

Streamlining information requirements for planning applications consultation: Government response

DLP BRIEFING NOTE 120

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In July 2012 the Government published a consultation paper, ***Streamlining information requirements for planning applications***, which sought views on a number of proposals to encourage a more proportionate approach to the information that applicants are asked to provide with planning applications. This Briefing provides a summary of the responses which were received to each of the broad proposals.

The substantive proposals put forward were:

- A.** Streamline Information Requirements for Outline Planning Applications
- B.** Encouraging local planning authorities to keep their list of local information requirements under frequent review.
- C.** Merging standard application form requirements for agricultural land declarations and ownership certificates.

Proposal A: Streamline Information Requirements for Outline Planning Applications

Outline applications should be about establishing whether a particular type of development is acceptable in principle. To this end, article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 ("***the Development Management Procedure Order***") identifies certain 'reserved matters', which may be set aside at the outline application stage, for subsequent approval, and include layout, scale, appearance, access and landscaping. Legislation nevertheless requires certain details to be submitted alongside outline applications, even where those matters have been reserved.

Specifically:

- Where **layout** is reserved, the approximate location of buildings, routes and open spaces included in the development is still required
- Where **scale** is reserved, the upper and lower limit for the height, width and length of each building included in the development must still be indicated
- Where **access** is reserved, the area or areas where access points will be situated must still be shown

In response to the consultation to **remove layout requirements, DCLG have decided to take this proposal forward**. The proposals do not alter current requirements under European legislation and applicants would still be required to provide information necessary to satisfy these.

Depending on the nature of the development, and on local circumstances, it is considered beneficial for applicants to provide details of layout at the outline application stage, to help a LPA understand the impact of a proposal. Given the powers available to LPA's, however, it is not considered necessary to nationally mandate this in all cases.

DCLG consider that LPA's are best placed to judge the information required on a site-by-site basis. This proposal is seen to allow for greater flexibility and proportionality, having regard to the complexity and specific context of a particular application.

For the same reasons as for the proposal to remove layout, DCLG will be **taking forward the proposal to remove scale requirements**.

It is important to **retain the current access requirements** so that an early assessment can be made of whether safe vehicular and pedestrian access will be possible. As such, the Government have decided to leave the current requirements in the Development Management Procedure Order unchanged, as consulted on.

The Government also propose to review opportunities to simplify Design and Access Statements.

Proposal B: Encouraging local planning authorities to keep their list of local information requirements under frequent review

To encourage a shift towards a more proportionate use of local powers to request specific information with planning applications, the consultation document proposed **to introduce a requirement that local planning authorities revisit their local lists of information requirements on (at least) a two-yearly basis, if those lists are to have an impact on the validation of planning applications.**

The Government have decided to **take forward this proposal as consulted upon.** This will bring the Development Management Procedure Order into line with the National Planning Policy Framework, which states at paragraph 193 that local lists should be reviewed “on a frequent basis” and as such, they do not consider that this proposal represents a new burden on local authorities.

The Growth and Infrastructure Bill, which was introduced to Parliament on 18 October 2012, includes measures which will place limits on the powers of local authorities to require information with planning applications, by stipulating that such requests must be genuinely related to planning and reflect the nature and scale of the development proposed. The Government are considering further complementary measures that may be taken forward through secondary legislation.

Proposal C: Merging standard application form requirements for agricultural land declarations and ownership certificates

For a planning application to be valid, an ‘agricultural land declaration’ must be completed, whether the proposed development is on agricultural land or not. Many applicants do not realise it applies to them and sometimes fail to complete the declaration, which renders their application invalid.

To reduce the number of applications which are invalid on the basis of this technicality, the consultation paper proposed to **alter the standard application form by amending the ownership certificate to include a reference to agricultural tenants and deleting the separate agricultural land declaration.**

The Government have decided to **take this proposal forward as consulted on.** Making this change does not require a change in legislation and it will be introduced in due course.

The detailed suggestions for further rationalisation have been shared with Planning Portal and will be considered alongside the regular feedback it receives from users of the online forms.

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