

**Report to:** Development Control and Licensing Panel  
**Date:** 29 April 2008  
**Report of:** Head of Planning and Building Control  
**Subject:** Planning – Validation Checklists  
**Ward:** All

## **1.0 Purpose of Report**

The purpose of this report is to advise Members of the proposed adoption of the planning validation checklists, which have been the subject of public consultation, and to seek adoption of the checklist.

## **2.0 Consultation**

The contents of the validation checklists have been discussed with all Development Control Managers across the County and a consultation exercise has been carried out with statutory consultees, planning agents and regular customers. Members of the Panel have also been consulted on this matter. There are no further consultations considered necessary.

Comments have been received from One North East, the Highways Agency and English Heritage. None of the consultation responses required amendments to the validation checklists.

## **3.0 Background**

At the present time the planning regulations in relation the validation of planning applications are interpreted differently throughout the County and across the country. The regulations are in part somewhat ambiguous and this leads to inconsistency in the way in which they are interpreted. In order to overcome this and to provide a “level playing field” for all applicants and agents a good practice guide has been produced by the Office of the Deputy Prime Minister. This sets out what level of information is required according to the type of planning application, so that for example a much greater level of detail is required for “major” applications compared with householder applications.

## **4.0 Position Statement and Option Appraisal**

As from 6 April 2008, there are mandatory national requirements specified in the Town and Country Planning General Development Procedure Order, setting out the minimum information that must accompany all applications for planning permission. If the local planning authority wishes to require further supporting information, however, it must adopt a local list specifying what information is required for each application type. The additional information can cover such important matters as floor risk and ecological assessments.

Failure to adopt a local list will reduce the Council’s powers to declare a planning application invalid if any necessary supporting information is not provided. In other words, the Council will have to register an application and start to process it. Whilst the Council can still request such information, this will instead need to be done during the determination process. It is likely that this will lead to delays in deciding applications, and result in reduced performance standards. It is clearly in the

Council's interests, therefore, to adopt a local list to operate alongside the mandatory national requirements.

It may be necessary to make future amendments to the checklist to reflect any changes to national or local planning policy, or any standardization of procedures necessary because of Local Government Review. It is considered that such amendments can be addressed by the Head of Planning and Building Control Services as these are likely to be mainly technical amendments. Any fundamental changes to the process will be brought before Members.

## **5.0 Implications**

### **5.1 Financial**

It is not envisaged that this requirement will have any significant impact on existing budgets.

### **5.2 Legal**

The move towards a new standardised approach will be a mandatory requirement by 6<sup>th</sup> April 2008. The Town and Country Planning (General Permitted Development) Order 1995 will be amended to facilitate the required changes.

### **5.3 Policy**

The validation checklists will assist in the implementation of planning policy as the documents required to assess the application will be mandatory, and thus information required to assess applications against planning policy will always be available.

### **5.4 Local Government Review**

In advance of preparation for the new Council a standardised validation checklist has been prepared for all seven authorities to enable a consistent validation checklist service for customers across the County.

### **5.5 Risk**

If the checklist is not adopted then the Council is at risk for not fulfilling its obligations for registrations and validation of applications. It may also bring about a risk that the authority will be obliged to validate poorer quality applications. This could affect the Council's ability to give development proposals adequate scrutiny, cause delays and have a detrimental affect on performance against statutory performance standards.

### **5.6 Communications**

Statutory consultees, planning agents and regular customers have been informed of the introduction of the validation checklists. A copy of the checklists is available on the Council's website.

## **6.0 Corporate Implications**

### **6.1 Corporate Plan and Priorities**

This report fulfils corporate plan objectives in particular outcome QS3 which seeks to deliver a consistently high level of service across the Council.

## **6.2 Equality and Diversity**

The checklists should ensure that all parties are aware of the appropriate level of information required in order to submit applications.

## **6.3 E-Government**

It is not considered that there are any E-Government implications as a consequence of this report.

## **6.4 Procurement**

It is not considered that there are any procurement implications as a consequence of this report.

## **7. Conclusion**

In conclusion it is considered that the validation checklist should be adopted and used by the Council for the validation of all planning applications with immediate effect.

## **8. Recommendations**

That the validation checklists be adopted and to be brought into immediate effect.

## **9. Background Papers**

DCLG Circular 02/2008 - Standard Application Form and Validation  
Town and Country Planning (General Development Procedure) (Amendment) (England)  
Order 2008