



Development Management Policy Annex:
Information requirements and validation for planning applications



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March 2010

ISBN: 978-1-4098-2313-1

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Introduction

- 1.1 This statement sets out the Government's policy on the information which must be provided in support of planning applications, so that local planning authorities can determine the validity of applications. It takes effect from 6 April 2010¹.
- 1.2 Further guidance on information requirements, design and access statements and the standard application form is set out in a guidance document, called *Guidance on Information Requirements and Validation*, available via the CLG website.
- 1.3 Circular 02/2008, *Standard Application Form and Validation*, and Section 3 of Circular 01/2006, on Design and Access Statements, are cancelled with effect from 6 April 2010. Section 2 of Circular 01/2006, on the information requirements for outline planning applications, remains in force. In light of consultation responses, the Government may review this matter further and may bring forward amendments in due course.

The policy framework

- 1.4 The information required to make a valid planning application comprises:
 - mandatory national information requirements specified in the GDPO, including a design and access statement where one is required²
 - the standard application form
 - information to accompany the application as specified by the local planning authority on their local list of information requirements
- 1.5 This information will enable the local planning authority to validate an application for planning permission and begin its determination.

INF 1: Information requirements

- INF 1.1 Local planning authorities and applicants should take a proportionate approach to information in support of applications: applicants should only be asked to provide, and local planning authorities should consider, supporting information that is relevant, necessary and material to the application³.

¹ This statement forms part of a wider policy framework for Development Management. It will become an annex to the Development Management Policy Statement once finalised.

² New exemptions to the requirement for a design and access statement were created by SI 2010/567

³ The proportionality principle is explained further in the Government's Draft Policy Annex on Development Management, policy DM 4. This is out to consultation until mid March 2010.

INF 1.2 Any supporting information should add to the local planning authority's understanding of the development scheme that is submitted for determination. The information requested and provided should help to explain the nature of the proposed development, its anticipated impacts – positive and negative – and any measures that are proposed to mitigate any anticipated adverse impacts. Planning Policy Statement 1, *Delivering Sustainable Development*, sets out further advice on the potential impacts of a scheme that should be understood by the local planning authority prior to determining the planning application⁴.

INF 2: Preparing and reviewing local lists

INF 2.1 Beyond the national statutory requirements, local planning authorities should only ask for what they need, seeking information that is relevant, necessary and material to the application. In order to achieve this, it is important to ensure that local lists are clear, reasonable and proportionate.

INF 2.2 In preparing or reviewing their local lists, local planning authorities should take into account the national principles and criteria in Table A (below):

Table A: Principles and criteria for local list preparation	
Principle	Key considerations
Necessity	All local list requirements should be based on statutory requirements ⁶ , national, regional or adopted local policy, or on published guidance which explains how adopted policy should be implemented.
Precision	It should be clear what types of development require the provision of particular supporting information. Where appropriate, the LPA should also identify specific areas where the information requirement arises.
Proportionality	The information required is likely to be dependent on the nature and scale of the proposal and the sensitivity of its location. Where possible, the LPA should identify size thresholds below which certain information is not required or where only limited information is required.
Fitness for purpose	It should be clear what information is required to satisfy the requirement – with a strong emphasis on a proportionate approach and succinct documents.
Assistance	For each element of the list it should be clear where further information or answers to queries can be obtained.

⁴ PPS1: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement1.pdf> – see paragraph 19 in particular

⁵ Other than the mandatory national requirements set out by the General Development Procedure Order (as amended), which need not be repeated on the local list

- INF 2.3 Where, at the time of the introduction of this policy, a local planning authority has an existing local list, it should undertake a review of the list and, where necessary, prepare revisions to ensure that the list takes account of the principles and criteria set out in Table A.
- INF 2.4 We would expect that the review process, including consultation where necessary, would take up to six months and therefore any revisions necessary would be in place by the end of December 2010. The updated local list should clearly state the date when it is published. Any subsequent review of the local list is also subject to these policy requirements.
- INF 2.5 Where a local authority does not have a local list, it should consider preparing one, in accordance with the principles and criteria set out in Table A, and publish it on its website by the end of December 2010. This list should also clearly state the date of publication.
- INF 2.6 Unless a local planning authority publishes a local list on its website, local requirements have no bearing on the validity of applications made to them and only compliance with the mandatory national requirements determines whether or not an application is valid.

INF 3: Summaries of planning applications

- INF 3.1 All applicants should aim for succinctness in their supporting documentation. However, a number of detailed reports may be necessary to support some applications. Where the supporting information for a major application exceeds 100 pages (excluding the application form itself), applicants should submit a summary of the whole scheme. This summary should be no more than 20 pages long and should provide an overview of the proposal and a clear description of its key impacts.
- INF 3.2 The principal aim of a summary is to introduce the scheme to parties who are not familiar with the details of the proposed development, including statutory consultees and other local stakeholders.
- INF 3.3 If a development proposal is already subject to Environmental Impact Assessment (EIA), the non-technical summary of the resulting Environmental Statement is likely to provide most of the necessary information. There is no need to further summarise the findings of the ES non-technical summary. Applicants should simply summarise any other key topics that are outside the scope of EIA.

- INF 3.4 It may also be useful for applicants with smaller schemes to provide a summary, especially if the application is accompanied by more than 100 pages of supporting documentation.
- INF 3.5 If any substantial changes are made to supporting documents during the determination period, the summary should be updated to reflect these.
- INF 3.6 The local planning authority should not rely solely on the summary document when determining the planning application: it should refer to the detailed supporting documents.

INF 4: Validation of applications

- INF 4.1 The validation process should be an effective check that the applicant has met the statutory requirements for a valid planning application. The local list of information requirements is prepared by the LPA to clarify what information is usually required for applications of a particular type, scale or location.
- INF 4.2 It is for the local planning authority to make sure that the necessary supporting material has been provided. Mandatory national requirements are specified in the GDPO. Local requirements can be defined by the local planning authority but these must be published as a local list on the local planning authority's website, before the application is submitted, in order to affect the application.
- INF 4.3 If a local planning authority is satisfied it has received an application that complies with both the mandatory national requirements specified in the GDPO and its published local list, it should proceed to validate and determine the application within the relevant time periods set out in article 20 of the GDPO.
- INF 4.4 The process of validating planning applications should essentially be an administrative one. Local planning authorities are encouraged to adopt a straightforward approach to validation, whereby they should check that the correct information and fee (where applicable) have been submitted with the application.
- INF 4.5 The quality of the information submitted has no bearing on the validity of the planning application during the validation process, but should be assessed during the determination process. Article 5 of the GDPO makes it clear that provided the application submitted meets the requirements set out in the GDPO encompassing the mandatory national requirements and published local requirements, it should be registered as a valid application.

- INF 4.6 Local planning authorities should only seek information that is necessary for a decision to be made and should not require a level of detail to be provided that is unreasonable or disproportionate to the scale of the proposal.
- INF 4.7 Not all the information on the local planning authority's published local list will be necessary in every case. Where an application is not accompanied by the information required by the local planning authority on its local list, the applicant should provide a **short** written justification with the application as to why it is not appropriate in the particular circumstances.
- INF 4.8 If an application submitted lacks the necessary information specified in the GDPO or in the local planning authority's published list, the authority will in general be entitled to invalidate the application, and so decline to determine it. **However, local authorities should take a proportionate approach** when preparing their local list of information requirements and when validating, so that applications are not rendered invalid by the omission of an item of information that would add little to the local authority's understanding of the development proposal.
- INF 4.9 For larger or more complex schemes, or proposals in sensitive areas, applicants should seek to agree information requirements with the local planning authority prior to submission, through pre-application discussions, so that where possible the information sought is proportionate to the nature of the scheme. Local authorities should encourage pre-application engagement, and provide clear advice, to avoid incomplete applications that cannot be validated, including by ensuring appropriate and adequate supporting information is provided. The Government's Policy Annex on Pre-application Engagement⁶ provides further advice on pre-application discussions.
- INF 4.10 In circumstances where an applicant does not agree with the local planning authority's requirement for an item, they should discuss the point of concern with the local planning authority. Where an item specified in the GDPO has not been provided, or discussions fail to resolve the point of concern about an item published on the local list, there is no right of appeal⁷. Applicants who want to challenge a decision not to validate an application in such circumstances must consider other procedures, such as a claim for judicial review on legal grounds.

⁶ Development Management: Proactive Planning from Pre-Application to Delivery – Consultation, available on CLG website at: www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/

⁷ Established in case law: Newcastle City Council v SSCLG & Kayu Poostchi (CO/9666/2009), 11 December 2009

INF 4.11 Local planning authorities occasionally do not validate applications on the basis that they consider the quality of the supporting information to be inadequate. In such cases, the applicant may appeal to the Planning Inspectorate under section 78 of the Town and Country Planning Act 1990 with the relevant ground for the appeal being non-determination within the 8 or 13 week determination period. For further details, see section 3 of the **Guidance on Information Requirements and Validation** (2010).

INF 5: Notification of validity

INF 5.1 Once a planning application has been received, accompanied by all the necessary information, it should be validated as soon as reasonably practicable. Notification should be given to the applicant in writing in the same terms (or substantially the same terms) as set out in Part 1 of Schedule 1 of the GDPO, confirming the validity of the application and the start date of the statutory period for determination.

INF 5.2 Applications should be clearly marked with the date of receipt. Normally, most minor and small scale applications should be validated within 3-5 working days from the date of receipt. Major applications should be validated within 10 working days.

Further guidance

The Government has prepared *Guidance on information requirements and validation*, which can be found on the CLG website at:
www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/

ISBN: 978-1-4098-2313-1

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9 781409 823131