

## **CONSULTATION ON PLANNING APPLICATION REQUIREMENTS**

**Report By: Head of Planning Services**

### **Wards Affected**

County-wide

### **Purpose**

1. To inform members about new planning application procedures, to confirm the outcome of consultation on the document "Planning Application Requirements (Local)" and to approve it for use on a date to be determined by the meeting.

### **Financial Implications**

2. None.

### **Background**

- 2.1 At the meeting in September 2007 this Committee received a report on the new planning application procedures and agreed to a programme of consultation. The key elements of that report were as follows.
- 2.2 The Government has decided to introduce a National Standard Planning Application form which will be mandatory from April 2008. It is known by the project title "1-APP". In association with 1-APP the Government has set out minimum standards for planning application submissions which must be met by applicants to form a valid planning application. There will be national minimum standards, to be known as Planning Application Requirements (National). The government has also provided for local planning authorities to set their own local requirements, known as Planning Application Requirements (Local). In order for these local requirements to be enforceable they must be publicised and consulted on before being brought into use. The programme for consultation was agreed by Planning Committee at its meeting on 28<sup>th</sup> September 2007.
- 2.3 There will be benefits in having a suitably prepared set of Planning Application Requirements (Local). At present, legally, applicants only have to submit fairly basic details with a planning application in order to make it valid. Additional items such as wildlife surveys, tree surveys and a wide range of other essential information can be requested before a decision is made – but can not always be demanded at the start of the process. This frequently leads to delays. The basic concept is to raise the standard of planning application submissions at first submission.
- 2.4 In theory, at least, this will benefit the local planning authority because the "rules" for what constitutes a valid application will be made more clear and it gives local planning authorities the ability to demand high standards of planning application submissions.

- 2.5 It is, however, important to stress that the creation of a set of Planning Application Requirements (Local) will not prejudice the decision of the local planning authority on a planning application once submitted.

### **3 The Consultation Process**

- 3.1 The consultation process was delayed because the government failed to publish the anticipated guidance until December 2007. Since then the Consultation Draft has been prepared and a copy has been copied to all Members of this Committee prior to this meeting.
- 3.2 The consultation process included:
- Presentation of the draft PAR(L) to an Agents' Forum in January 2008
  - Written consultation with City, Town and Parish Councils in January and February 2008
  - Written consultation with normal statutory consultees on planning applications at the same time
  - Written consultation with a selection of non-statutory consultees taken from the list in the Council's Statement of Community Involvement, i.e. including those with County-wide interests and who comment most frequently on planning applications – also in January and February 2008
- 3.3 The six week consultation period specified by the government advice has now expired.
- 3.4 At the time of drafting this report seven responses had been received, with one in support and the others suggesting minor drafting changes. None of the responses conflict with the basic principles of the document and the points raised can be incorporated into the document with minor drafting changes where appropriate.
- 3.5 Further comments may yet be received prior to the meeting on 29<sup>th</sup> February and a verbal update will be given at the meeting of any significant new responses.
- 3.6 It is therefore proposed that, having completed the consultation process in accordance with government advice, the document be approved by this Committee for use along with any further minor amendments delegated to officers prior to its publication in final form on the Council's website.
- 3.6 The Planning Application Requirements (Local) document is itself part of a wider set of changes in the Planning System in that it relates directly to the Government's proposals to introduce a standard national planning application form with effect from 7<sup>th</sup> April 2008. A verbal update will be given to the meeting on progress with implementing 1-APP in Herefordshire.
- 3.7 As a separate matter this Council is likely to adopt and bring into operation its new Supplementary Planning Document on Planning Obligations in the near future (as reported to the January meeting of this Committee). This is significant because developers will then be expected to submit draft heads of terms of any planning obligation agreement with planning applications when they are first lodged – thereby ensuring that Parish and Town Councils see the Heads of Terms at an early stage. It will, therefore, be very helpful to bring the new PAR(L) procedures into operation to coincide with the adoption of the SPD on planning obligations and related procedural changes.

- 3.8 Taking the above points together it is proposed that the PAR(L) document is brought into effect on a date to be agreed with the Chairman but, in any event, no later than the local implementation date for the new 1-APP national planning application and the final adoption date of the Supplementary Planning Document on Planning Obligations.
- 3.4 Because this matter is a procedural one it is not necessary for it to be referred to Cabinet

**RECOMMENDATION**

**THAT;**

**That the Planning Application Requirements (Local) document be adopted for use subject to any minor drafting changes to be agreed with the Chairman, and be brought into operation on a date also to be agreed with the Chairman but in any event, no later than the implementation date for the standard planning application form 1-APP and the final adoption of the Supplementary Planning Document on Planning Obligations.**