

MILTON KEYNES PARTNERSHIP PLANNING SUB COMMITTEE

22 May 2008

AGENDA ITEM NO: 8

NEW NATIONAL MANDATORY STANDARD PLANNING APPLICATION FORMS AND PROPOSED CONSULTATION ON A LOCAL LIST OF INFORMATION REQUIREMENTS

Purpose of Report

1. The purpose of this report is to advise Members of the introduction of the new mandatory planning application forms, 1APP, which were introduced in April of this year and to seek the Sub-Committee's approval for a local list of requirements for the submission of planning applications in order to be considered as valid. The approved local list will be used as the basis for the consultation exercise which needs to be undertaken.

Background to 1APP

2. The government introduced a new standard electronic application form, 1APP, for all planning applications in April of this year. The intention is to provide a quicker, more predictable and efficient planning service by clarifying information required to be submitted by applicants to the Local Planning Authority and which will determine whether an application can be validated or not. 1APP was introduced on 6 April 2008 and all planning applications must now be submitted on the new forms.
3. In discussions with the Planning Portal, it has emerged that new system, which allows for electronic submission of planning applications, is not sophisticated enough to accommodate, and differentiate, between 2 different planning authorities operating within the same area. So whilst the MKP planning application form will be available via the Planning Portal, applicants will not be able to submit applications electronically.

Validation of Planning Applications

4. National research (Arups 2003) has shown that there is a wide variation in information requested by local planning authorities and a further variation in the level of detail considered acceptable. The requirements of Milton Keynes Partnership, as Local Planning Authority, have always been specified within the MKP Development Control Manual, alongside requirements for information to be included on discs, for electronic consultation. This has provided a level of certainty for applicants and there have been very few delays in validation as a result.
5. Guidance on the validation of planning applications was issued by CLG in December 2007 and this was followed by Circular 02/08, 'Standard Application Form and Validation', which was issued March 2008.

6. The recent guidance re-iterates the minimum requirements for applications which is specified within the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and implements section 42 of the Planning and Compulsory Purchase Act 2004. It is proposed that the Order will be amended this year to take account of the new guidance.

National and Local Lists of Validation Requirements.

7. The new requirements include a national core list of mandatory requirements which an applicant is required to submit with a planning application in order that it be validated. There are further requirements which are included on a local list. National and local requirements are given for each type of application, consent and notification and the content of each list cannot be amended. It is for the local planning authority to determine which elements on the local list are required for each type of application. There is an element of choice and this will vary depending upon the type and scale of development. Milton Keynes Partnership will not be required to adopt a full list of local requirements for all application types given its limited planning powers which, amongst other things, does not cover householder applications and applications for alterations to listed buildings. Once adopted the national list and the local list are to be used in order to determine if an application can be validated. However until a local list has been through a consultation process and adopted by the local planning authority, the failure for an applicant to submit information detailed on a local list can not be used as a reason for not validating any application.
8. The aim of the national and local lists is to identify the type and extent of information required to ensure that an application is valid on submission. This will provide greater certainty of what is required for applicants and should reduce the need for the submission of further information with inevitable delays. However it does appear that there are some omissions from the local list and this has been raised with the Planning Portal. The main omission appears to be the requirement for a sustainability report; this is one of the principal elements required by MKP to ensure environmental standards are met, alongside compliance with Local Plan policy D4. Discussions with the Planning Portal have confirmed that information required in addition to that included on the national and local lists can still be sought, but failure to include at the time of submission of the application cannot be used as a reason for not validating an application.
9. A whole range of information is required when an application is submitted to enable the MKP to fully assess the impact of a development. Applicants who consider the amount of supporting information to be excessive do have the right of appeal for non- determination of their application under S78 of the Town and country Planning Act 1990. Pre-application meetings will still be encouraged to ensure that detailed information requirements can be confirmed prior to formal submission.
10. Officers have considered the content of the relevant local list alongside the information which is required to be submitted under the national list to ensure a comprehensive approach which will allow the full assessment of any development and assurance of compliance with local plan policies. The Government's published national list and local lists which are relevant to the planning remit of MKP are attached to this report at Appendix 1.

Consultation Process

11. The guidance encourages local planning authorities to consult on their local lists to ensure that they are clear and transparent to potential applicants affected by the new requirements before the lists are adopted and published. Local planning authorities can decide on the consultation procedure that is most appropriate for their local circumstances; however the guidance makes recommendations on a process and respective consultees.
12. The guidance recommends that after a resolution has been achieved from the relevant Committee on the proposed local list, a consultation is undertaken for a six week period with relevant consultees. Relevant consultees should include all statutory consultees (the Environment Agency, Natural England, English Heritage, and Network Rail, the local highway authority, Regional Development Agency, Strategic Health Authority and statutory undertakers). Further consultations should be undertaken with Parish and Town Councils, relevant voluntary and community groups, e.g. Residents Groups/amenities societies. Consultation will need to be extended to agents and applicants.
13. Officers will review comments received as a result of the consultation and report back to the Committee for a formal resolution for the adoption of the local lists and intended process for publication.

Conclusion

14. The use of 1APP is now mandatory for all planning applications submitted since 6 April 2008 and this has introduced a requirement for the submission of standardised information which is contained on a national list. Local lists are contained within the guidance this allows the local planning authority to request the submission of additional information, identified as a necessity to allow the full assessment of development proposals. MKP, as local planning authority, need to identify its own specific requirements to be included on the local list and which need to be consulted upon and formally adopted.

Recommendation

15. **The Sub Committee are recommended to endorse the draft local list of additional information which can be required in order to validate an application submitted to Milton Keynes Partnership, as Local Planning Authority.**
16. **That any responses received as a result of the six week consultation exercise be reported back to the Planning Sub Committee and following consideration of those comments that the agreed local list be formally adopted by Milton Keynes Partnership, as Local Planning Authority.**

Milton Keynes Partnership

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 assessment
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Economic statement
- Environmental Statement
- Town Centre Uses – Evidence to accompany applications
- Flood risk assessment
- Foul sewage and utilities assessment
- Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)
- Land Contamination assessment
- Landfill statement
- Landscaping details
- Lighting assessment
- Noise impact assessment
- Open Space assessment
- Parking Provision
- Photographs/Photomontages
- Planning obligations – Draft Head(s) of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Telecommunication Development – supplementary information
- Transport assessment
- Travel Plan
- Tree survey/Arboricultural implications
- Ventilation/Extraction statement

Milton Keynes Partnership

Application for Outline Planning Permission with some matters reserved

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
- 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 assessment
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Economic statement
- Environmental Statement
- Town Centre Uses – Evidence to accompany applications
- Flood risk assessment
- Foul sewage and utilities assessment
- Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)
- Land Contamination assessment
- Landfill statement
- Landscaping details
- Lighting assessment
- Noise impact assessment
- Parking Provision
- Open Space assessment
- Photographs/Photomontages
- Planning obligations – Draft Head(s) of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Telecommunications Development – supplementary information
- Transport assessment
- Travel Plan
- Tree survey/Arboricultural implications
- Ventilation/Extraction statement

Milton Keynes Partnership

Application for Outline Planning Permission with all matters reserved

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
 - 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 assessment
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Economic statement
- Environmental Statement
- Town Centre Uses – Evidence to accompany applications
- Flood risk assessment
- Foul sewage and utilities assessment
- Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)
- Land Contamination assessment
- Landfill statement
- Landscaping details
- Lighting assessment
- Noise impact assessment
- Open Space assessment
- Parking Provision
- Photographs/Photomontages
- Planning obligations-Draft Head(s) of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Telecommunications Development – supplementary information
- Transport assessment
- Travel Plan
- Tree survey/Arboricultural implications
- Ventilation/Extraction statement

Milton Keynes Partnership

Application for Approval of Reserved Matters following outline approval

NATIONAL REQUIREMENTS

- Completed form or application in writing containing sufficient information to enable the authority to identify the outline planning permission in respect of which it is made
- Such particulars as are necessary to deal with the matters reserved in the outline planning permission
- Such plans and drawings as are necessary to deal with the matters reserved in the outline planning permission 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)
- Three copies of the application and three copies of the plans and drawings submitted with it (unless the local planning authority indicate that a lesser number is required or the application is submitted electronically)
- The appropriate fee

LOCAL REQUIREMENTS – may include some or all of the following:

- Affordable housing statement
- Air quality assessment
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Design and Access Statement
- Economic statement
- Environmental Statement
- Town Centre Uses – Evidence to accompany applications for town centre uses
- Flood risk assessment

- Foul sewage and utilities assessment
- Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)
- Land Contamination assessment
- Landfill statement
- Landscaping details
- Lighting assessment
- Noise impact assessment
- Open Space assessment
- Photographs/Photomontages
- Planning obligations/Draft Head(s) of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- Travel Plan
- Tree survey/Arboricultural implications
- Ventilation/Extraction statement

Milton Keynes Partnership

Application for removal or variation of a condition following grant of planning permission (Section 73 of the Town and Country Planning Act 1990)

NATIONAL REQUIREMENTS

- Completed form
- The completed Ownership Certificate (A, B, C or D – as applicable) as required under Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- 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
- 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

LOCAL REQUIREMENTS – may include some or all of the following:

- Plans (3 copies to be supplied unless the application is submitted electronically)
 - 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)
- Affordable housing statement
- Air quality assessment
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Economic statement
- Environmental Statement
- Town Centre Uses – Evidence to accompany applications

- Flood risk assessment
- Foul sewage and utilities assessment
- Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)
- Land Contamination assessment
- Landfill statement
- Landscaping details
- Lighting assessment
- Noise impact assessment
- Parking Provision
- Open Space assessment
- Photographs/Photomontages
- Planning obligations – Draft Head(s) of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- Travel Plan
- Tree survey/Arboricultural implications
- Ventilation/Extraction statement

Milton Keynes Partnership

Useful Supporting Information – Application for Approval of Details Reserved by Condition

There are NO NATIONAL REQUIREMENTS for applications for the approval of details reserved by condition except that they should be made in writing. However, you may submit the following:

- 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)

LOCAL REQUIREMENTS – may include some or all of the following:

- Photographs/Photomontages
- Planning Statement