TRAFFORD COUNCIL

Report to: Planning and Development Management Committee
Date: 13 September 2018
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 latest revision to 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

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1) That Members of the Planning and Development Management Committee note the contents of this report and approve the draft Application Validation Checklist for consultation purposes.
2) That the Head of Planning and Development be authorised to adopt the revised Validation Checklist in the event that following consultation, there are no significant alterations to the consultation draft.

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Contact person for access to background papers and further information:

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1.0 **Introduction and Background**

1.1 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.

1.2 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.

1.3 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. This is the second review of the checklist since it was first adopted in 2013, the most recent being in 2016. Paragraph 43 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."

1.4 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.

1.5 A draft updated Application Validation Checklist (September 2018) has now been produced and is available to view on the Council's website and is appended to this report. The overarching structure of the document has not been altered and it 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

2.1 The key proposed changes (to the 2016 document) are summarised below.

2.2 References to the NPPF have been updated throughout the document to refer to the revised NPPF (July 2018).

2.3 National Requirements

- The introductory paragraphs have been updated to take account of guidance in the revised National Planning Policy Framework and National Planning Practice Guidance.

- Additional information has been included in relation to streetscene elevations.

- Additional information has been included in relation to the content of Design and Access Statements accompanying applications for listed building consent.

2.4 Local Requirements

- Air Quality Assessments – The thresholds have been updated, having regard to the Institute of Air Quality Management guidance document: Planning for Air Quality (2017).

- Crime Impact Statement – The thresholds and requirements have been updated, having regard to comments from the GM Police Design for Security Unit.

- Environmental Impact Assessment – The requirements have been updated having regard to the Environmental Impact Assessment Regulations 2017.

- Landscape/ Townscape Visual Impact Assessment – The requirement for a Landscape / Townscape Visual Impact Assessment has been included in respect of developments of over 100 residential units within the urban area, or 10 residential units outside the urban area, over 10,000 square metres of non-residential floorspace or buildings of over 6 storeys or 20 metres in height, unless the development is sited wholly within the Trafford Park Core Industrial Area.

- Viability Assessment – The requirements have been updated to incorporate recent guidance in the National Planning Policy Framework and National Planning Practice Guidance including the requirement that viability assessments will be published on the Council's website to aid transparency in the process. The requirements have also been updated to state that the costs of reviewing the viability assessment, including that of appointing a specialist consultant, will be met by the applicant. This charge has been set at a fixed rate of £4,800, except in circumstances where a greater fee is necessary and justified. A new Appendix to the Validation Checklist is included which sets out detailed guidance for the Council's expectations in the production of viability assessments. .

- Summary Report – The previous requirement for a summary report has been omitted (other than in the case of EIA applications where this is a requirement of the EIA Regulations 2017) as this is no longer referred to in National Planning Practice Guidance.

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.

4.2 That the Head of Planning and Development be authorised to adopt the revised Validation Checklist in the event that following consultation, there are no significant alterations to the consultation draft.