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|  Regulatory Policy Committee | Validation of the One-in, Two-out Status and the Net Direct Impact on Business |
| Validation Impact Assessment (IA) | Planning application information requirements |
| Lead Department/Agency | Department for Communities and Local Government |
| IA Number | - |
| Origin | Domestic |
| Expected date of implementation | October 2013 (SNR 6) |
| Date of Regulatory Triage Confirmation | 10 October 2012 |
| Date submitted to RPC | 9 May 2014 |
| Date of RPC Validation | 16 June 2014 |
| RPC reference | RPC12-FT-CLG-1567(3) |
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| Departmental Assessment | |
| One-in, Two-out status | OUT |
| Estimate of the Equivalent Annual Net Cost to Business (EANCB) | -£9.4 million |
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| RPC assessment | VALIDATED |
| Summary RPC comments | |
| <p>The Validation IA is fit for purpose. The IA addresses the issues raised in our opinion of 31 July 2013. In particular, the IA provides the explanation of the use of an average saving of 9% in order to calculate the benefits of the proposal.</p> | |
| Background (extracts from IA) | |
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| What is the problem under consideration? Why is government intervention necessary? | |
| <p><i>“There is an ongoing concern on the part of many applicants that local authorities persist in demanding disproportionate requests for supporting information associated with planning applications. The National Planning Policy Framework sets out a clear policy framework for local planning authorities to ensure that they only request supporting information that is relevant, necessary and material to the application in question. This approach however is currently not fully aligned with the primary legislative framework, which gives local authorities very broad powers to request information in support of planning applications. The broad nature of these powers has been considered by the courts to restrict the Secretary of State’s ability to determine planning appeals where no formal validation has taken place.</i>”</p> | |

In response to a 2012 consultation exercise on information requirements¹, a number of key stakeholders drew attention to the inability of an applicant to challenge information requests through the planning appeals system. The absence of such a mechanism to challenge decisions not to validate planning applications was considered to impose unreasonable costs and delays on applicants. In essence, the absence of an appeals mechanism creates an environment without incentives to promote positive behaviour amongst all parties.”

What are the policy objectives and the intended effects?

“Our policy objective in making these changes is to provide for a more proportionate approach to information requirements for applicants, ensuring that local authorities act in accordance with the government policy.

We think that the key impact of the interventions taken together will be behavioural: ensuring that greater account is taken of the need to only request (and provide) information where it is genuinely necessary to the determination of the application in question. This will lead to a reduction in the level of unnecessary information being provided, with an associated cost and time saving for all parties concerned.”

RPC comments

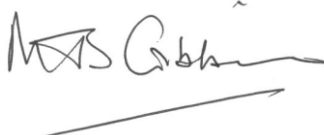
The proposal is to introduce a specific requirement that requests for information by local authorities to support planning applications should be reasonable and proportionate. This will benefit businesses by reducing requests for unnecessary information as part of the planning application process.

The IA addresses the issues raised in the Committee’s opinion of 31 July 2013 and now explains how the average saving of 9% is used to calculate the average savings to business in administrative costs. This takes into account the differing development types, to estimate an average saving of £11 million. The Department now explains that weighting, on the examples of development types provided in Annex A, was not considered appropriate as the Department does not have sufficient information on unnecessary information requests across all development categories.

The IA also now confirms that there is no overlap with other measures in the wider package of streamlining the planning application process, such as RPC12-FT-CLG 1657 and RPC11-CLG-1196.

On this basis, we are now able to validate the estimated EANCB of -£9.4 million.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8353/2169897.pdf

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| Signed |  | Michael Gibbons, Chairman |
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