

Summary of proposed changes to information requirements, Design & Access Statements and Agricultural Holdings Certificates

1 – Information requirements in support of planning applications

National local list

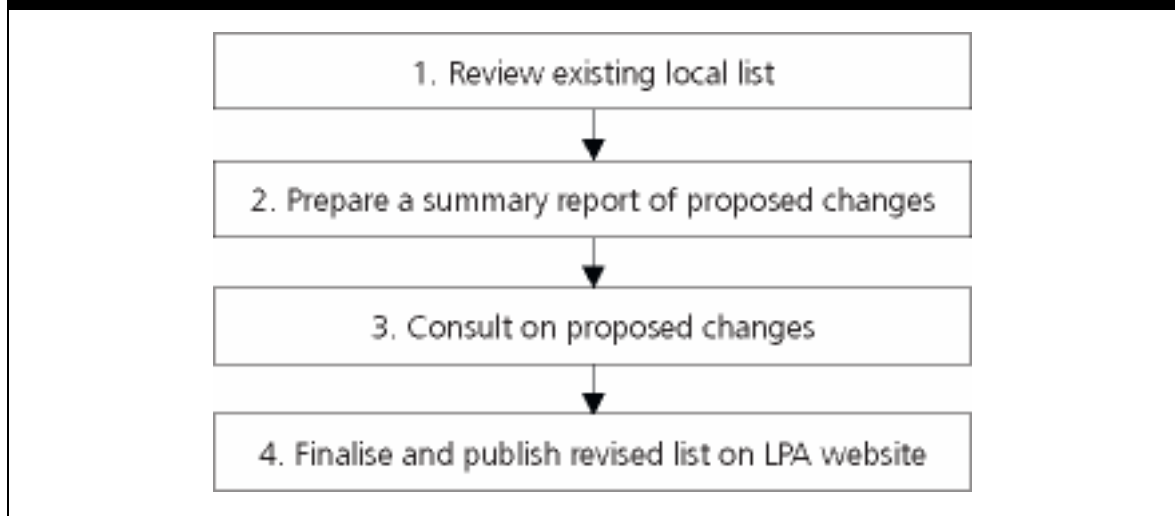
The current system comprises of a national list of information requirements set out in the legislation. In addition, Local Planning Authorities have the opportunity to set out their own local list of requirements. Here in Redditch, this is the Local Validation Checklist. There is also separate guidance published by Government on what could be included within the local list.

Communities and Local Government have proposed a list of principles to be adopted on which a local list should be based, so that a clear, reasonable and proportionate approach can be taken to information requirements. These principles are listed and explained in the following table:

Principles and criteria for local list preparation	
<i>Principle</i>	<i>Key Considerations</i>
<i>Necessity</i>	<i>All local list requirements should be based on statutory requirements, national, regional or adopted local policy.</i>
<i>Precision</i>	<i>It should be clear where (geographically) the information requirement arises. It should be clear precisely what types of development require the provision of supporting information.</i>
<i>Proportionality</i>	<i>Where possible, the list should identify size thresholds below which the information is not required. Where possible, a graduated approach should be taken to the information required (e.g. dependent on the scale or sensitivity of the proposal).</i>
<i>Fitness for purpose</i>	<i>It should be clear what information is required to satisfy the requirement – with a strong emphasis on encouraging a proportionate approach and brevity.</i>
<i>Assistance</i>	<i>For each element of the list it should be clear where further information or answers to queries can be obtained.</i>

CLG are proposing that all local lists be reviewed and updated in line with these principles by the end of 2010. This review should include consultation, and is likely to take around 6 months. They suggest the following process should be following by Local Planning Authorities to achieve this:

Local list preparation process



The CLG also propose to clarify the requirements set out in the regulations, by publishing some supporting documents for information. These would include a new policy statement, a new statutory instrument and some updated guidance, superseding elements of current legislation, circulars and guidance.

Major application summaries

The CLG propose to require that on major applications, a summary of all the supporting information, of not more than 20 pages, is provided, to guide the public and the Local Planning Authority through the principles and elements of the proposed development. This summary would include a reference to each of the different supporting documents, so would, in effect, be a compilation of executive summaries, possibly with some narrative to link them together. Again, the CLG propose further guidance on this. A precedent is already set in this case, in that every EIA submission is required to include an executive summary of the EIA. This proposed requirement for a summary of all major applications would be added to the list of national information requirements.

Monitoring

The CLG proposes to monitor the use of local lists in terms of their clarity and proportionality and is likely to include a measure of some description in the national indicators in the future. Similarly, they will monitor whether local authorities have an adopted local list or not, and whether it has been updated in line with the revised guidance.

2 – Design and Access Statements (DASs)

There is a lack of clarity within the existing guidance relating to design and access statements, which has been identified through reviews of the planning system. Therefore, the following changes are proposed:

- to simplify the requirements for all design and access statements (DAS), by requiring a more straightforward explanation of how the context of the development influences its design, and;
- to reduce the range of applications that require a DAS, by eliminating the mandatory requirement to prepare a DAS for certain small scale applications and applications to amend or remove conditions on existing permissions.

The proposed changes are summarised in the table below:

Proposed requirements for design and access statements		
Type/location of application	Current status	Proposed status
Householder development in World Heritage sites, Conservation Areas or requiring Listed Building consent	DAS required	DAS required
Householder development in National Parks, AONBs, the Broads or SSSIs	DAS required	DAS not required
Householder development outside of the areas listed above	DAS not required	DAS not required
Minor non-residential development outside of the designations listed below and less than 100m ² in floor area	DAS required	DAS not required
Minor non-residential development in World Heritage sites, Conservation Areas or requiring Listed Building consent	DAS required	DAS required
Minor non-residential development in National Parks, AONBs, the Broads or SSSIs	DAS required	DAS not required
Applications for the removal or variation of conditions on existing permissions (s.73)	DAS required	DAS not required

The guidance relating to design and access statements would also be amended to provide assistance on the following matters:

- increased emphasis on how the DAS is expected to improve the quality of the design process and ultimately improve the quality of the built environment
- amended legislative provision to reflect the changes proposed in the consultation paper
- increased emphasis on proportionality
- types of application which will no longer require a DAS
- increased emphasis on the benefits of pre-app discussion
- treatment of 'context' in the DAS

3 - Agricultural holdings certificates (AHCs)

These certificates are a requirement of the applicant when making a planning application on land within an agricultural holding, and demonstrate either that the application site is within the control of the applicant or that any tenants have been notified of the application. The CLG proposes to make their completion clearer and simpler by amending the standard application forms as they have been a source of delay in registering and validating planning applications.

Conclusion

To clarify, below is a summary of where the new information and guidance would be located:

Topics covered by each of the proposed new documents			
Proposed document	Topic		
	Information requirements and validation	Design and access Statements	Agricultural holdings certificates
New policy statement	X		
New statutory instrument		X	
Updated guidance	X	X	X

The CLG consultation document includes in its appendices, draft versions of the proposed new policy statement, the amending statutory instrument and the proposed new accompanying guidance.