

Report to: **Executive**

Date: **3 March 2022**

Title: **Planning Improvement Plan Update:
Local Validation List and Planning Charter**

Portfolio Area: **Built and Natural Environment – Cllr Judy Pearce,
Leader of the Council**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Council meeting 31
March 2022**

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Recommendations: That the Executive:

- 1. Recommends to Council the approval of the Local Validation List attached at Appendix 1**
- 2. Approves the Planning Charter attached at Appendix 2**
- 3. Delegates any amendments to the Planning Charter to the Director of Strategy & Governance in consultation with the Portfolio Holder for the Built & Natural Environment**

1. Executive summary

- 1.1 The purpose of this report is to update Members on the progress of two specific actions in the Planning Improvement Plan (the Plan) approved by Members on 16 September 2021, and recommend the adoption of the revised Local Validation List (attached at Appendix 1) and the Planning Charter (attached at Appendix 2) both of which form part of the adopted Plan.
- 1.2 The Purpose of a Local Validation List is to tell applicants:

- What application form and supporting documents they are required to submit to the Council for the work they want to carry out
 - Details of each supporting document and when they are required to be submitted to the Council
- 1.3 Paragraph 44 of the National Planning Policy Framework 2021 (NPPF) sets out that Local Planning Authorities (LPA) should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. LPAs should only request supporting information that is relevant, necessary and material to the application in question.
- 1.4 The National Planning Policy Guidance (PPG) provides further advice regarding Validation, setting out that (as well as an application form) a LPA may request supporting information and that its requirements should be specified on a formally adopted local list which has been published on its website. The local list should be reviewed every two years. The current Local Validation List was adopted in September 2019.
- 1.5 The proposed Local Validation List is attached at Appendix 1 and includes the updated requirements in accordance with any changes in legislation and current best practice.
- 1.6 The purpose of the Planning Charter is to set out clearly the Planning Services that we provide and our commitments as a Service to, and expectations from, those with whom we engage which will improve the quality and efficiency of our Planning Service.

2. Strategic Context

- 2.1 The Council's new Corporate Strategy, 'Better Lives for All' sets out a range of themes and associated aims supported by Thematic Delivery Plans which have now been adopted by Members. The Development Management and Enforcement Service forms part of the wider planning function alongside, for example, the Joint Local Plan, Strategic Planning and Neighbourhood planning teams, which are essential to deliver against our strategic aims.
- 2.2 The recently adopted Planning Improvement Plan sets out the Council's approach to improving service performance and therefore supports 'Better Lives for All'. A key part of this is to review and adopt relevant policy and guidance documents that enable applicants to engage effectively with the Council so that they can easily understand what they need to provide so that the Council can support them through the planning process in an effective way. These documents will also support the DM Service's drive for improved performance and will better manage applicants' expectations.
- 2.3 An up to date Local Validation List will also contribute to the Council's commitment to the Climate Change Agenda as LPA, by seeking relevant information from applicants about how they are reducing their carbon footprint, achieving a 10% biodiversity net gain, better provision of open spaces, sport and recreation and protecting the countryside and heritage assets.

3. Background

- 3.1 The Local Validation List:** In order to make an informed planning decision on a planning or other application, the LPA requires all relevant and necessary information. The NPPF and PPG 2021 provide guidance on the scope of and requirement for a local Validation List for applications. The current list is out of date and therefore needs to be reviewed and updated.
- 3.2** The current Local Validation List was reviewed early last year in consultation with other Council specialists including Environmental Health, Landscape, Drainage and Heritage. External consultees included Devon County Council, the Environment Agency and South West Water.
- 3.3** A Public Consultation on the draft Local Validation List was carried out between 3 August 2021 and 14 September 2021 in line with national guidance. Comments received informed changes and amendments to the draft document.
- 3.4** The NPPF requires that the Local List is reviewed every two years. An up to date list ensures that applications are considered in accordance with up to date relevant guidance and best practice.
- 3.5** The updated Local Validation List will ensure the appropriate information is submitted in order for the LPA to make informed decisions effectively. The submission of a complete application will:
- Increase the awareness of the type of information required to ensure an application is accepted first time
 - Promote the use of pre-application discussions and advice
 - Speed up the registration process
 - Ensure consistency in the approach taken by the Council
 - Minimise the submission of additional information
 - Reduce delays during the planning process
 - Enable the Council to provide applicants with certainty as to the information required
 - Increase efficiency
- 3.6 Planning Charter:** The Planning Charter sets out how we will work with developers and members of the community that wish to engage with the planning process. This supports our commitment in the Plan to being a more efficient, flexible, customer focussed Planning Service, working with others to deliver high quality, energy efficient development with a reduced carbon footprint.
- 3.7** The Charter is one of a range of initiatives in the Improvement Plan that will together improve the wider performance of the Planning Service and embed the greater focus we are putting on performance management. Improved performance will also be supported by better clarity, accuracy and responsiveness from those engaged with the Planning process.

3.8 The proposed principles within the Charter have been discussed and were supported in principle at the Developers' Forum held in December 2021.

3.9 The Charter will come into effect on the 1 April 2022 and will apply to planning applications submitted after 1 April 2022.

4. Proposed Way Forward

4.1 To recommend to Council that the Local Validation List attached at Appendix 1 is approved in order to comply with statutory guidance and to help improve clarity, efficiency and performance.

4.2 To approve the Planning Charter attached at Appendix 2 in order to support the purpose of the Improvement Plan in clarify commitments both within the Planning Service and with developers and customers. The report also requests that Members delegate any subsequent amendments to the Director of Strategy & Governance in consultation with the Portfolio Holder for the Built and Natural Environment.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Paragraph 44 of the National Planning Policy Framework sets out that Local Planning Authorities should publish a Local Validation List. The Validation List must be approved by the full Council. Planning Charters are national good practice and set out commitments and expectation from both the Council and those engaging with our Planning Service which will contribute to the improvements in performance in our Service delivery. The Executive has powers to approve the Planning Charter
Financial implications to include reference to value for money	N	There are no direct financial implications from the contents of the report.
Risk	Y	Failure to adopt a reviewed and revised Local Validation List would be contrary to national planning guidance. Without adopting the amended Checklist and Planning Charter, the Council is at risk of failing to deliver a Planning Service that meets the expectations of Members or our Customers
Supporting Corporate Strategy		Quality Council Services - ensuring that we make the best use of the budget available to ensure value for money. Built and Natural Environment - Protecting and Conserving our built and natural environment; planning for the future while celebrating our past.

Climate Change - Carbon / Biodiversity Impact		<p>Direct impact on Climate change.</p> <ul style="list-style-type: none"> • Submission of Sustainable Travel Plans on applications in the rural parts of the District. • Submission of Carbon reduction Plans for all new development. • Submission of Waste Audits for major applications • Submission of Biodiversity metrics for major applications to ensure there is a 10% net gain.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	None
Safeguarding	N	None
Community Safety, Crime and Disorder	N	The provision of all necessary and reasonable information with planning applications will ensure that a robust assessment of development proposals will be made to ensure that the Community Safety and Crime and Disorder are taken into account where relevant.
Health, Safety and Wellbeing	Y	The provision of all necessary and reasonable information with planning applications will ensure that a robust assessment of development proposals will be made to ensure that the Health, Safety and Wellbeing of communities is maintained.
Other implications	N	

Supporting Information

Appendices:

Appendix 1: The Local Validation List is currently on the Council's website, <https://www.southhams.gov.uk/planning-validation>

Appendix 2: Planning Charter

Background Papers:

Local Validation List September 2019