

CABINET MEMBER FOR PLANNING, ESTATE RENEWAL AND DEVELOPMENT	DATE 09/01/2025
TITLE Approval to consult on the revised Local Validation Requirements List	WARD (S) All
CHIEF OFFICER Director of Place & Growth	CABINET MEMBER Planning, Estate Renewal and Development
DECISION CLASSIFICATION Non key decision Subject to call in Non -Exempt Report and Appendices	IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING? Yes

I. Decision Required

This report makes the following recommendations to the decision-maker:

- I.1 To approve initiating public consultation on the revised Local Validation Requirements List as appended in draft at Appendix A, for a six-week period from January 2025

Signed:

Councillor Majid Rahman, *Cabinet Member for Planning, Estate Renewal and Development*

Date: 09.01.2025

2. Links to Our Greenwich missions

- 2.1 This report relates to the Council's agreed missions as follows:

- People's health supports them in living their best life
- People will not experience discrimination
- Children and young people can reach their full potential
- Everyone in Greenwich is safer, and feels safer
- People in Greenwich have access to a safe and secure home that meets their needs

- It is easier, safer and greener to move around the borough and the rest of London
- Development delivers positive change to an area for existing and new communities
- Neighbourhoods are vibrant, safe and attractive with community services that meet the needs of local residents
- Greenwich plays an active role in tackling the climate crisis and improving environmental sustainability, in line with our commitment of being carbon neutral by 2030
- Town centres, high streets and shopping parades are vibrant, prosperous, well-maintained places that meet the needs of local people
- Our economy attracts new high value businesses whilst strengthening its foundations
- Our Council is better at listening to communities, and communities feel they are heard
- Our Council is an adaptive organisation, enabling it to navigate the increasing number of challenges it faces while remaining financially sustainable
- Our Council works in the most efficient and effective ways possible

2.2 Approving the consultation relates to a number of the Council's agreed missions, both directly and indirectly. By publicly consulting on the changes to the validation requirements for planning applications the Council will engage with its communities, thereby directly addressing several of its missions. The issues explored in the consultation will impact on the other missions relating to people, place, economy and communities outlined above by setting the Council's priorities for what it wants to see included in all future planning applications to help shape the built environment.

3. Purpose of Report and Executive Summary

- 3.1 The purpose of the consultation is to seek the views of businesses, residents and developers in the Royal Borough of Greenwich as to what should be included in the revised Local Validation Requirements List.
- 3.2 The consultation document, including a track changed version of the 2022 validation list can be viewed in Appendix A.
- 3.3 The consultation will be undertaken in line with the Local Plan regulations and comments will be taken into consideration in the production of the emerging validation checklist. If approved, the consultation is expected to take place in January 2025.

4. Introduction and Background

- 4.1 A local planning authority can require supporting information to be submitted with a planning application and Section 62 of the Town and Country Planning Act 1990 (as amended) enables the local planning authority to require any information considered necessary to determine an application (section 62(3)); which must be reasonable, having regard to the nature and scale of the proposed development; and also be about a matter which it is reasonable to think will be a material consideration in the determination of the application (section 62(4A)(a)).
- 4.2 However, in order to make the required supporting information binding on applicants the required details must be specified in a formally adopted 'local validations list' which the authority has published (or re-published) on its website during the two year period immediately before the date on which the application is made (Article 11 of the Town and Country Planning (General Development Procedure) Order 2015).
- 4.3 The National Planning Policy Framework at paragraph 44 states that "*Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.*"
- 4.4 The purpose of setting out requirements in the local list is to ensure that planning applications are accompanied by appropriate and sufficiently detailed information to provide greater certainty and consistency for applicants. It enables the Royal Borough to have all the information needed in order to determine the application and minimises the risk that the Royal Borough will have to go back to the applicant for further information, which can often increase the amount of time it takes to make a decision. In addition, these requirements ensure sufficient information is provided to allow stakeholders a proper understanding of the design and impact of the proposal.
- 4.5 The types of information required will depend upon the type of application. The draft Updated Local Validation Requirements List sets out clearly what information is required for which application types.

4.6 The current Local Validation Requirements List was last published in April 2022. Approval of the recommendation in this report will enable the Royal Borough to conduct public consultation on the local validations list before it is re-published, as required by the National Guidance.

5. Available Options

5.1 Option 1: Approve the initiation of consultation on proposed updates to the Local Validation Requirements List.

5.2 Option 2: Instruct officers to make amendments to the consultation document before consultation.

5.3 Option 3: Do nothing and do not progress consultation on the proposed updates to the Local Validation Requirements List.

6. Preferred Option

6.1 Option 1 is the preferred option. This will allow the Council to progress updates to the validation list through to the adoption stage without delay. Option 2 would cause delays which is not preferred as the current validation list, which being more than two years old is currently out of date. Option 3 would leave the validation checklist out of date and significantly reduce the ability for the planning authority to require any additional information that is not otherwise covered by the national validation requirements.

7. Reasons for Recommendations

7.1 The review and re-publishing of the Local Validation Requirements List is necessary to ensure that it remains effective, up-to-date and to enable the local planning authority to make its requirements for supporting information with planning applications binding on applicants.

8. Consultation Results

8.1 *Preliminary Consultation*

In producing the updated Local Validation Requirements List, the relevant internal departments have been consulted and the list revised based on the comments received.

8.2 *Consultation on the updated Local Validation Requirements List*

In accordance with the National Planning Policy Framework and the National Planning Practice Guidance a period of consultation will be undertaken. This will run for a six-week period. The following forms of public notification will take place:

- advertisement on the Royal Borough’s website
- advertisement in a local paper
- notification to 1000+ residents, businesses, community groups, landowners and other stakeholders on the Local Plan consultation database

9. **Next Steps: Communication and Implementation of the Decision**

9.1 Following public consultation, officers will consider all the comments made on the updated Local Validation Requirements List and make any changes that are considered appropriate. A consultation statement will be prepared setting out a summary of the main issues raised during consultation and how these have been taken into account.

9.2 The consultation statement and proposed final Local Validation Requirements List will be presented to Cabinet for approval and adoption.

10. **Cross-Cutting Issues and Implications**

Issue	Implications	Sign-off
Legal including Human Rights Act	Under Article 11(2) (e) of the Town and Country Planning (Development Management Procedure) Order 2015, local planning authorities are not obliged to validate a planning application unless (among other requirements) the documents in the Council’s list of validation requirements have been submitted. However, Article 11(3) qualifies this requirement by providing that it only applies where the local validations list has been published or re-published within the two years before the date of	Eleanor Penn, Assistant Head of Legal Services (Planning & Procurement), 28 th November 2024

	<p>submission of the application. The effect of this is that the local validations list is only binding on applicants if it is re-published every two years.</p> <p>There is no statutory requirement to consult on the review and publication or re-publication of the local validations list. However, the National Planning Practice Guidance advises that local planning authorities should, after reviewing existing local lists, consult on changes before they are finalised and published. Officers propose to consult on the updated local validations list for a period of 6 weeks in line with the Council’s Statement of Community Involvement (2024) on consultation for Supplementary Planning Documents.</p> <p>Under Part 3 of the Council’s Constitution (Responsibility for Functions) the Cabinet Member is authorised to make the decision recommended in this report.</p>	
<p>Finance and other resources</p>	<p>The Cabinet Member for Planning, Estate Renewal and Development is requested to agree to consult publicly on the revised validation checklist.</p> <p>There are no direct financial implications arising from this report.</p>	<p>Sue Rock Accountancy Business Change Manager 06/11/2024</p>

<p>Equalities</p>	<p>The content of this report has a remote to low relevance to the Equalities Act.</p> <p>The same can be said for the implications for the Council's Equality and Equity Charter and the Council's Equality Objectives 2020-2024.</p> <p>Whilst the decisions recommended through this report do not have a direct impact, they will help ensure the Council meets Objective 5 of its Equality Objectives 2020-2024 and the principles of its Equality and Equity Charter by seeking feedback from different stakeholders to inform the validation list.</p>	<p>Beth Lancaster, Major Applications Manager 30/10/2024</p>
<p>Climate change</p>	<p>Whilst the decisions recommended through this report will have no direct contribution to the Greenwich Carbon Neutral Plan agreed by Cabinet on 18 November 2020, the consultation will inform the validation checklist which ensure compliance with the relevant Local Plan and London Plan policies regarding climate change.</p>	<p>Beth Lancaster, Major Applications Manager 30/10/2024</p>
<p>Risk Management</p>	<p>The proposal to consult on the Validation Checklist is very low risk and in line with the Council's cautious approach to risk management. Any risks that arise will continue to be monitored and managed in line with the Council's risk management Toolkit.</p>	<p>Beth Lancaster, Major Applications Manager 30/10/2024</p>

Community Engagement	There has been no prior community engagement on this matter, however a through consultation on the content of the validation checklist will be carried out upon agreement of this report.	Beth Lancaster, Major Applications Manager 30/10/2024
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11. **Report Appendices**

11.1. The following documents are to be published with and form part of the report:

- *Appendix A: Revised validation checklist (clean copy)*
- *Appendix B: Track changed version from 2022 validation checklist*

12. **Background Papers**

12.1 None

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