follows:-
- report to committee to agree the proposed local list for different application types;
  - 6 week consultation with relevant stakeholders to include statutory consultees (Environment Agency, Natural England, etc.), parish/town councils, voluntary and community groups and agents;
  - publication of the adopted lists on the local authority website.
- 4.2 Following agreement to the draft lists, it is proposed to undertake a 6 week consultation in accordance with the specified procedure, with the consultees specified in the Council's adopted Statement of Community Involvement. The document would also be placed on the Council's website to enable electronic responses to be submitted to the consultation.
- 4.3 In terms of the timetable for consultation and reporting back, it is anticipated the consultation period will run from 18 February to 31 March with a report to Executive Board on 23 April.
- 4.4 Given that the government's guidance was not published until December, and the requirement for a 6 week consultation, it is not practically possible to finalise the local list until after the commencement date on 6 April. However, it is proposed that the list be operated informally and subject to negotiation with applicants until the adoption date is reached.

#### **5 ENVIRONMENTAL IMPLICATIONS**

- 5.1 The items specified in the local list address social, economic and environmental aspects of planning applications to ensure the submission of high quality, sustainable development proposals.

#### **6 LEGAL IMPLICATIONS**

- 6.1 In cases where an applicant does not include documents or information specified on the local list, the local planning authority will be able to invalidate the application. In circumstances where applicants do not agree with the requirements for information or plans set out by the local planning authority they may wish to challenge the decision not to validate an application. In such circumstances, applicants have the right of appeal for non-validation under section 78 of The Town and Country Planning Act 1990.

**7 RECOMMENDATION**

- 7.1 It is proposed that the Board **RESOLVES** to agree the draft Local List for the validation of planning applications for consultation in accordance with the arrangements outlined in the report.

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**Background Papers:-**

The Validation of Planning Applications – DCLG, December 2007

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