

## **TRAFFORD COUNCIL**

**Report to:** Planning and Development Management Committee  
**Date:** 13 July 2023  
**Report for:** Decision  
**Report of:** Head of Planning and Development

### **Report Title**

**Adoption of Validation Checklist (July 2023)**

### **Summary**

This report responds to the requirement for a Council to review their Application Validation Checklist at least every two years. The most recent review was in June 2021.

Pending a comprehensive review of the Application Validation Checklist, later in 2023, alongside the adoption of the Trafford Design Code, it is not proposed to make any changes to the June 2021 Application Validation Checklist, but republish it unaltered for an interim period.

This will enable the Council to continue to ensure that its 'local validation requirements' are met when planning applications are submitted but not pre-empt responses to the current consultation on the Trafford Design Code.

### **Recommendation**

That the Planning and Development Management Committee approve the Application Validation Checklist (July 2023) for republication in the form appended to this report.

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

Name: Rebecca Coley  
Extension: 4788

Background Papers: None

Appendix 1: Trafford Application Validation Checklist (July 2023)

## **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. This is the fourth review of the checklist since it was first adopted in 2013, the most recent being in June 2021. 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... Where a local planning authority decides that no changes are necessary, it should publish an announcement to this effect on its website and republish its local list’.

## **2.0 Review of the Validation Checklist**

2.1 A review of the Validation Checklist has been carried out and it is not proposed to amend the Application Validation Checklist at this time but republish it in its current form. It remains fit for purpose in obtaining the necessary information to accompany planning applications in the context of current planning policy and guidance. It is necessary to republish it nevertheless given the requirement to review it every two years, otherwise the Council cannot require the ‘local list’ items to be submitted with planning applications.

2.2 There is no requirement for community consultation if no changes are proposed.

2.3 However, this is an interim measure pending a more comprehensive review of the Validation Checklist later in 2023 to reflect and complement the emerging Trafford Design Code. The consultation draft Trafford Design Code was approved by the Council’s Executive on 19 June 2023, and is currently undergoing a period of consultation which will run until 25 September 2023. There are a number of compliance requirements in the draft Code which will need to form part of a Design and Access Statement or be submitted as supporting information to a planning application. The adoption of the Trafford Design Code will be a significant change to planning guidance in Trafford and the Application Validation Checklist needs to reflect up to date planning policy and guidance.

2.4 It is therefore proposed to present a comprehensively updated Validation Checklist to the Planning and Development Management Committee in the autumn, followed by a community consultation as advised by the NPPG, with adoption by the Planning Committee and publication on the Council’s website (which may take the form of digital tools) by the end of 2023.

### **3.0 Recommendation**

- 3.1 That after due consideration, no changes are made to the June 2021 Application Validation Checklist pending a more comprehensive review and consultation later in 2023.
- 3.2 That the Planning and Development Management Committee approves the Application Validation Checklist (July 2023) for republication accordingly.

#### **Reasons for Recommendation**

The Application Validation Checklist needs to be comprehensively reviewed in the light of the requirements of the emerging Trafford Design Code but it is prudent to delay this for a short period in order to do so with knowledge of the feedback received during the consultation period.

The Application Validation Checklist needs to be republished ahead of the emerging Trafford Design Code in order that the Council can continue to require an applicant to comply with its 'local information requirements' when submitting planning applications as the previous Checklist is now over two years old.

#### **Other Options**

**Option 1: Not to adopt the Application Validation Checklist.** This would mean the Council was unable to require a developer to comply with its 'local information requirements' for the submission of planning applications which would cause delays to the process and uncertainty for residents, developers and investors.

**Option 2: To carry out a review of the Trafford Validation Checklist immediately.** It is not considered that there have been any significant changes to the planning policy and guidance context since June 2021 which need to be immediately reflected in the Application Validation Checklist. The Checklist should instead reflect the more significant change to guidance arising from the emerging Trafford Design Code.