



Leicester
City Council

WARDS AFFECTED: All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

**OSMB
Cabinet**

**7th April 2011
11th April 2011**

Planning Applications - Revised Local Validation Requirements

Report of the Strategic Director, Development, Culture and Regeneration

1. Purpose of Report

Cabinet approval is sought for the Council to adopt a revised list of details to be submitted with planning applications to make them acceptable in line with Government advice.

2. Recommendations

- 2.1 Cabinet is requested to note the requirement to revise the list of submissions for planning applications as set out in the report and the proposed consultation exercise.
- 2.2 Delegated authority is sought from Cabinet for the Director, Planning & Economic Development, in consultation with the Cabinet Lead, to make appropriate amendments to the validation list to take into account consultation responses, following which the list will be adopted.

3. Summary

- 3.1 Government guidance requires the list of details to be submitted with planning applications to be reviewed, consulted on and adopted.
- 3.2 A revised list has been prepared jointly with other planning authorities in Leicestershire and Rutland.
- 3.3 The list will be subject to 8 weeks consultation period commencing in early April. Delegated authority is sought from Cabinet to approve any subsequent amendments to the list and adopt it.

4. Report

- 4.1 In 2008 the standard planning application form ('1APP') and validation requirements (list of documents to be submitted) for planning applications was introduced. The City Council with other local authorities in the County and Rutland adopted a local list of requirements to supplement national validation requirements.

- 4.2 In March 2010 the Government issued revised guidance on information requirements and validation for planning applications. This stated that where local authorities wish to maintain their own distinct local list, in addition to the national list of information, this should be reviewed, consulted on and adopted. The revised document subject to this report (see Appendix 1 for index and Appendix 2 for a sample validation list) is being published to take account of these requirements, and to reflect changes in national, regional and local planning policy as applicable to Leicester, Leicestershire and Rutland.
- 4.3 The local planning authorities which adopted the initial list have sought through this document to set down a consistent and proportionate approach to the information that is required for all different types of applications. This will be kept under review to ensure that it is meeting its objectives. In setting out these new requirements, the aim is to minimise the number of applications which have to be treated as invalid due to insufficient information, whilst ensuring that we have the information needed to make decisions on the applications.
- 4.4 This revised list takes full account of the Department of Communities and Local Government document 'Guidance on Information Requirements and Validation' and its key principles of necessity, precision, proportionality, fitness for purpose and assistance to applicants. The revisions to the list simplify the local requirements. It removes items that cannot be taken into account in determining an application and where the information is of limited value for most applications. The adoption of a new list does not prevent the City Council requesting additional information not on the list to assess applications where this is required, or refusing permission on the basis of a lack of evidence to determine an application.
- 4.5 This new approach is intended to assist applicants by providing clearer information about what would normally be expected to be submitted with different types of planning application. Appendix 2 shows an example of what would be required to be submitted for a standard planning application. Adopting a local list with other local authorities in the area provides a consistent approach and service to our customers, especially agents and consultees that work across the City, County and Rutland.
- 4.6 The regulations require a minimum of 8 weeks consultation on the local list. This is due to start in early April. There will be a link to the consultation documents on the city council web site. Cabinet is requested to note the proposed information/validation requirements in Appendix 1. Delegated authority is sought for the Director, Planning & Economic Development, in consultation with the Cabinet Lead, to make appropriate amendments to the validation list in Appendix 1 to take into account consultation responses, following which the list will be adopted.
- 4.7 The Planning and Development Control Committee will be consulted on 13 April 2011.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

There are no direct financial implications from the adoption of the revised list.

Martin Judson, Head of Finance, Ext 297390

5.2 Legal Implications

Guidance on information requirements and validation March 2010 by Department for Communities and Local Government sets out legal requirement for local planning authority to review, consult and adopt the list.

Anthony Cross, Legal Services, Ext 296362

5.3 Climate Change Implications

This report does not contain any significant climate change implications and therefore should not have a detrimental effect on the Council's climate change targets.

Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement, Ext 296770

6. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	Yes	need for appropriate environmental information for planning applications
Sustainable and Environmental	Yes	Whole report – need for appropriate environmental information for planning applications
Crime and Disorder	Yes	need for appropriate information for planning applications
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

7. Risk Assessment Matrix

Delete if not required and renumber paragraphs.

This only needs to be included if appropriate with regard to the Council's Risk Management Strategy

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
A delay in the adoption may result in applications being received without the necessary information and thus cause delays in the service or result in more applications being refused.	Medium	Low	Delegated authority is sought to ensure that the revised list is adopted without delay

8. Background Papers – Local Government Act 1972

Guidance on information requirements and validation March 2010
Department for Communities and Local Government

9. Consultations

Anthony Cross, Legal Services
Martin Judson, Finance

10. Report Author

Sarbjit Singh
Team Leader – North West Team
Planning Management & Delivery

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Appendix 1

SECTION 3

NATIONAL AND LOCAL REQUIREMENTS

Page Application type

8	Householder application for planning permission for works or extension to a dwelling
9	Householder Application for planning permission for works or extension to a dwelling and Conservation Area consent for demolition in a Conservation Area
10	Householder Application for planning permission for works or extension to a dwelling and Listed Building consent
11	Application for Planning Permission
13	Application for Outline Planning Permission with some matters reserved
15	Application for Outline Planning Permission with all matters reserved
17	Application for Planning Permission and Conservation Area consent for demolition
19	Application for Planning Permission and Listed Building consent
21	Application for Planning Permission and Advertisement consent
23	Conservation Area consent for demolition in a Conservation Area
24	Listed Building consent for alterations, extension or demolition of a listed Building
25	Application for Advertisement consent
26	Listed Building consent for alterations, extension or demolition of a listed building and advertisement consent
27	Application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition
28	Application for a Lawful Development Certificate for a proposed use or development
29	Application for prior notification of proposed agricultural development – proposed building
30	Application for prior notification of proposed agricultural development – proposed road
31	Application for prior notification of proposed agricultural development – proposed excavation/deposit of waste material from the farm
32	Application for prior notification of proposed agricultural development – proposed fish tank
33	Application for prior notification of proposed development in respect of permitted development by electronic communications code operators
34	Application for Hedgerow Removal Notice
35	Application for prior notification – proposed demolition
36	Application for Approval of Reserved Matters following outline approval
37	Application for removal or variation of a condition following grant of planning permission (Section 73 of the Town and Country Planning Act 1990)
38	Extension of time applications
39	Non-material minor amendment
40	Useful Supporting Information – Application for Approval of Details Reserved by Condition
41	Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) or Notification of Proposed Works to Trees in Conservation Areas (CA)

Appendices

42	I	Explanation of requirements of National Validation Requirement
45	II	Explanation of requirements of Local Validation Requirements
	III	Biodiversity Survey and Report / Ecological Survey / Protected Species Survey and Report
53		o PART I - Protected Species
54		o Table 1 - Protected Species: (Trigger List)
55		o PART II - Designated Sites and Priority Habitats
56		o Table 2 - Designated Sites and Priority Habitats (Trigger List)
57		o Table 3 - Designated Geodiversity Sites (Trigger List)
58		o Table 4 - Ecological Survey Seasons

Appendix 2

Application for Planning Permission

NOTE For clarification

- The Site plan shall include both existing and proposed development.
- All plans shall include critical dimensions

NATIONAL REQUIREMENTS	
Requirement	Threshold
Standard application form	All applications
Design and access statement	Where required by Article 8 of The Town and Country Planning (Development Management Procedure) (England) Order 2010
Location Plan	All applications – scale 1:1250 or 1:2500
Site Plan	Most application – recognised metric scale
Ownership Certificates	All applications – included in 1 APP form
Notices	As required depending on ownership of site
Agricultural Land declarations	All applications – included in 1 APP form
Fee	All applications
LOCAL REQUIREMENTS	
Requirement	Threshold
Existing and proposed elevations	As necessary to clearly show the proposed works in relation to what is already there. Scale 1:50 or 1:100
Existing and proposed floor plans	As necessary to clearly show the proposed works in relation to what is already there. Scale 1:50 or 1:100
Existing and Proposed Site Sections, Finished Floor and Site Levels	As necessary to clearly show the proposed works in relation to what is already there. Scale 1:50 or 1:100
Roof Plan	Where the roof design is not simple single dual or mono pitches, to clearly show the proposed works in relation to what is already there. Scale 1:50 or 1:100
Affordable housing statement	If development meets Local Planning Authority threshold. A Housing Market Assessment is also required where specified in LPA's DPD's.
Air quality assessment	Where the development is proposed inside, or adjacent to an air quality management area (AQMA),
Biodiversity Survey and Report (Ecological Survey) / Protected Species Survey and Report	Where the proposed development may have possible impacts on designated sites and important habitats, a full biodiversity survey and report may be needed. Please refer to 'Biodiversity Survey and Report: Local Requirements for Designated Sites and Priority Habitats'. Some proposed development may need a protected species survey if a) the site contains or is close to a known location for a species, or b) there is a high probability that a protected species will be present. Please refer to 'Protected Species Survey and Report : Local Requirements for Protected Species'.
Building for life assessment	All major residential developments in Charnwood, Leicester City and North West Leicestershire areas
Economic statement	Where viability is an issue. This may be included where appropriate in the Design and Access Statement. (Should be clearly identified)
Environmental statement	Environmental Impact Assessment is required for schedule 1 developments and maybe required for schedule 2 developments as specified by the Environmental Impact

	Regulations 1990.
Town Centre Uses –Evidence to accompany applications	A Retail Assessment to accompany all applications as identified in PPS4 or in the development plan. A sequential assessment is required for all applications as identified in PPS4 or in the development plan. Developments affected include retail, leisure, office, cultural and tourist uses located in and outside town centres.
Flood risk assessment	Where the development is proposed within Main river bye-law distance or where the development is within flood zones 2 & 3 or the site is greater than 1 hectare within Flood Zone 1. (see Environment Agency's www.environment-agency.gov.uk website for further information on Flood Risk Standing Advice and Flood Risk assessments) In accordance with PPS25.
Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)	All Major applications and any site with an entry in the Leicestershire and Rutland Historic Environment Record. This may be included in the Design and Access Statement. (Should be clearly identified)
Land Contamination assessment	Where contamination is known or suspected.
Landfill statement	Only required in respect of a County Matter Application
Lighting assessment	Where proposal includes floodlighting or where illumination is proposed for particularly sensitive proposals (e.g. illumination of carparks)
Noise impact assessment	Where developments are close to existing sources of noise or proposal will generate significant noise levels.
Open Space assessment	All major applications. This may be included where appropriate in the Design and Access Statement (Should be clearly identified)
Planning obligations – Unilateral undertaking or Draft agreement or Heads of Terms for S106 agreement required	If development triggers contributions within Development Plan Documents and/or the developer wishes to either: <ul style="list-style-type: none"> • Voluntarily propose contributions • Present a case for an exception from a triggered requirement
Planning Statement	All major applications. This may be included where appropriate within the Design and Access Statement (Should be clearly identified)
Statement of Community Involvement	All major applications. This may be included where appropriate within the Design and Access Statement (Should be clearly identified)
Structural Survey	Barn conversions or demolition and rebuild or when the justification for demolition is based on structural condition / soundness
Telecommunications Development – supplementary information	All developments proposing telecommunications development (see Prior notification application)
Transport assessment	Leicestershire and Rutland County Councils Highways define the different types of transport statement needed depending on the size of development - see their web sites For Leicestershire County Council http://www.leics.gov.uk/index/highways/road_improvements/htd/highway_req_development_part2.htm For Rutland County Council http://www.rutland.gov.uk/pp/gold/viewGold.asp?IDType=Page&ID=21890 .
Travel Plan – Draft required	Leicestershire and Rutland County Councils Highways define

	<p>when a Travel Plan is required depending on the size of development - see their web site</p> <p>For Leicestershire County Council http://www.leics.gov.uk/index/highways/road_improvements/htd/highway_req_development_part2.htm</p> <p>For Rutland County Council http://www.rutland.gov.uk/pp/gold/viewGold.asp?IDType=Page&ID=21890.</p>
Ventilation/Extraction statement and design.	For all A3/A4/A5 uses and any retail, business, industrial or leisure or other developments where ventilation or extraction equipment is proposed. This may be included where appropriate within the Design and Access Statement. (Should be clearly identified)
SAC report	Any proposal located in catchment area of the River Mease Special Area of Conservation (SAC) North West Leicestershire District.
Rutland Water Special Protection Area (SPA) report	Any proposal located in the Rutland Water Special Protection Area (SPA) Rutland County Council

[Explanation of requirements of Validation](#)
[back to index page](#)