

TRAFFORD COUNCIL

Report to: Planning Development Control Committee
Date: 10th April 2014
Report for: Information
Report of: Head of Planning Services

Report Title

Amendments to the validation checklist

Summary

This report is to inform **Planning Development Control** Committee that the validation checklist adopted for development management purposes has been amended to support the implementation of the Community Infrastructure Levy (CIL). The changes reflect the requirement for additional information to be submitted in support of a valid planning application under the new system of CIL.

Recommendation

That Members of Planning and Development Control Committee note the changes to the validation checklist.

Contact person for access to background papers and further information:

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1.0 Background

- 1.1 DCLG "Guidance on Information Requirements and Validation" 2010 advises that local planning authorities should prepare a "local list" (validation checklist) which sets out the information that is required to be submitted with planning applications for different types of development and for other types of applications in order for those applications to be deemed valid.
- 1.2 Planning Officers prepared a draft validation checklist in March 2013. The document sets out what information needs to be submitted to meet national and local policy requirements for different development types. If the required information is not provided with an application, and it is considered by the Local Planning Authority to be reasonable and necessary in order to properly assess that application, the Local Planning Authority will be able to deem those applications invalid until such time as the required information is submitted. The target period for determining the application only begins once the application is deemed to be valid. There is a right of appeal against non-determination of the application where there is a disagreement between the Local Planning Authority and the applicant as to what is required.

- 1.3 In July 2013, a report was taken to Planning Development Control Committee informing them that the revised Validation Checklist had been adopted for development management purposes.

2.0 The Community Infrastructure Levy

- 2.1 The Community Infrastructure Levy (CIL) was created under the terms of the Planning Act 2008, and establishes a new system for collecting developer contributions towards essential infrastructure.
- 2.2 Trafford Council has been developing a Charging Schedule to deliver a CIL for the Borough. At its meeting on 26 March 2014, Full Council formally adopted the Trafford Community Infrastructure Levy Charging Schedule, the supporting Regulation 123 List and Instalments Policy for implementation on Monday 07 July 2014.
- 2.3 At its meeting on 24 March, 2014, Executive approved the Revised SPD1: Planning Obligations 2014 for adoption and implementation on 07 July 2014 and delegated responsibility for approving the CIL Exceptional Circumstances Policy, Infrastructure Payments Policy and any minor amendments to the wording of all documentation to the Corporate Director of Economic Growth and Prosperity.
- 2.4 To support the implementation of CIL, some small changes to the validation checklist need to be made.

3.0 Implications

- 3.1 The changes to the validation checklist are minor and have been approved by the Corporate Director of Economic Growth and Prosperity.
- 3.2 Three minor changes have been made to the validation checklist, two of which relate to the implementation of CIL:
 - Requiring an additional form to be completed by applicants so the council can establish whether there will be a potential CIL liability.
 - Revising the section on Planning Obligations Heads of Terms to bring this into line with revised SPD1 2014 and the Regulation 123 list.
 - The other change reflects the national abolition of Conservation Area Consent applications from October 2013, so the relevant section within the validation checklist has been removed.
- 3.3 The changes will have minimal resource implications for the process and timescales in validating applications and appropriate guidance will be issued to developers to ensure they are clear on the new system and what information is required from them.
- 3.4 Major applications received from the 7 April 2014 and minor applications received from the 7 May 2014 will need to provide the new information set out in the revised validation checklist. This will enable CIL to be calculated as appropriate for applications to be approved from 7 July 2014.

4.0 Recommendation

- 4.1 The Committee is requested to note that the revised validation checklist will be used for development management purposes alongside the implementation of CIL and will be placed on the Council's website along with other guidance.