Report to: Strategic Planning Committee

Date of Meeting 7 October 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Validation of planning and related applications – adoption of Local Requirements List

Report summary:

The report is to seek agreement to re-adopt the requirements and guidance for the validation of planning and related applications

Is the proposed decision in accordance with:

Budget   Yes ☒ No ☐

Policy Framework   Yes ☒ No ☐

Recommendation:

That the information and requirements in the document 'Information Required with Planning and Associated Applications' be re-adopted and re-published immediately for Development Management purposes.

Reason for recommendation:

To ensure that all planning and related applications provide sufficient information for officers and Members to make fully informed decisions taking into account all relevant material considerations, and to ensure that all submission adhere to a reasonable standard so that all interested parties can adequately assess the proposal and make informed comments.

Officer**:** Ed Freeman – Service Lead Planning Strategy and Development Management; efreeman@eastdevon.gov.uk; Tel: 01395 517519

Portfolio(s) (check which apply)**:**
☐ Climate Action and Emergency Response
☐ Coast, Country and Environment
☐ Council and Corporate Co-ordination
☐ Democracy, Transparency and Communications
☐ Economy and Assets
☐ Finance
☒ Strategic Planning
☐ Sustainable Homes and Communities
☐ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

http://planningguidance.communities.gov.uk/blog/guidance/making-an-application/validation-requirements/local-information-requirements/

Link to Council Plan

Priorities (check which apply)

☒ Better homes and communities for all
☒ A greener East Devon
☒ A resilient economy

---

1. Background

1.1 Planning legislation outlines information that is required to be submitted with all planning and related applications across the Country. This is known as the National Validation Requirements and includes such things as the correct application forms, correct fee and a site location plan identifying the location of the site. The National Planning Policy Framework 2019 at paragraph 44 states the following:

'Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.'

1.2 The National Planning Practice Guidance (NPPG) states that the local authority 'requirements should be specified on a formally adopted 'local requirements list' which has been published on its website less than 2 years before an application is submitted. Local information requirements have no bearing on whether a planning application is valid unless they are set out on such a list.' East Devon District Councils current local validation requirements are set out on the website.

1.3 At the Strategic Planning Committee meeting in August 2019 members agreed the last version of the local validation checklist. The Validation Document runs alongside the national validation requirements for planning and related applications in determining the information that should be submitted to support applications. There is a need to review and publish the validation checklist every two years.

2.0 Review of the Validation Checklist

2.1 An extensive review of the document was carried out in 2019 at which time a number of changes were made and consultation was carried out with consultees and agents. The checklist should be reviewed and adopted every 2 years and it has now been over 3 years since that review. This has not previously caused an issue but some agents have identified that the local validation requirements are out of date and are refusing to submit some of the required information at the validation stage. This causes issues with applications then coming into the system without the required information and this then having to be secured later in the process.

2.2 A light touch review of the document has been carried out and it has been determined that the stated requirements remain necessary and appropriate. Although there will be a need in the future for a more fundamental review to ensure adequate information is available to

implement new policies in the new local plan and to fulfil new government requirements such as bio-diversity net gain. This will need to be done next year but for the moment it is considered appropriate to re-adopt the validation requirements as stated in 2019 so that these can continue to be required.

3.0   Conclusions

3.1   Should members be minded to approve this report with or without modifications, the local validation document will be immediately adopted and published on the website for Development Management purposes.

Financial implications:

No specific financial implications other than those mentioned in the body of the report.

Legal implications:

Section 62(3) of the Town and Country Planning Act 1990 (as amended) and article 11(3) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 sets out that should the Council require such evidence in support of an application as they consider necessary then they must publish, or republish, the local list of validation requirements for planning applications during the 2 year period prior to applications being made. There are no other legal implications other than set out in the report.