

**Classification:** Private

**Key Decision:** Yes

## **Gravesham Borough Council**

**Report to:** Strategic Environment Cabinet Committee

**Date:** 29 March 2023

**Reporting officer:** Assistant Director (Planning)

**Subject:** Review of the Local Validation List

### **Purpose and summary of report:**

The Council’s local list of validation requirements sets out information we require to allow the validation and assessment of planning applications, in addition to those national information requirements set out in primary legislation. National Planning Practice Guidance and the Town and Country Planning (Development Management Procedure) Order 2015 requires local planning authorities to review their local validation requirements. This report seeks Members views regarding the operation of the current Local Validation List and draft consultation survey, and support for engaging in wider public consultation.

### **Recommendations:**

1. That Members provide their views on the Local Validation List and draft survey (appendix 2).
2. That Members support a public consultation being undertaken to gather wider views to inform the update of the Local Validation List.

<b>Key Implications:</b>	
<b>Item</b>	<b>Implications</b>
<b>Legal</b>	Reviewing the Local Validation list will ensure the Council meets its duties as set out in National Planning Practice Guidance and the Town and Country Planning (Development Management Procedure) Order 2015
<b>Finance and Value for Money</b>	None – review including consultation will be covered within existing budgets
<b>Corporate Plan</b>	Following objectives of the Gravesham Corporate Business Plan: <ul style="list-style-type: none"><li>• Place: a dynamic borough; defined by a vibrant and productive local economy taking advantage of growth in the area, supported by its strong and active community</li><li>• Progress: an entrepreneurial authority; commercial in outlook and committed to continuous service improvement, underpinned by a skilled workforce and strong governance environment</li></ul>

<b>Climate Change</b>	Not directly applicable.
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## 1. Background

- 1.1 A local planning authority can only request supporting information with a planning application where this is specified on a formally adopted 'local list'. This local list seeks to provide clarity information requirements for applicants and helps ensure we have all documentation required to allow the proper consideration of applications in addition to the basic documentation required by primary legislation, early in the process.
- 1.2 By requiring this detail as part of the planning application, it is often possible to prevent the need for conditions that would require further submissions post-decision. This will reduce timescales for implementing permissions as well as reducing pressure on workload and resources.
- 1.3 The submission of a valid application for planning permission requires:
  - a completed application form
  - compliance with national information requirements
  - the correct application fee
  - provision of local information requirements
- 1.4 In respect to the final bullet above i.e. a local planning authority's request for supporting information with a planning application, this needs to be specified via a formally adopted 'local list'. Government is clear that local planning authorities should only request supporting information that is relevant, necessary and material to the application in question, and these requirements should be kept to the minimum needed to make decisions.

## 2. Purpose of a local list

- 2.1 The purpose of the Local List is to enable the Local Planning Authority to define what information is necessary to ensure that the application adequately describes the impact of the proposed development, in order to better enable decision-makers and interested persons to understand the implications of that development, and whether it is in accordance with, or contrary to planning policy and other material considerations.
- 2.2 Therefore, the Local Validation List identifies the information that the Council will normally require to be able to register, assess and determine a planning application. The level of information required depends on the size and type of the application as well as the specific site constraints and the nature of the development. This means that not all the items listed will apply in every case. And hence the inclusion of the column "When required?" as shown by the extract image below:

## Part 2: Local Validation Requirements (Local List)

Plans / Elevations / Section Drawings - General Guidance for All Drawings and Plans		
In addition to the Location Plan and Block Plan as referred to above, all drawings (excluding supplementary renders or sketches) must include:		
<ul style="list-style-type: none"> <li>• a title and drawing number (with the relevant revision number as necessary),</li> <li>• the print (paper) size;</li> <li>• a recognised scale (1:50, 1:100, 1:200, 1:500, 1:1250 or 1:2500), and including a scale bar and identifying the relevant scale at that print size (eg.1:50 at A3 or 1:100 at A3) - the wording "do not scale" should not be used (unless in the form 'do not scale, except for planning purposes');</li> <li>• The proposed development shown in relation to the site boundaries and other existing buildings on the site;</li> <li>• Neighbouring properties and neighbouring windows must always be shown on plans, elevations and sections (both existing and proposed).</li> <li>• Existing and proposed ground levels must always be shown for any extensions or new buildings. Where demolition is proposed, the extent of the proposed demolition should be clearly hatched and shown on a separate set of drawings</li> <li>• For major applications, existing and proposed plans must be shown on separate drawings (unless amendments are proposed);</li> <li>• For householder and minor applications both the proposed and existing plans can be shown on the same plans;</li> <li>• When submitting documents electronically ensure these are pdfs and ensure that the embedded documents are of one size only (eg A4 or A3).</li> </ul>		
For additional plans and documents the level of detail provided should be proportionate to the scale / complexity of the development.		
Drawing Type	When required?	What is required?
1a. Elevations (Existing and Proposed)	Required for all applications that involve building works (including changes of use)	Plans must: <ul style="list-style-type: none"> <li>• be at an appropriate scale, usually 1:50 or 1:100 for householder and minor applications</li> <li>• be included for all elevations affected, including blank elevations (if no external changes are proposed, plans should be annotated clearly to reflect this);</li> <li>• show the full elevation of a building (i.e. applications involving flats which form part of a larger converted property must provide plans showing the entire elevation of the building);</li> <li>• show the relationship to neighbouring buildings and show the positions of windows and doors on all buildings</li> </ul>

### 3. The current local validation list

3.1 In late 2019 / early 2020, the Council consulted for 6 weeks, on the form and content of the Local List of Validation Requirements for Planning Applications. The consultation included:

- 228 emails to Internal / External Consultees, Councillors and Parishes
- 339 emails to Agents
- Links provided on our webpage
- Information added to email signatures of planning staff
- Information added to all neighbour letters and decision notices sent

3.2 As explained in the presentation to the Strategic Environment Committee in February 2020, we received 13 responses:

- 6 from Statutory Consultees (PLA, Historic England, Highways England, Environment Agency, KCC x 2)
- 1 Parish Council
- 1 internal council department
- 5 other responses, from members of the public, agents & architects

3.3 The list was approved by the Portfolio Holder and it went live on 1 April 2020.

3.4 The list is available on our website via the following webpage  
<https://www.gravesham.gov.uk/planning/guides-planning-applications>

## 4. The review process

4.1 The Government National Planning Practice Guidance recommends a three-step review process:

4.1.1 **Step 1: Reviewing the existing local list** = Local planning authorities are advised that they need to identify the drivers for each item on their existing local list of information requirements. These drivers should be statutory requirements, policies in the National Planning Policy Framework or development plan or published guidance that explains how adopted policy should be implemented.

4.1.2 Having identified their information requirements, local planning authorities should decide whether they need to revise their existing local list. Where a local planning authority decides that no changes are necessary, it should publish an announcement to this effect on its website and republish its local list.

4.1.3 **Step 2: Consulting on proposed changes** = Where a local planning authority considers that changes are necessary, the proposals should be issued to the local community, including applicants and agents, for consultation.

4.1.4 **Step 3: Finalising and publishing the revised local list** = Consultation responses should be taken into account by the local planning authority when preparing the final revised list. The revised local list should be published on the local planning authority's website.

## 5. Our review

5.1 In line with step 1 of the process, we have reviewed the existing list and consider changes are necessary. In respect to policies in the National Planning Policy Framework, we have considered the proposed changes published in 2022 as well as the 2021 version.

5.2 We are assuming that the majority of changes that will be needed to the Local List and guidance will be to bring it up to date with the relevant areas of planning legislation, policy and guidance upon which the requirements are based. However, we also want to see if there are any changes wanted by applicants and agents and therefore we are proposing to undertake a time limited online survey to gather such views, a draft of the survey form is attached as appendix 2.

## 6. Background Documents

6.1 Minutes for Strategic Environment Cabinet Committee - Tuesday, 4 February 2020

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<b>Secondary Implications</b>	
<b>Risk Assessment</b>	Not having an update to date Local Validation list could provide confusion for applicants, officers, Members and the Planning Inspectorate (if planning decisions are refused).
<b>Data Protection Impact Assessment</b>	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	a. Does the project/change being recommended through this paper involve the processing of <a href="#">personal data</a> or <a href="#">special category data</a> or <a href="#">criminal offence data</a> ?  A definition of each type of data can be found on the Information Commissioner's Office website via the above links.  <b>No</b>
	b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice?  <b>N / A</b>
	c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at <a href="mailto:gdpr@medway.gov.uk">gdpr@medway.gov.uk</a> .  <b>N / A</b>
<b>Equality Impact Assessment</b>	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer.  <b>No</b>
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer.  <b>No</b>
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
<b>Crime and Disorder</b>	<b>N / A</b>
<b>Digital and website implications</b>	Consultation to be set up similar to that in 2019 <a href="https://localplan.gravesham.gov.uk/connect.ti/localvl/consultationHome">https://localplan.gravesham.gov.uk/connect.ti/localvl/consultationHome</a>
<b>Safeguarding children and vulnerable adults</b>	<b>N / A</b>