

BOROUGH OF KETTERING

Committee	Full Planning Committee – 02/07/2013	Item No 5.8
Report Originator	Rob Harbour Head of Development Services	
Wards Affected	All	

1. PURPOSE OF REPORT

To present the revised Local Validation Requirements to Members for adoption.

2. BACKGROUND

Local Validation Requirements were implemented in Kettering Borough on the 6 April 2008. The purpose of the requirements is to ensure that planning applications are accompanied by sufficient detailed information to determine the application. The local requirements are in addition to national minimum requirements (such as the relevant plans, the correct fee and ownership certificates).

Revised Local Validation Requirements

Regulations require that where a Local Planning Authority wishes to utilise Local Validation Requirements after 31st July 2013, those requirements need to have been adopted and published within the preceding rolling two year period. The document has been revised in light of guidance published by CLG 'Guidance on Information Requirements and Validation' March 2010. The drivers of the items requested on the local list should be statutory requirements (national or local planning policy) or published guidance that explains how the adopted policy should be implemented.

The existing requirements have been revised in line with national guidance which states that they should be necessary, precise, proportionate, fit for purpose and clearly show where assistance can be obtained. There is discretion over requiring any particulars in relation to any development proposal. There is also some right for developer challenge.

In line with government initiatives on Design and Access Statements, we have sought to reduce criteria to major applications wherever possible. However there are a number of requirements where this cannot realistically be achieved.

The changes to Local Validation Requirements will enable the Local Planning Authority to manage any potential validation disputes that may arise following changes to national legislation.

Summary of Changes

Change	Reason/benefit
Policy references have been made clearer and updated where appropriate	Necessary to show the link between the policy and the requirement and to show where assistance can be obtained
Focus requirements on major schemes reduce the need for a number of requirements – particularly for smaller developments	Reduce costs and delays. These matters can be dealt with by condition on smaller applications. This will reduce the possibility of validation challenges
Photographs and photo montages are now made optional	Not strictly necessary, but useful in some cases
The Design and Access Statement requirements have been updated to reflect the Development Management Procedure Order 2010	For precision and to ensure the guidance is fit for purpose
Document now distinguishes between national and local requirements for major and minor applications	Legislation requires local requirements to be clearly identified as such
The document is now solely for the purposes of Kettering Borough only	Reduces the complexity of the document, and updating no longer requires agreement by outside bodies

Consultation and Customer Impact

Central Government guidance requires that revisions are consulted upon for no less than 8 weeks. An 8 week consultation period has been undertaken, running from 22nd April 2013 to 17th June 2013. Frequent users of the planning application service (for example Planning Agents and Developers) have been consulted directly on the consultation and the document has been placed on the Council's website and made available at the Council Offices. All Statutory Consultees and Town and Parish Councils have also been notified of the consultation. Ten formal responses have been received from across the spectrum of consultees.

All consultation responses have been taken into account by Officers when preparing the final document. The responses received have been in support of the document, although some proposed amendments were suggested. Where appropriate changes have been made.

Policy Implications

None.

Use of Resources

Covered by existing budgets.

3. RECOMMENDATION

Head of Development Services recommends that Members agree the revised Local Validation Requirements for adoption.

Background Papers

Title of Document:

Date:

Contact Officer:

Dean Baker, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: