

CABINET

19 September 2007

INTRODUCTION OF A STANDARD PLANNING APPLICATION FORM

REPORT OF HEAD OF PLANNING CONTROL

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY

The report sets out the background to the introduction of a standard national planning application form (1APP) and the new legislative provisions which will allow Local Planning Authorities to set their own local list of documents that must be submitted in order for an application to be accepted as valid and registered. A list of each type of application, and the documents that will be required to make it valid, has been drawn up in accordance with the policies contained within the Winchester District Local Plan Review. An example is attached at Appendix 2. An electronic version of these documents has also been prepared, which will be available as part of the consultation process via the City Council's website. In accordance with Government advice, stakeholders will be consulted on the list of documents required for each type of application. This consultation period will last 6 weeks and an update on the consultation process so far will be given to Cabinet at this meeting. At the end of the consultation period, the comments received will be reviewed and it is proposed that delegated authority is given to officers, in consultation with the Portfolio Holder, to determine the final local list of documents.

RECOMMENDATIONS:

1. That following the completion of public consultation, the Corporate Director (Operations), in consultation with the Portfolio Holder for Planning and Transport and the Head of Planning Control, be authorised to approve the final version of the local list of information and supporting documentation required to be submitted with planning applications with effect from 6 April 2008, taking into account the results of the public consultation process.

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DETAIL:

1 Introduction

- 1.1 As part of the objective to provide a quicker, more predictable and efficient planning service, the Government will be amending the Town and Country (General Development Procedure) Order 1995 (GDPO) to introduce a standard planning application form, the use of which will be mandatory from 6 April 2008. It was originally intended that it become mandatory from 1 October 2007, but the implementation date has been put back by the Government.
- 1.2 Prior to the introduction of the new form, revised 'best practice' guidance has been published (currently in draft form only), designed to support the use of the standard application form and to reflect the implementation of the Planning and Compulsory Act 2004 and new Planning Policy Statements since March 2005. It also takes account of the recommendation in Barker Review of Land Use Planning – Final Report (December 2006), which seeks to reduce the information requirements to support planning applications.
- 1.3 The Government believes that the planning process will be greatly assisted by the introduction of the Standard Application Form, which is for use throughout England, whether the planning application is made over the internet or on paper. Currently, local authorities can design their own planning application forms, and there is a wide variation in the requirements which authorities seek from applicants, depending on interpretation of the relevant legislation. These variations will be removed with the introduction of the new Form.

2 Supporting Information for Planning Applications.

- 2.1 Currently, certain documentation which applicants must submit with planning applications is prescribed by Government, and local planning authorities can require further information (usually on an application by application basis) in addition. Under the new system, a national core list of required information would be specified, and in addition local planning authorities will produce a local list which would set out further information and documents which would have to be submitted for the application to be valid. Different types of application and scale of applications will require different levels of information and supporting documentation.
- 2.2 The national core list is likely to include the completed application form, the correct fee, ownership certificates, agricultural holdings certificate, design and access statement, Notice(s), the location plan, site plan, and other plans and drawings or information necessary to describe the subject of the application.
- 2.3 The local list will be adopted by each Local Planning Authority following a consultation process, drawn from recommended lists provided by Communities and Local Government (CLG), an example of which is included in this report (Appendix 1). Where Local Planning Authorities have not adopted a 'local list' then the default position for validating applications will be the statutory national requirements only.

This should afford both the authority and applicant more certainty when submitting applications and ensure that the information requested is proportionate to the type and scale of application being made.

3 Preparation of Local List

- 3.1 Prior to adoption of the local list, Government advice recommends that stakeholders are consulted. The list will be published on the Council's web site for a period of six weeks and stakeholders will be notified of the Council's intention to adopt the list for the purpose of validating planning and related applications. Hard copies will be available if required. Should any documents be removed from the list when the final legislation is published, these documents would be removed from the Council's own list.
- 3.2 In order to meet the objectives of the Government in implementing these changes, Local Planning Authorities are expected to have their local lists of requirements in place by the time the use of the standard set of national planning applications becomes mandatory on 6 April 2008.
- 3.3 The prescribed list from the Government, from which Local Planning Authorities can set their own requirements, had not been finalised at the time of writing this report but is expected to be released in November 2007. However the draft report from the Government (The Validation of Planning Applications: Draft Guidance for Local Planning Authorities) has been refined following an extensive period of consultation and is unlikely to be changed significantly when the legislation is finally enacted. This document has therefore been used for the initial drafting of the proposed local list of documents required for valid planning applications for Winchester City Council, an example of which is shown in Appendix 2.
- 3.4 After the end of the consultation period, the local list will need to be formally adopted by the Council as its requirements for information which is to be submitted with planning applications when the new form is introduced in April 2008. It is proposed that delegated authority is given to officers, in consultation with the Portfolio Holder for Planning and Transport, to determine the local list, taking into account the results of the consultation and the final form of the legislation.

OTHER CONSIDERATIONS:

4 CORPORATE STRATEGY (RELEVANCE TO):

- 4.1 This report relates to the key objectives of "Efficient and Effective Council" and "High Quality Environment"

5 RESOURCE IMPLICATIONS:

- 5.1 This is likely to reduce the resource requirements within the Planning Control Division in the long term as the validation and registration of planning applications will be more clearly defined, and the number of invalid applications will reduce. However, it will take time for the new requirements to become known and for the benefits to be realised. In addition, one of the main aims of the introduction of such a form is to encourage electronic submission of planning applications. Until consultees are able to receive applications electronically, the printing of plans within the department for consultation purposes will have additional time and cost implications. It is therefore not possible to quantify the resource implications at the present time.

BACKGROUND DOCUMENTS:

- Planning for a Sustainable Future – White Paper
- The Validation of Planning Applications: Draft Guidance for Local Planning Authorities (this can be found by following this link:
<http://www.communities.gov.uk/index.asp?id=1512180>)

APPENDICES:

APPENDIX 1 – National and Local Requirements Lists (as recommended by DCLG) – Example of model list of requirements for an Application for Full Planning Permission


APPENDIX 2 – Winchester City Council's requirements (Local List of Requirements) - Example of list of requirements for an Application for Full Planning Permission


APPENDIX 1

National and Local Requirements Lists (as recommended by DCLG) – Example of model list of requirements for an Application for Full Planning Permission

Application for planning permission

NATIONAL REQUIREMENTS

- Completed form (3 copies to be supplied unless the application is submitted electronically) 
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (3 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (3 copies to be supplied unless the application is submitted electronically) including:
 - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
 - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
 - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
 - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
 - Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee

 In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

LOCAL REQUIREMENTS

may include some or all of the following:

- Affordable housing statement
- Air quality
- Biodiversity survey and report
- Conservation Area appraisal
- Daylight/sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment
- Other plans (3 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Regeneration statement
- Statement of Community Involvement
- Structural Survey

- Transport assessment
- (Draft) travel plan
- Tree survey/Arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management plan (including relevant refuse disposal details)

APPENDIX 2

Winchester City Council's requirements (Local List of Requirements) - Example of list of requirements for an Application for Full Planning Permission**Application for planning permission****NATIONAL REQUIREMENTS**

- Completed form (3 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (3 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (3 copies to be supplied unless the application is submitted electronically) including:
 - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
 - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
 - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
 - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
 - Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

LOCAL REQUIREMENTS (Winchester City Council)

Additional Mandatory Documents	<ul style="list-style-type: none"> • Planning Statement • Photographs/photomontages showing the whole building and its setting and/or the particular section of the building affected by the proposals
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Conditional Documents Required	Document Type	Circumstances when document should be submitted
	Affordable housing statement	When development incorporates affordable housing provision. This will be when the development is for 15 dwellings or 0.5 hectares in large settlements, and 5 or more dwellings or 0.17 hectares in small settlements.
	Air quality	All development within, or affecting, the Winchester AQMA.
	Biodiversity survey and report	Cross reference to document 'Template for Biodiversity and Geological Conservation - Validation checklists' (Pilot Draft - June 2007), as produced by Association of Local Government Ecologists, in collaboration with Defra and Natural England.
	Environmental Impact Assessment	Refer to EIA regulations
	Flood risk assessment	Planning applications for development proposals of 1 hectare or greater in Flood Zone 1 and all proposals for new development located in Flood Zone 2 and 3. see link http://www.environment-agency.gov.uk/aboutus/512398/908812/1351053/571633/?lang=e
	Foul sewage assessment	If the proposed development results in any changes or replacement to an existing system, or the creation of a new system.
	Heritage Statement (including Historical, archaeological features & Scheduled Ancient Monuments)	Where archaeological or historical features or remains may be affected
	Impact Assessment	Required for all retail and leisure developments situated outside of village, town or local centres.
	Land contamination assessment	Where the proposed development is on contaminated land.
	Lighting assessment	Only where significant external lighting is proposed, i.e. flood lighting, lit areas of car parking, new

		street lighting.
	Noise impact assessment	Noisy uses, including all B2 applications; Noise sensitive developments, e.g. housing located near to a source of noise, e.g. motorway, industrial site.
	Open Space assessment	Where the proposed development is on existing public open space
	Planning Obligations - Draft Head(s) of Terms	Where the development requires planning obligations for affordable housing, open space contribution or off site highway works and contributions. Alternatively the applicant can submit a unilateral undertaking.
	Statement of Community Involvement	See guidance in SSPD http://www.winchester.gov.uk/Housing/Planning/LocalDevelopmentFramework/StatementofCommunityInvolvement
	Structural survey	Where the structural integrity of the building is affected, i.e. barn conversions or reuse of other buildings, if the condition is questionable.
	Transport Assessment	Required where proposal would lead to significant transport implications, as set out in Appendix B - D of DOT Guidance. See link www.communities.gov.uk or www.dft.gov.uk
	(Draft) Travel plan	Required for food and non-food retail, cinema and conference facilities, other leisure (D2) uses (excluding stadium) from and above 1000 sq.m gross floorspace; B1 (including office, higher and further education establishments from and above 2500 sq.m gross floorspace; stadia of 1500+ seats. Other service developments such as hospitals, smaller traffic attracting developments in rural areas, and in Winchester Air Quality Management Area.
	Tree survey/ arboricultural implications	When the development involves the loss of trees, or is proposed adjacent to existing trees
	Utilities statement	For all major residential applications.
	Ventilation/ extraction statement	Use classes A3, A4 and A5 and where there is any proposal involving mechanical ventilation or extraction