

**Classification:** Public

**Key Decision:** No

## Gravesham Borough Council

**Report to:** Strategic Environment Cabinet Committee

**Date:** 23 September 2024

**Reporting officer:** Head of Planning

**Subject:** Local Validation List Review

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

To share a consultation version of the Local Validation List review for discussion and comment.

### **Recommendations:**

1. That the Committee consider the report and provide their comments on the Local Validation List review (Appendix 1).

<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>	#1 People: a proud community; where residents can call a safe, clean and attractive borough their home.  #2 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.
<b>Climate Change</b>	The Council’s commitment to Climate Change is addressed through both plan making and decision taking.

## **1. Introduction**

- 1.1 Since April 2020 the validity of planning applications received by this Council as a Local Planning Authority (LPA) has been informed by its List of Local Validation

Requirements. This document sets out what information, over and above the national requirements, is necessary to accompany planning applications. The current List of Local Validation Requirements is published on the Council's website at <https://www.gravesham.gov.uk/planning/guides-planning-applications>.

- 1.2 The government's policy on local information requirements can be found in the National Planning Policy Framework. Local planning authorities should take a proportionate approach to the information requested in support of planning applications. A local planning authority may request supporting information with a planning application. Its requirements should be specified on a formally adopted 'local 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.
- 1.3 The local list is prepared by the local planning authority to clarify what information is usually required for applications of a particular type, scale or location. In addition to being specified on an up-to-date local list published on the local planning authority's website, information requested with a particular planning application must be:
  - reasonable having regard, in particular, to the nature and scale of the proposed development; and
  - about a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 1.4 These statutory tests are set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015.1.2 Applicants can either provide the requested information or use the procedure to resolve disputes over the information to be provided with a planning application.

## **2. Purpose of a local list**

- 2.1 The Local Validation List sets out the information that is normally required to be able to register, assess and determine a planning application. It also provides guidance on the level of information required depending on the size and type of the application. The document also provides details about where to find out more specific guidance on each item. This ensures that everyone involved in the planning application process understands what is needed.

## **3. Review**

- 3.1 The review process as set out within the National Planning Practice Guidance, follows three steps:
  - Step 1 – Reviewing the existing list by identifying the drivers for each item on their existing Lists of LVRs. 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.
  - Step 2 – Consulting on any proposed changes.
  - Step 3 – Finalising and publishing the revised local list – consultation responses should be taken into account when preparing the final revised list.

3.2 To inform Step 1, a review has been undertaken by Officers and a revised draft of the List of Local Validation Requirements has been produced (Appendix 1). The next step (Step 2), is for the Council to consult on this revised List of Local Validation Requirements. Step 3 would involve any feedback from Step 2 being taken into consideration, to prepare the final version for approval by the portfolio holder.

#### 4. Appendices

4.1 Appendix 1: Local Validation List Review with tracked changes

#### 5. Background Documents

5.1 Please see the Strategic Environment Cabinet Committee agenda for 17 June 2024.

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Secondary Implications	
<b>Risk Assessment</b>	No implications.
<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>
	<p>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>?</p> <p>A definition of each type of data can be found on the Information Commissioner's Office website via the above links.</p> <p>No</p>
	<p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice?</p> <p><a href="#">Click here to start typing</a></p>
	<p>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>.</p> <p><a href="#">Click here to start typing</a></p>
<b>Equality Impact Assessment</b>	<p>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.</p> <p>No</p>

	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer.</p> <p><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></p>
<b>Crime and Disorder</b>	No direct implications.
<b>Digital and website implications</b>	This document will be published on the Council's website upon adoption.
<b>Safeguarding children and vulnerable adults</b>	No direct implications.