

New Validation Requirements for Planning Applications

A report by Head of Planning Applications Group to Planning Applications Committee on 24 June 2008.

To report back on the public consultation exercise relating to the Validation of Planning Applications document, setting out the local validation requirements for planning applications submitted to the County Planning Authority.

Recommendation: Members note the comments received in response to the public consultation, and agree to adjustments to the Validation of Planning Applications document to reflect points raised by respondents.

Local Member(s): All

Classification: Unrestricted

Background

1. Important changes were introduced by Government with effect from 6 April 2008, to streamline the planning application process by providing for planning applications to be submitted electronically and for Planning Authorities to adopt a consistent approach in their information requirements for the validation of planning applications.
2. All planning applications, other than for minerals proposals, are now required to be submitted using the new 1 APP Form, and apart from one or two erroneous submissions, all such applications to this Planning Authority are now using the new format. However, most applications are still being despatched to us in hard copy, rather than via the Planning Portal website.
3. I reported to the Planning Applications Committee on 18 March 2008 on the new Government initiative to seek consistency in the *validation* procedures that Planning Authorities follow. Validation is the process by which the Planning Authority decides whether it has sufficient and correct information with which to commence the processing of a planning an application. To minimise uncertainty for planning applicants and potential delays in the processing, all Planning Authorities are now required to adopt new national validation criteria, comprising the following:
 - completed application form
 - correct application fee
 - ownership certificate
 - agricultural holdings certificate
 - Design and Access Statement
 - site location plan
 - other plans and drawings necessary to describe the application
 - Environmental Statement where applicable.
4. Failure to supply the above information will result in the application being declared invalid. However, Planning Authorities are unable henceforth to treat applications as invalid if they meet these statutory minimum requirements, unless and until they have adopted a local list of further information requirements. As well as setting out the national list of statutory information requirements for each type of application, the Government's guidance document - *The Validation of Planning Applications (December 2007)* - makes special provision for each Planning Authority to agree its own local list of further information requirements to reflect the particular local circumstances and planning policy requirements operating in that locality.

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5. Planning Authorities are therefore encouraged to devise and adopt a list of local requirements either by 6 April 2008 or as soon after as they are able to. However, the local requirements themselves should be selected from a list already prepared and included in the Guidance, with the possible exception of where the Planning Authority has some special local justification. To ensure further countywide consistency in the local requirements, the Development Control Forum of the Kent Planning Officers' Group has jointly produced draft documentation for the *Validation of Planning Applications*, together with Validation Checklists of each of the 25 types of application that are dealt with.
6. The County Planning Authority's version of the *Validation of Planning Applications* document is too large to append to this Report, but a copy of the full document is now available on the County Council's website, and structured as follows:

Section 1 - an explanation of the new procedures and requirement;

Section 2 – lists of the national information requirements and of the local information requirements for validation, including the Planning Policy Statement and Development Plan Policy justifications for the selected documentation [*see Appendix 1 for list of local list of information requirements*];

Section 3 – *Validation Checklists* for the eight different types of application made to the County Planning Authority, including the mandatory national requirements and the discretionary local requirements.

7. The Government Guidance recommends that Planning Authorities consult with 'relevant stakeholders' on their proposed local list, and provide a minimum period of 6 weeks for responses before adopting such lists by publishing them on their website. Only thereafter would a Planning Authority's local list have any currency and be capable of being used in validating applications. The relevant stakeholders suggested in the Guidance include all statutory consultees (such as the Environment Agency, Natural England, other Planning Authorities, etc.), Parish/Town Councils, relevant voluntary and community groups, and agents/applicants' forums. At the 18 March 2008 Committee Meeting, Members approved the draft local list, with the addition of the Public Art category, and approved the carrying out of consultations with relevant stakeholders.

Consultation Feedback

8. Given the magnitude of potentially involved or interested parties across a County the size of Kent, I have directly corresponded with the statutory consultees and used the Council's website to invite comments from all other interested parties. The following is a summary of the responses received during the public consultation period (from 27 March to 9 May 2008) together with my commentary on the points raised:

Statutory Consultees

South East England Development Agency

Supports the new standard application form, which will provide developers with greater certainty and speed up the planning process. That complements the Regional Economic Strategy in seeking a proactive approach to improving planning performance and speed. The requirement for an Economic Statement is welcomed for applications for planning permission and outline planning permission. The supporting text in the Validation Document could usefully be revised as follows:

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'Applications may also be required to be accompanied by a supporting statement of any economic growth/regeneration benefits from the proposed development, including details of any new jobs that might be created or supported, the relative floorspace uses for each proposed use (where known) and any community benefits.'

Whilst we acknowledge that Economic Statements may not be required for all types of application received by County Councils, we would expect it on Regionally Significant Planning Applications where we are a statutory consultee.

Reactions: The supporting text in the Validation Document can be supplemented to cover these points, although it should be noted that the new 1 APP application form now requires details of job creation and floorspace uses in relevant circumstances.

Network Rail

No comment on the proposed requirements, but request that Network Rail is consulted on all applications for minerals and waste management proposals within 200 metres and 250 metres respectively of railway property.

Reactions: Request noted.

Council for British Archaeology

Welcomes the proposals as an opportunity for more consistent quality of well-documented applications and look forward to seeing improvements.

Listed Building consent applications should normally be supported by a Heritage Statement which sets out the significance of the building, site and setting and the impacts of the proposals. Statements should cover:

- archaeological, architectural, historical or other significance of the building, its site and setting (including any pre-application research and evaluation)
- schedule of works affecting the building, its site and setting
- impact of the proposals on the special interest and character of the building, its site, setting and any adjacent heritage assets
- justification for the proposals, in terms of the principles applied, plus any proposed mitigating measures.

A Heritage Statement should also accompany applications affecting land of archaeological significance, or potential significance. Also, applications for Hedgerow Removal may also require a Statement, if it forms part of a significant historic landscape or area of archaeological potential.

Statements should be prepared by appropriately qualified historic environment professionals, with pre-application discussion with local authority conservation officers and/or historic environment service.

Reactions: The supporting text in the Validation Document can be supplemented to largely cover these points, but it should be noted that Listed Building Consent applications are not dealt with by the County Planning Authority and KCC's Heritage

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Team have some concerns about the adequacy of some submitted Heritage Statements (see below).

Southern Water

Important that dimensions can be ascertained from electronically conveyed plans, which may not be to scale when viewed on-line; where dimensions are critical, we may require paper copies for consideration.

Foul Sewage and Utilities Statements – important that the location of existing utility infrastructure is investigated, even for minor applications, since there are significant easements with some sewers/water mains which can potentially sterilise development sites. Developers should be required to demonstrate proposals are compatible with existing land uses and not cause future complaints, in the light of PPS 23's provisions to protect new developments from existing sources of pollution.

Important that developers consider foul and surface water disposal and potential impact on customers, even for minor developments. The right of sewerage connection, including surface water in some circumstances, could cause/exacerbate downstream flooding of sewers.

Drainage Impact Assessments - The *Flood Risk Management* ion Kent Select Committee recommended that 'Kent Planning Authorities adopt the requirement for Drainage Impact Assessment for all new developments, following the Canterbury model' and 'failing to adopt a Countywide approach with consistent standards could lead to cross-boundary impacts'. Accordingly the City Council's Guidance Note (*Drainage Impact Assessment for Development Proposals*) is commended to all Planning Authorities, but needs to be revised to meet the new PPS25 requirements.

Assessments should also consider the recommendations of CIRIA Report C635 (*Designing for Exceedence in Urban Drainage – Good Practice*).

All applications for new buildings or extensions should include a Drainage Impact Assessment and a Utilities Impact Assessment. All applications for waste disposal, including agricultural wastes, should include an assessment of potential water quality impacts, in consultation with the Environment Agency and local water company, to maintain the quality of water abstractions and to protect human health.

Reactions: The supporting text in the Validation Document can be supplemented to largely cover these points, but it would be unreasonable of the Planning Authority to require 'all new developments' to provide drainage information over and above what the 1 APP application form already requires. In particular, a large proportion of developments proposed under Regulation 3 relate to minor building works (fencing, etc.) or minor building extensions with negligible implications for foul drainage, land drainage or water quality. These comments are clearly more applicable to the development of greenfield land for housing or commercial uses, etc. although of relevance to the County Planning Authority's applications for waste management operations, major scale building development, transport projects and any proposals involving extensive hard surfacing.

Thames Water

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PPS 12 states that 'the adequacy of infrastructure can be a material consideration in deciding whether permission should be granted' and PPS 23 adds sewerage, sewage treatment and the availability of existing sewerage, suitable provision for surface water drainage and compliance with water quality objectives. We therefore support the inclusion of Foul Sewerage and Drainage Statements in local validation lists, to ensure required water/sewerage infrastructure is in place ahead of development. A letter from the utility company confirming existing spare capacity or signed agreements to provide the necessary infrastructure should be included by applicants.

Our 2007 *Water Services Infrastructure Guide* will assist in deciding when to consult Thames Water.

Reactions: See comments in response to the Southern Water's views.

Natural England

The Association of Local Government Ecologists (ALGE) has issued a guidance template for Biodiversity and Geological Conservation which details the information that may be required as part of validation. We have also produced a brief checklist to indicate when information on species, designated nature conservation sites and important landscape areas should accompany planning applications, and would welcome its inclusion in the Validation Document.

Natural England supports biodiversity surveys for all applications where biodiversity is an issue. Where survey information is required, the application should include:

- an initial ecological assessment of the site
- full ecological report, including likely impacts and mitigation measures
- full assessment of the likely effects and avoidance and/or mitigation measures where international/national designated sites are affected, following scoping advice from Natural England
- assessment/survey information where protected species, locally designated sites or priority habitats are affected.

The ALGE guidelines indicate when assessment and survey information is required and what comprises a validation application in respect of biodiversity.

Would also recommend information is required on potential impacts on nationally important landscapes, such as Areas of Outstanding Natural Beauty. The relevant AONB Management Plan should be used to inform ways of maintaining landscape character and local distinctiveness. For nationally important landscapes, there should be a full assessment of potential impacts on local landscape character, using Landscape Character Assessment good practice guidelines.

Reactions: The supporting text of the Validation Document can be revised appropriately to largely cover these points, including internet/website cross references to the other documents referred to here, although the wider concerns over quality/adequacy of biodiversity information and the suitability of the recommended ALGE template will be discussed further with Kent Planning Officers' Group and can be updated at the Committee Meeting.

Notwithstanding the guidance in PPG 9 relating to opportunities to enhance biodiversity, some flexibility in interpretation will be needed so as not to unduly encumber the processing of applications for minor development of little consequence for biodiversity

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interests. Similarly, whilst recognising the value of the AONB Management Plans, we receive many applications for minor development on existing developed sites in Kent's Areas of Outstanding Natural Beauty which have no discernible impact on the wider landscape interests of the locality.

Kent Police

Would like to add into the Validation Document: 'If the applicant for a major development does not address crime prevention in their Design and Access Statement, then they must address it as a separate document in the Local List'. Both PPS 1 and CABE's guidance document on Design and Access Statements seek to create safe and accessible environments and require Design and Access Statements to demonstrate how crime prevention measures have been considered in the design, including early consultation with the Police.

In reality applicants have rarely addressed crime prevention in major applications, let alone in Design and Access Statements. However, no Planning Authorities have yet refused to validate a major application on these grounds, despite the indication in the Validation Document that applications might still be refused on the basis of inadequate information. Nor have any refused a major application on the grounds of inadequate Design and Access Statement or crime prevention information in particular. Whilst some Planning Authorities do not regard lack of crime prevention information as prohibiting them processing an application, it is actually a mandatory requirement for Design and Access Statements.

Lack of information on crime prevention does not help the Planning Authority to fully determine an application in accordance with their responsibilities under Section 17 of the Crime and Disorder Act, which requires them to consider crime and disorder reduction in the exercise of all their duties. The Planning Inspectorate has also issued advice to its Inspectors that crime and disorder reduction is a material consideration for Planning Authorities.

If the Local List cannot be amplified as requested, then KCC should agree to not validate any major applications that does not address crime prevention or designing out crime in its Design and Access Statement.

Reactions: The supporting text in the Validation Document can be supplemented to require coverage of crime prevention issues in Design and Access Statements for all major development applications.

Ash cum Ridley Parish Council

The Parish Council favours receiving and responding to applications electronically, but would like to continue to receive one hard copy (particularly plans) since they do not reproduce clearly at A4 size.

Reactions: The County Planning Authority will endeavour to continue providing paper copies of plans, but it will be an extra cost to the service if applicants do not provide any, plus most District Councils will now be consulting the Parishes electronically.

Boxley Parish Council

Welcome the document but found the 'greyed out' sections of text difficult to read.

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Reactions: The 'greyed-out' sections relate to District Council matters only and are there merely for completeness to see what is being omitted in the County version, but will be deleted in the final KCC version of the Document.

Lympne Parish Council

Would like to see a requirement added that all planning applications should use current (up to date) maps of the surrounding area showing all new development which may be affected.

Reactions: This requirement is already included in the Validation Document, but ultimately is down to the diligence of the applicant and the updating regime of Ordnance Survey (who do not publish new surveys every time a new house is built).

Southborough Town Council

Reviewed by Parish Council in line with feedback to the Borough Council and no additional comments to add.

Reactions: Noted.

Upchurch Parish Council

Will we still be able to receive hard copies of applications, including plans and accompanying information, because plans accessed on websites tend to be too faint, and the Clerk needs to have copies for parishioners to view, where downloading is not a practicable option?

Reactions: The County Planning Authority will endeavour to continue providing paper copies of plans, but it will be an extra cost to the service if applicants do not provide any, plus most District Councils will now be consulting the Parishes electronically.

Internal Consultees

Heritage

Generally welcome the inclusion of a Heritage Statement in the local lists for Kent authorities and the text provided is generally fine, but would suggest the following minor changes:

- The 'County Sites and Monuments Record' should be changed to the 'County Historic Environment Record', reflecting the inclusion of Listed Buildings in the database.
- Reference should be made early in the text to the historic environment as a whole, and it should be clear that archaeology, historic buildings and structures, historic landscapes, historic parks and gardens etc. are all aspects of this. Industrial archaeology, military archaeology, and palaeoenvironmental deposits should also be mentioned.
- A Heritage Statement should also be required for applications over a certain size, which needs to be discussed.
- The other Structure Plan heritage policies should be listed, along with SPD3 (historic towns).

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Happy to assist in producing revised text and some guidelines detailing what Heritage Statements should contain.

However, we do have some concerns, mainly relating to the extra workload which this process may generate, and potential problems if inadequate Statements are submitted and considered to be automatically acceptable, regardless of content and quality, especially if there is then pressure to determine the application more quickly. We would like these comments shared with Kent Planning Officers' Group and would like to discuss further.

Reactions: The supporting text of the Validation Document can be revised appropriately to cover these points (in liaison with the Heritage Group), and the wider concerns over quality/adequacy of Heritage Statements will be discussed further with Kent Planning Officers' Group.

Biodiversity

The Biodiversity section is similar to what the District Councils have produced, and detailed adjustments to the text have been suggested. The Validation Document does not go far enough in the information and advice given and another document should support this short section.

In the light of the Association of Local Government Ecologist guidelines regarding validation of planning applications, and Dover District Council's biodiversity application validation work, the KCC Document must go much further in explaining its biodiversity requirements. That should be achieved through a Local Requirements Document, which would provide further information and advice to applicants with regard to biodiversity responsibilities. The Validation Documents should be more in line with the ALGE template for local requirements and KCC should support this due to its greater detail and clarity on these issues. This document is not overly long and is the approach KCC should adopt.

Happy to assist further and would welcome further discussions.

Reactions: The supporting text of the Validation Document can be revised appropriately to cover these points, including the suggested detailed adjustments, but the suitability of the recommended ALGE template for biodiversity information will be discussed further with Kent Planning Officers' Group.

Public Rights of Way

Generally welcome the Document and approach taken, and understand the need to balance providing detailed information without swamping applicants. The Government's published guidance in support of Section 14 of the new Application Form on Public Rights of Way represents the absolute minimum that should be included on PROWs. References in the Draft Validation Document to 'footpaths' should be altered to 'Public Rights of Way' to avoid omission of bridleways, etc.

The Document indicates that site plans should show highways or PROWs adjacent to the application site, but the latter more commonly are directly affected by the development, often requiring diversion or extinguishment if development is to proceed. Reference should be included to PROWs adjacent to or crossing the site, plus any other track or path in public use, to avoid late identification of PROWs and subsequent problems with obstruction, etc.

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Would prefer to see a separate section on PROWs and Access, given the potential impact on development and public use/enjoyment, and am happy to assist with amending the guidance accordingly.

Very disappointed that the *Countryside Access Improvement Plan* is not included as a relevant supporting document, since it will sit alongside the Local Transport Plan and form one of the documents supporting Local Development Framework, and ultimately become a material consideration. Developers will then need take account of it in preparing planning applications. It also supports parts of PPG 17 such as seeking opportunities to provide better facilities for walkers, cyclists, etc. and undertaking detailed assessments of needs and audits of existing sports and recreation facilities to justify planning obligations. If needs for countryside access are not considered at the outset, then it is less likely that network improvements will be delivered.

Reactions: The supporting text in the Validation Document can be supplemented to largely cover these points, but note that the categories of information requirements are already prescribed by Government guidance, and rights of way issues will be subsumed with Transport and Travel aspects. Moreover, the 1 APP application form does now require more rights of way information than previously was required.

Other Respondents

Planning Design Solutions (*planning consultants*)

Circular 02/2008 refers to 'information specified' by the planning authority and states 'It will be up to the local planning authority to specify exactly what information is required for each application type to ensure that the applicant supplies the correct supporting information'. The Guidance on Validation of December 2007 recommends that planning authorities adopt specific local lists tailored to the type of application, that they develop their own specific requirements and provide a list that relates to their own context and requirements. The consultation document does not deliver the above requirements as:

- it is not a consultation on the specific local lists for KCC as planning authority, but a consultation only on general guidance and a customer focused 'checklist'.
- it is a recycled document drafted to cover all Kent authorities and as a consequence fails to adequately focus on the specific requirements that KCC wants from applicants.
- it is unclear and imprecise, particularly as the content and terminology does not relate specifically to KCC requirements
- the actual information required by each application type is not specified
- indicative thresholds and criteria are largely none existent or where given, too imprecise to give certainty to applicants
- it offers little relevant guidance for waste applications and none for mineral applications

One of the purposes of the Government Guidance is 'to provide applicants with certainty as to the information required'. Without local lists that specify the KCC'S information requirements there can be no certainty, so the approach set out in the consultation documents is not fit for purpose.

There is nothing in the consultation documents that relates specifically to pre-application advice. Both the December 2007 Guidance and Circular 02/2008 encourage the

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agreement of information requirements prior to submission. The setting out of a clear approach to this would be of benefit to both planning authority and applicant.

To illustrate the failings of the proposed approach, I set out some selected examples taken from the consultation documents:

- Validation Checklist: there is no reference in the GDPO amendments, the Circular or the Guidance that provides for a checklist approach, which puts the onus on the applicant to tick boxes as to what he thinks will meet the authority's requirements, rather than the authority specifying the information it requires. A selective 'checklist' is not the same as a local list specifying requirements.
- Guidance Document: in general there is an absence of recognition of the Regional Spatial Strategy or saved local plan policies such as for waste and minerals, and the terminology used does not follow that used in the Guidance, etc.
- Guidance - Green Belt Statement: there are no requirements and criteria specified for different application circumstances and to simply state that a Statement is required 'for many development proposals' is not particularly helpful.
- Guidance - Biodiversity: again the 'when required' advice is not specific, and there is no distinction drawn between national sites and local sites.
- Guidance - Transport Assessment: there is little certainty in the advice that this is required 'for major developments, but varying between District Councils', for exceeding a certain (unspecified) floorspace thresholds or where 'considered to be major travel-generating development'. How is 'major' defined and when are Traffic Impact Assessments needed for minerals and waste?
- Guidance - Statement of Community Involvement: there is no reference to the KCC adopted SCI or indication of the actual threshold and whether relates to the criteria set out in the adopted SCI.

This current consultation should be curtailed and local information lists specific to the needs of KCC should be produced, in a format consistent with Government recommendations so applicants are provided with certainty as to the level of information required.

Reactions: KCC has already undertaken to embark on a joint Kent wide approach to the validation, in partnership with the District Councils, in order to ensure some consistency in approach and presentation across the County. That too is a key objective of Government guidance and indeed the whole exercise of attempting to simplify the planning application process. However, given the more specific types of application considered by County Planning Authorities, we have liaised with several other County Councils and the regional Development Control Planning Advisory Group on the Validation exercise, and note that most have adopted a broadly similar approach as to our own, and not gone as far as producing over prescriptive local lists for every application type. Nevertheless, we have endeavoured to produce 'checklists' for the different categories of application which we deal with, which may no longer be specifically recommended by Government but has been agreed by the Kent Planning Officers Group as a constructive way of summarising information requirements for most planning applicants and for the broad categories of planning application. Moreover, the Government's advice in this regard is guidance and not a mandatory requirement, as it will be for each Planning Authority to decide on the most appropriate approach for its own area and local circumstances. However, we can introduce some more specific development size/scale thresholds in the Validation Document which should provide some of the clarity that is arguably lacking for County Matter proposals.

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*The purpose of the Validation Document is not to reproduce all current planning policy and guidance, but we will endeavour to incorporate appropriate cross-references to essential related documents and provide additional pointers on thresholds for Green Belt, Biodiversity, Transport Assessments, etc. Note that applications for **mineral workings** are specifically excluded from this current exercise, and can be addressed in more detail in due course, whereas **waste development** applications are included but the constraints of the Government's prescribed list of information items provides us with very limited opportunity to detail our requirements. Under the circumstances, we have chosen to incorporate our specific waste development requirements under 'Environmental Information', following a similar approach adopted by Somerset and Devon County Councils.*

The text of the Validation Document can be supplemented to address some of the points raised here, including the introduction of some indicative thresholds and criteria, references to the Regional Spatial Strategy, and definitions of 'major' development, etc. However, it needs to be borne in mind that this document relates a broad range of major and minor development applications, and it is difficult to include a meaningful detailed text without producing an over long document which is essentially reproducing information already available elsewhere. Under the circumstances, it will be necessary to rely on cross references to more specific application guidance on (for example) waste developments, which this latest document is not intended to be a substitute for. However, all our existing other guidance documents do now need generally updating to reflect the new requirements and more recently evolving policy and procedures.

*Note that there is 'Statement of Community Involvement' already included in our list of local requirements, which does need supplementing to refer to **waste** developments, although **minerals** applications are (rather unhelpfully) not covered in this current exercise anyway. Nevertheless, the purpose of this section is to remind applicants of the need to identify and document what pre-application community engagement they themselves have already undertaken, rather than relating to the County Planning Authority's own Statement of Community Involvement (SCI). Reference to our own SCI will be added into the Validation Document, but it does also need to be revised. As regards pre-application investigations/consultations, the Document already recommends that applicants address that under 'Planning Statement', or indeed under 'Statement of Community Involvement' for major development proposals. The introduction of a separate item for pre-application advice, beyond the Government's prescribed list, would be difficult to justify, given that it is arguably already covered by these two existing headings.*

Norfolk Property Services (on behalf of KCC Property)

We have a general understanding of the new process and the requirements of validation but there does appear to be a degree of "overkill" for certain applications, namely mobile and temporary buildings, eg. requests for block plans showing hedges and fences, sections with floor levels and details of changes to landscaping, and roof plans showing vents, flues, skylights and the pitch of the roof, etc. Since NPS are involved in many applications for temporary buildings, both fresh and renewals, we would be appreciate a visit from yourselves to present/explain the new process requirements.

Reactions: It is accepted that some flexibility is needed in interpretation of the new requirements, so as not to disproportionately encumber minor/routine development proposals of little consequence. In particular, full sets of plans for fences, car parks, minor plant and equipment should not be necessary in order to determine a planning application, and to require roof plans for pergolas, play equipment and even standard

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mobile classroom units would be bureaucratically absurd. However, I have also agreed to arrange a training workshop on the new requirements in due course.

Issues

9. Whilst the consultation exercise has prompted only a modest reaction, given the extensive range of consultations carried out, some important issues have been raised by respondents. Clearly the Validation Document can be supplemented with additional information, such as more precise thresholds and criteria for when certain information is required, but the general substance and approach would remain unchanged. In particular, it will still be necessary for applicants to be referred to other guidance and policy documentation, rather than attempt to reproduce/duplicate such information here. Under the circumstances, I would recommend that officers adjust the Validation Document accordingly before publishing it on the website, and that Members note that it would be subject to ongoing review and updating as planning requirements continue to evolve. Any significant changes to the document can be reported at regular intervals as part of the Business Plan reporting regime.

10. Some consultees are asking to extend the information requirements for validating planning applications, and whilst some of that can be readily incorporated caution needs to be exercised to avoid unreasonably over burdening planning applicants. In particular, the purpose of the new requirements is to introduce greater certainty and efficiency in the planning process, which will not be achieved if consultees use the process for furnishing their own information databases at the applicants' expense. Clearly, some proportionality should be sought to ensure that applicants are not required to produce information over and above what is genuinely required in order to determine their particular planning application. In this regard, it is important to distinguish for example between major and minor scale development proposals, since the latter are numerically greater for most Planning Authorities. Although difficult to define, some more precise indicative thresholds would also assist in this context.

Recommendation

11. I RECOMMEND that Members:

- NOTE the comments received from respondents to the public consultation, and AGREE that adjustments be made to the *Validation of Planning Applications* document in the light of the points raised before its publication on the County Council's website; and
- DELEGATE to the Head of Planning Applications the authority to validate/invalidate planning applications on the basis of the County Planning Authority's published information requirements.

Case Officer – Jerry Crossley	01622 221052
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Background Documents – <i>The Validation of Planning Applications: Guidance for Local Planning Authorities</i> (December 2007) Department for Communities and Local Government. <i>Validation of Planning Applications – Consultation Draft</i> (March 2008) Kent County Council.
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APPENDIX 1

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LOCAL REQUIREMENTS INCLUDED IN KCC'S 'VALIDATION OF PLANNING APPLICATIONS' DOCUMENT

Air Quality Assessment
 Biodiversity (Ecological Site Assessment, Ecological Survey and Protected Species Survey)
 Contaminated Land Investigation
 Drainage – Foul Sewerage Assessment
 Drainage – Surface Water Drainage Assessment
 Economic Statement
 Environmental Information*
 Flood Risk Assessment
 Green Belt Statement
 Heritage Statement
 Landfill Statement
 Landscaping Plan/Strategy**
 Landscape/Townscape and Visual Impact Assessment
 Lighting Assessment
 Listed Building Design and Access Statement and Conservation Area Assessment
 Noise Impact Assessment
 Open Space Assessment
 Parking/Servicing Statement
 Planning Statement***
 Planning Obligation(s)/Draft Heads of Terms
 Public Art
 Refuse Collection Arrangements
 Renewable Energy Assessment
 Statement of Community Involvement***
 Structural Survey****
 Sunlight/Daylight Assessment
 Sustainable Design and Construction Assessment
 Transport Assessment and Travel Plan
 Utilities Statement
 Ventilation/Extraction Details
 Waste Management Plans*****

* *Relates to supporting information for waste development proposals and where Environmental Impact Assessment is not otherwise required.*

** *Includes site restoration proposals and aftercare strategy for waste development proposals.*

*** *Includes pre-application engagement by the applicant.*

**** *Includes land stability issues, particularly for waste development proposals.*

***** *Relates to waste arising from any site development proposals.*