

Notice of Non-key Executive Decision

Subject Heading:	Proposed revisions to local validation list and requirements for planning applications
Cabinet Member:	Councillor Joshua Chapman
SLT Lead:	Barry Francis, Director of Neighbourhoods
Report Author and contact details:	Catherine Culley, t 01708 434628 catherine.culley@havering.gov.uk
Policy context:	Following the publication and adoption of the London Plan, 2 March 2021 and in accordance with published government requirements set out in the NPPF
Financial summary:	No financial implications
Relevant OSC:	Towns and Communities
Is this decision exempt from being called-in?	Yes

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This decision authorises the consultation on the proposed amendments to the local list of validation requirements for a period of 6-weeks, consideration of any responses and the adoption of the list thereafter.

AUTHORITY UNDER WHICH DECISION IS MADE

The Constitution Part 3: Responsibility for Functions, 3.8 Neighbourhoods Directorate, 3.8.2 Assistant Director Planning, paragraph 1.

STATEMENT OF THE REASONS FOR THE DECISION

A local validation list tells people who are submitting planning applications what supporting information will be needed. It also provides advice on the detail and scope of that information.

The National Planning Policy Framework (NPPF) sets out that Local Planning Authorities must publish a local validation list for applications and review it every two years. We are carrying out this 6-week consultation because significant time has passed since the previous consultation and because there are a number of changes since then including the publication and adoption of the London Plan on 2 March 2021.

The list is divided into two sections, the national validation requirements and the local validation requirements. The national requirements are set by central government and are the same across all Local Planning Authorities in England. The local validation requirements relate specifically to planning applications submitted to Havering Council. The information required will also be dependent on the scale and nature of the proposal. Applications that do not include the information set out within the local or national list that is relevant to the application will not be treated as a valid submission.

The draft local validation requirements will be published on the Council website within the Planning Services pages, which will also be publicised further by including a notice banner in all email correspondence sent out by the Planning Service during that period. We will also write directly to those agents, architects and applicants who regularly submit planning applications to provide notice about the consultation.

At the end of the 6-week consultation, the Assistant Director Planning shall review and consider any comments received, finalise and publish the local validation list in the Council webpages.

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OTHER OPTIONS CONSIDERED AND REJECTED

There is only one other option possible to consider in this instance, which is to rely solely on the national validation requirements set by central government.

The national requirements are considered sufficient for the most straightforward applications but fail to address matters particular to more complex development and the local requirements set by the London Plan and the Havering Local Plan. Whilst the Council could rely on the minimum requirements, this would in the majority of instances result in delays to the processing and assessment of planning applications due to the requests for further information and documentation that would be needed to fully consider an application.

This would result in a poor quality of both customer care and service delivery.

PRE-DECISION CONSULTATION

Councillor Joshua Chapman was briefed via email dated 25 August and 16 September 2021.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Simon Thelwell

Designation: Head of Strategic Development, Planning Service

Signature:

Simon Thelwell

Date: 16 September 2021

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The consultation, review and publication of a local validation list is a requirement placed on Local Planning Authorities by government.

The decision does not give rise to any particular risks or result in any legal implications.

FINANCIAL IMPLICATIONS AND RISKS

Any financial commitments arising from consultation and publication of the local list of validation requirements will be contained within existing staff resource and time, therefore there are no financial implications or risks associated with this decision.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no TUPE or other human resources implications arising from the recommendation in this report; there are sufficient resources within the existing team to carry out the consultation. There are no Accommodation implications.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Having due regard to the public sector equality duty as required by Section 149 of the Equality Act 2010, this decision would not result in any unequal or unfair impacts nor would it disadvantage any of the protected classes.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: Protected characteristics are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The proposed revisions to the local validation lists will impact upon the planning applications submitted by all applicants and their planning agents, where one is

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appointed. It is not considered that the revisions will prejudicially impact those with protected characteristics.

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed: 

Name: Helen Oakerbee

Head of Service title: Assistant Director Planning

Date: 4 October 2021

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____