

DUDLEY METROPOLITAN BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE – (23rd April 2007)

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

Changes to the validation of planning applications.

Purpose of Report

- 1 The reason for this report is to provide initial information to Members on the changes in the operation of Development Control with regard to the validation of planning applications, which comes into effect on 6th April 2007. Some of this guidance has yet to be issued and therefore this is an interim report explaining the basic changes which will be followed up by a later more comprehensive report to Development Control Committee.

Background

- 2 As part of the Government's objective to provide a quicker, more predictable and efficient planning service, a national standard planning form (1APP) is to be introduced.
- 3 Part of the Government review leading to this introduction, also considered the acknowledgement, registration and validation process for planning applications. The research found wide variations in the level of information requested by local planning authorities, and the level of detail considered sufficient to register an application.
- 4 Following on from and consolidating the "Best Practice Guidance on Validations" issued in March 2005 and in advance of the changes to the DC system, a validations checklist is to be consulted upon and adopted by planning authorities, setting out the scope and information required for particular types of development prior to the validation of an application for planning permission.
- 5 A core and mandatory list of information required for a valid application will be incorporated in the standard application form. This is known as 'Planning Application Requirements' (National). This list is concise and focuses only on the requirements explicitly mentioned in the Town and Country Planning (General Procedure) Order 1995.

6 These are as follows:-

Planning permission.

- Completed Form
- Plan identifying land and any other plans and drawings as necessary (to identified scale and north marked on plans).
- A copy of the Article 7 (Agricultural Holdings) Certificate.
- A copy of the completed and dated Ownership Certificate (A, B, C or D).
- Design and Access Statement (if required).
- The appropriate fee.

Listed Building Consent and Conservation Area Consent

- Completed Form
- Plan identifying land and any other plans and drawings as necessary (to identified scale and north marked on plans).
- Design and Access Statement (if required).
- Regulation 6 Certificate.

7 This mandatory list is added to by the local authority's own list of mandatory additional information. This is known as the Planning Application Requirements (Local) list. To comply with Government requirements this list must be consulted upon and will be published on the website. This list is in train and currently being developed with internal consultees.

8 Consultation

Consultation is to be undertaken

- via the web
- Mail shot to 800 developers/agents
- Developers Forum

9 Once adopted, the local planning authority will be required to validate any planning application supported by the listed documentations. If the documentation submitted is deemed inadequate the application is invalid. If an application does not meet the requirements, it is not valid and there will be no grounds of appeal on non-determination.

10 Responses from the consultation process and the finalised validations list will be reported back to the DC Committee for information prior to agreement.

Finance

11 There are no direct financial consequences arising from this report.

Law

12 The relevant law is: -

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004.
- Town and Country Planning (General Development Procedure) Order 1995.
- Circular 9/95 General Development Order 1995

- Town and Country Planning (Applications) Regulations 1988.

Equality Impact

13 The proposals take into account the Council's Equal Opportunities Policy.

Recommendation

14 It is proposed that Committee considers and notes the contents of the report.



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List of Background Papers

- Dudley MBC - Statement of Community Involvement.
- Guidance on the Changes to the Development Control System (Circular 08/2005).
- Validation of Planning Applications - DCLG July 2006
- Best Practice Guidance on the Validation of Planning Applications - ODPM March 2005.
- Town and Country Planning (Applications) Regulations 1988
- National planning guidance (PPG's and PPS's).