

## **TRAFFORD COUNCIL**

**Report to:** Planning and Development Management Committee  
**Date:** 8 September 2016  
**Report for:** Decision  
**Report of:** Head of Planning and Development

### **Report Title**

**Revision of Application Validation Checklist**

### **Summary**

This report is to inform the Planning and Development Management Committee of the revision of the Application Validation Checklist and the key proposed changes and updates to the Checklist and to seek approval of the draft Application Validation Checklist for consultation purposes.

### **Recommendation**

That Planning and Development Management Committee note the contents of this report and approve the draft Application Validation Checklist for consultation purposes.

### **Contact person for access to background papers and further information:**

Name: Stephen Day  
Extension: 4512

#### **1.0 Introduction and Background**

- 1.1 The Council produced its Application Validation Checklist in July 2013 following guidance published by the Department for Communities and Local Government in April 2010 (Development Management Policy Annex and Guidance on Information Requirements and Validation) (now superseded by National Planning Practice Guidance (NPPG)). The guidance outlines the benefits of checklists in helping authorities achieve good standards of performance and providing applicants with greater clarity and certainty as to the nature and extent of information required in order to validate and progress planning applications.
- 1.2 Once adopted, if the information that is required by the checklist is not included with an application and is considered by the Local Planning Authority to be reasonable and necessary in order to properly assess the application, the authority will be entitled to declare the application invalid. Conversely, applications which are validated are likely to contain sufficient information for a decision to be made and this should enable the Council to achieve a greater percentage of decisions

within government timescales. However, it must be recognised that there may still be situations where a validated application will not contain all the information required for a decision to be made and the Council may seek additional information post-validation under the existing statutory provisions set out in the Town and Country Planning (Application) Regulations 1988.

1.3 Paragraph 39 of the National Planning Practice Guidance (NPPG) category, “Making an application”, states that “A local planning authority may request supporting information with a planning application. Its requirements should be specified on a formally adopted “local list” which has been published on its website less than two years before the application is submitted. Local information requirements have no bearing on whether a planning application is valid unless they are set out on a local list.

1.4 Paragraph 40 states that “The local list is prepared by the local planning authority to clarify what information is usually required for applications of a particular type, scale or location. In addition to being specified on an up to date local list published on the local planning authority’s website, information requested with a particular planning application must be:

reasonable having regard, in particular, to the nature and scale of the proposed development; and

about a matter, which it is reasonable to think will be a material consideration in the determination of the application.

1.5 Paragraph 43 states that “A local list should be reviewed at least every two years.” It is therefore necessary to review the existing Application Validation Checklist and revise and update this where necessary. Paragraph 44 states that “Where a local planning authority considers that changes are necessary, the proposals should be issued to the local community, including applicants and agents, for consultation...Consultation responses should be taken into account by the local planning authority when preparing the final revised list. The revised local list should be publicised on the local planning authority’s website.”

1.6 A draft updated Application Validation Checklist (August 2016) has now been produced and is available to view on the Council’s website and is appended to this report. As in the case of the 2013 Application Validation Checklist, the document is split into three parts. Part one comprises a list of national requirements for all planning applications. Part two outlines a list of local requirements and part three outlines a short checklist for the most common types of applications. It is proposed that the Council now consults on the revised Application Validation Checklist for a period of six weeks and that any comments received are then taken into account in preparing the final version of the document.

## **2.0 Key Proposed changes to the 2013 Application Validation Checklist**

2.1 The key proposed changes to the 2013 document are summarised below.

### **2.2 National Requirements**

- Only one copy of plans and application forms need to be provided.
- A section on Permitted Development Prior Approval applications has been added, which refers to the requirements set out in the Town and Country

Planning (General Permitted Development) (England) (Order) 2015 (as amended).

### 2.3 Local Requirements

- Air Quality Assessments – The thresholds and requirements have been updated, having regard to the Institute of Air Quality Management guidance document: Planning for Air Quality (2015).
- Carbon Budget Statements – The thresholds have been revised upwards to ensure that the information that is required to be submitted would normally meet the requirement of being reasonable and necessary in order to properly assess the application.
- Crime Prevention Plan – The thresholds and types of application where a Crime Prevention Plan is required have been revised following more recent guidance from Greater Manchester Police Design for Security.
- Ecological and Biodiversity Survey – The information has been revised to clarify for the avoidance of doubt that the requirements cover bat surveys as well as other types of ecological survey.
- Flood Risk and Drainage – A section has now been included setting out the thresholds and requirements for a Drainage Strategy / Statement in accordance with AGMA guidance.
- Habitat Regulation Assessment – The threshold has been revised in consultation with the Greater Manchester Ecology Unit.
- Heritage Assessment – The wording of this section has been revised to remove references to Conservation Area Consent, which no longer exists, and to update the references to guidance documents provided by Historic England (formerly English Heritage).
- Housing Statements – Affordable Housing – Following the recent Court of Appeal decision in May 2016 and the subsequent changes to the NPPG in this respect, the threshold has been revised upwards to housing developments proposing 11 or more residential units or which have a combined gross floorspace of more than 1000 square metres.
- Housing Statements – Development on Greenfield Land (including Garden Land) – Given the Council's current position in terms of not having a five year supply of immediately available housing land and not meeting the targets set out in the Trafford Core Strategy for housing delivery, the threshold has been revised upwards to residential development consisting of 10 dwellings or more or with a site area of 0.5 hectares where the number of dwellings is not yet known.
- Housing Statements – Meeting Housing Needs – Given the Council's current position in terms of not having a five year supply of immediately available housing land and not meeting the targets set out in the Trafford Core Strategy for housing delivery, the threshold has been revised upwards to residential development consisting of 10 dwellings or more or with a site

area of 0.5 hectares where the number of dwellings is not yet known. The reference to the need for the specific justification of one bedroom units has been removed, although the statement still needs to address how the development will contribute to meeting the target split between small and large accommodation.

- Planning Obligations and Community Infrastructure Levy – The thresholds for Planning Obligation Draft Heads of Terms have been revised to reflect the requirements of the current SPD1, Planning Obligations.

### **3.0 Conclusion**

- 3.1 The proposed amendments are intended to ensure that the above validation requirements are in accordance with up to date national and local planning guidance and the up to date advice of relevant consultees and are reasonable and necessary in order to allow the proper assessment of planning applications.

### **4.0 Recommendation**

- 4.1 That the Planning and Development Management Committee note the contents of this report and approve the draft Application Validation Checklist for consultation purposes.