

# REPORT FOR DECISION

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| <b>DECISION OF:</b>   | <b>PLANNING CONTROL COMMITTEE</b>  |
| <b>DATE:</b>  | <b>18 FEBRUARY 2020</b>  |
| <b>SUBJECT:</b>   | <b>DEVELOPMENT MANAGEMENT VALIDATION CHECKLIST CRITERIA</b>  |
| <b>REPORT FROM:</b>   | <b>HEAD OF DEVELOPMENT MANAGEMENT</b>  |
| <b>CONTACT OFFICER:</b>   | <b>DAVID MARNO</b>   |
| <b>TYPE OF DECISION:</b>  | <b>COUNCIL</b>   |
| <b>FREEDOM OF INFORMATION/STATUS:</b>   | This paper is within the public domain   |
| <b>SUMMARY:</b>   | The report outlines the updated checklists that are required for the validation process of planning applications submitted |
| <b>OPTIONS &amp; RECOMMENDED OPTION</b>   | The Committee is recommended to note and approve the report.   |
| <b>IMPLICATIONS:</b>  |  |
| <b>Corporate Aims/Policy Framework:</b>   | Do the proposals accord with the Policy Framework?<br>YES  |
| <b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b> | Executive Director of Resources to advise regarding risk management<br>N/A   |
| <b>Statement by Executive Director of Resources:</b>                                  | N/A  |
| <b>Equality/Diversity implications:</b>   | N/A  |
| <b>Considered by Monitoring Officer:</b>  | N/A  |
| <b>Wards Affected:</b>  | ALL  |
| <b>Scrutiny Interest:</b>   | N/A  |

**TRACKING/PROCESS****DIRECTOR:**

| Chief Executive/<br>Strategic Leadership<br>Team | Executive<br>Member/Chair | Ward Members | Partners |
|--|---------------------------|--------------|----------|
|  |                           |              |          |
| Scrutiny Committee                               | Committee                 | Council      |          |
|  |                           |              |          |

**1.0 Background**

- 1.1 The Town & Country Planning (Development Management Procedure)(England)(Amendment) Order 2013 at that time required validation checklist criteria, required in connection with the documents that would be needed to be submitted with planning applications, to be kept up to date and reviewed every two years. This order has since been withdrawn and replaced by the Town & Country Planning (Development Management Procedure)(England) Order 2015.
- 1.2 The regulations introduced are set out in the Article 12 - Validation Dispute and enacted through Article 34(6)(d)- Time Periods for Decisions, that validation checklists should be updated every two years and that they are published on the Council's website, require information for applications that are commensurate with the scale of development proposed and require *material* planning information in relation to a scheme.
- 1.3 Bury's checklists are now due for review and renewal and they are duly attached to this report. The new checklists, if accepted would be operative from 15 March 2020.

**2.0 Bury's Checklists**

- 2.1 Bury has always acted in a reasonable way in terms of validating applications and it has not insisted on reports being submitted for submitting sake, simply because an item is on a checklist. Instead, the Local Planning Authority has always been reasonable, and always considered what a development is and whether the proposals can reasonably be consulted upon and determined with the submitted information. Where it was considered that information was required, this is requested. Where an agent or applicant disagreed, an application will be validated and will be considered on its merits, taking on board the representations made by an applicant or their agent.
- 2.2 It is reasonable that all participants in the planning process are operating on a level playing field with no ambiguity over what is needed to accompany a development proposal, so that all who are involved, including the public during consultation, can see and understand a development proposal.
- 2.3 The validation checklist criteria sets a local standard by which information accompanying planning applications can start and ensure that applications are reasonably standardised when submitted.
- 2.4 It must be noted that the process of validation is not a judgement on the merits of a scheme. Validation is about whether there is sufficient information to understand a proposal and consult upon it. The assessment process is then

carried out by the team, who then determines the acceptability of a proposal, following the usual steps of consultation and consideration and where required, referral to the planning committee for determination.

### **3.0 Conclusion**

3.1 The attached validation checklists attached have been updated to reflect the current requirements for planning applications, particularly in light of various changes to legislation, guidance and updates from the NPPF. The lists and changes include:

- Advertisement Consent  
Addition of LED Hoardings and requirement for driver distraction assessment.
- Householder development
  - Bin storage details;
  - Requirement for street scene plans if raising the height of the ridge;
  - Potential need for topographical plans;
  - Heritage statements as necessary;
  - Green Belt statements.
- Prior Approvals – Telecommunications  
No change.
- Wind Turbine developments  
Community Engagement where the hub height exceeds 15m.
- Local Requirements – All Applications
  - Requirements where vacant building credit is sought;
  - Heritage – updated references and the need for heritage assessments where non designated heritage assets are involved;
  - Transport – New use classes introduced and floorspaces amended where transport statements and assessments are required; where TfGM would have an input into the highways considerations;
  - Justification for parking numbers;
  - New food classes added for refuse disposal;
  - Topographical information/plans to understand levels and features on existing sites.
- SuDS advice note (AGMA note) – Updated references
- Waste applications – Updated references

3.2 It is therefore requested that the Committee endorse and accept the updated validation lists.

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#### **List of Background Papers:-**

SI. 2015 - No. 595 - Town & Country Planning (Development Management Procedure)(England) Order 2015  
Validation checklists – Proposed to operate from 15 March 2020

#### **Contact Details:-**

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