

EAST HERTS COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE – 17 JULY 2013

REPORT BY HEAD OF PLANNING AND BUILDING CONTROL

6. VALIDATION REQUIREMENTS FOR PLANNING AND LISTED BUILDING CONSENT APPLICATIONS – LOCAL LIST CONSULTATION

WARD(S) AFFECTED: All

Purpose/Summary of Report:

- To enable Members to consider the 'local list' requirements for the validation of planning and listed building applications and to agree consultation with relevant stakeholders on the 'local list'.

RECOMMENDATION FOR DEVELOPMENT MANAGEMENT COMMITTEE: That:

(A)	Consultation with relevant stakeholders on the proposed 'local list' of validation requirements for planning and listed building consent applications be approved.
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1.0 Background

1.1 Amended regulations came into effect in April 2008 regarding the information and details which were required to be submitted in order to validate planning applications. These regulations set out the national requirements for the validation of planning applications, and also enabled local authorities to establish local validation requirements (in addition to national requirements) which comprise additional information and statements based on national or adopted local planning policy or statutory requirements. These requirements are known as the 'local list'. Together, the 'National List' and 'Local List' comprise the information required for an application to be validated.

1.2 The Town and Country Planning (Development Management Procedure) (England) (Amendment No.3) Order 2012, which came into force in January 2013, amends the Development Management Procedure Order by stating that to be used as validation criteria for applications made on or after 31 July 2013, a 'Local List' must have been published (or republished) during the

2 year period immediately before the date on which the application is made. In effect, this means that lists will have to be republished at least every 2 years if they are to continue to be used as validation criteria.

- 1.3 In addition to the above, Section 6 of the Growth and Infrastructure Act 2013 introduced the requirement that information required to be submitted with applications must be reasonable having regard, in particular, to the nature and scale of the proposed development and may be required only if it is reasonable to think that the matter will be a material consideration in the determination of the application. The Government have also recently published their response to the consultation on 'Streamlining the Planning Application Process' and have introduced changes to the validation process and the requirement for Design and Access Statements.
- 1.4 For all of these reasons and the changes to Government guidance introduced by the National Planning Policy Framework, it is considered timely to undertake a comprehensive review of validation requirements for planning and listed building applications.

2.0 Review process

- 2.1 The latest Government guidance on 'Planning applications: information requirements and validation' was published in March 2010. The guidance suggests that the review process should follow 4 steps:
1. Review existing local list;
 2. Summary report of proposed changes;
 3. Consult on proposed changes (for not less than 8 weeks);
and
 4. Finalise and publish revised list
- 2.2 Officers have undertaken a review of the existing 'Local List' taking into account the changes outlined above in section 1 of this report. The amended 'local list' can be found within **Essential Reference Paper 'B'**. It is intended to commence consultation with relevant stakeholders as soon as possible following the Committee resolution for a period of 8 weeks. It is anticipated

that a report will be brought back to the September meeting of the Development Management Committee to finalise the revised list, taking into account the consultation responses received.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

1. The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)
2. The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
3. Streamlining the Planning Application Process: Consultation Government Response June 2013
4. Guidance on information requirements and validation March 2010
5. National Planning Policy Framework March 2012

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