

REPORT FOR: **PLANNING COMMITTEE**

Date of Meeting: 29 May 2013

Subject: Harrow Local Information
Requirements for the Validation of
Planning Applications

Responsible Officer: Stephen Kelly – Divisional Director -
Planning

Exempt: No

Enclosures: Appendix 1 – Current Local
Information Requirements
Appendix 2 – Proposed Local
Information Requirements

Section 1 – Summary and Recommendations

This report introduces a draft revised schedule of local information requirements for the validation of planning applications in accordance with the requirements of The Town and Country Planning (Development Management Procedure)(England)(Amendment No. 3) Order 2102

Recommendations:

1. The Planning Committee is requested to approve the draft Local Validation Requirements for public consultation.

Reason: (For recommendation)

To ensure that an up to date list of Validation requirements can be adopted to provide greater clarity and certainty to applicants submitting planning applications.

Section 2 – Report

Since 2008 local planning authorities (LPAs) have been required to publish lists of information needed to validate planning applications. In addition to national requirements (which include the submission of an application form, payment of a fee, submission of plans and elevations, and certificates of ownership), LPAs must list any specific local requirements. Local validation requirements include the detailed reports necessary to be submitted with an application, such as Flood Risk Assessments, Heritage Statements, Viability Appraisals and Transport Assessments. The current list of validation requirements is attached as Appendix 1.

The recent LEAN review of the Planning Service processes, together with feedback from Planning Agents has highlighted that in a significant number of cases, applicants are unable to understand and meet the validation requirements. Feedback from agents suggests that this is because the requirements are often complex and even, in some cases, unclear as to their purpose, putting additional financial burden on the applicants with no material benefit. The LEAN review has highlighted that 48% of all applications submitted are not valid as these requirements have not been met.

The Town and Country Planning (Development Management Procedure) (England)(Amendment No. 3) Order 2012 requires that local planning authorities operate to a local list no more 2 years old. All LPAs are required to revisit their “local” lists by 1 August 2013. Should the revised/reviewed list not be published within this period, then only the national validation requirements will apply. As the current list of local information requirements was published more than 2 years ago, it is necessary to review Harrow’s list, consult (6 week consultation period) and then publish.

The review provides an opportunity to reconsider what is required for any specific application, and to streamline the requirements so that they are clearly understood and proportionate to the scale of application proposed. This reflects the aspiration of the planning service to move from “controlling” to “enabling” high quality sustainable development in the Borough. There is a clear benefit arising from this, particularly in relation to householder developments, which form a significant percentage of all applications received. The full updated list, which would be the subject of consultation, is attached as Appendix 2

It is important to note that the Local Planning Authority would retain the right under the Town and Country Planning Acts to request any additional information required on a case by case basis, if it were deemed necessary. It should also be noted that the onus is on the applicant to submit appropriate information with their application to enable officers to fully assess the impact of any development. In the event that any requested additional information needed to help demonstrate how an application meets the requirements of the development Plan is not be provided, then the local planning authority may refuse permission on the basis of the inadequate information.

Alternative Options considered

1. Consult on maintaining the existing list. This option would miss the opportunity to secure real benefits to applicants through reduced burdens on provision of information and simplification of process. It would also prevent the Council and applicants from realising the benefits from reducing the number of invalid submissions.
2. Do nothing. In effect this would mean that the current local information requirements would expire and the Council would be unable to require the submission of any documents other than those covered by the national information requirements. This would represent significant concern for major applications where supporting documentation is essential for the consideration and assessment of complex schemes.

Consultation on the Draft Local Information Requirements

Subject to approval by the Planning Committee, it is proposed to publish the draft local information requirements on the Council website for 6 weeks, in accordance with statutory requirements. The outcome of this consultation together with any necessary changes to the criteria will be brought back to Planning Committee in July, to enable the adoption of the revised criteria on August 1st, in line with the timescales set out in the Development Management Procedure Order.

Implications of the Recommendation

Legal Comments

The proposed consultation on amendments to the local information list for the Validation of Planning applications' is in accordance with the requirements set out in the Development Management Procedure Order 2010 (as amended). There are no legal implications for the Council

Financial Implications

There are no direct financial implications of the proposed changes to the local information requirements. However, the adoption of a clearer, more proportionate list of requirements would likely increase the number of applications which are valid on receipt and would have an indirect financial benefit in relation to officer time and rework.

Any costs associated with the consultation would be met from the existing Planning Services budget. However it is not anticipated that any significant costs will arise as an on line consultation is proposed.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

The key risk associated with not adopting an updated local information list for the validation of planning applications arises from the omission of important local information that might lead to delay or unnecessary costs later in the planning application process. Moreover, the lack of information might also undermine the Council's aspirations, and corporate priority, to involve residents by making such involvement more difficult as part of the consultation process.

Equalities implications

Officers do not consider that the proposals have any adverse impact upon persons with protected characteristics

Corporate Priorities

The proposed revised list will help support the implementation of the following corporate priorities:

- United and involved communities: A Council that listens and leads – provision of a more proportionate service in response to feedback on current processes.
- Supporting our town centre, our local shopping centres and businesses – through reducing the burden of information requirements, for smaller scale developments and creating greater certainty in the planning validation process.

Section 3 - Statutory Officer Clearance

Name: Kanta Halai	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 14 May 2013		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 15 th May 2013		

Section 4 - Contact Details and Background Papers

Contact: Beverley Kuchar, Head of Development Management and Building Control 020 8736 6167

Background Papers: None