

# OLDHAM METROPOLITAN BOROUGH COUNCIL VALIDATION CHECKLISTS FOR PLANNING APPLICATIONS

## (CONSULTATION DRAFT)

### Introduction

The purpose of this validation checklist is to provide applicants with clear guidance on the information required for the submission of planning applications. The checklist has been produced in accordance with guidance published by the Department of Communities and Local Government in August 2007 (The Validation of Planning Applications). The purpose of the new validation arrangements is to:

- Provide a guide to the information that may be required at the outset;
- Enable the local planning authority to provide applicants with greater certainty in relation to information requirements;
- Enable the local planning authority to have all the information it needs in order to determine the application and draft the planning permission and conditions;
- Minimise the risk that a local planning authority will have to go back to an applicant for more information and thus the risk that the authority will fail to achieve performance targets; and
- Ensure consistency in the approach taken by different local planning authorities in registering and validating applications, whilst recognising the need for variation appropriate to local circumstances.

The checklist is effective from 6<sup>th</sup> April 2008 and is intended to support the introduction of the Standard Application Form.

**If an applicant does not submit an application in accordance with the statutory requirements and locally adopted requirements the Local Planning Authority will be entitled to declare that the application is invalid, and so decline to register it.** In doing so, the Local Planning Authority will set out its reasons for declaring an application invalid in writing to the applicant and specify the information required in order to make the application valid. Where an application is not accompanied by information required by the Local Planning Authority, applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases the Local Planning Authority will not declare applications invalid unless it is satisfied that it can give reasons and provide them to the applicant. In most cases the information requirements will be very clear.

However there may be circumstances where applicants do not agree with the requirement for information or plans set out by the Local Planning Authority and wish to challenge the decision not to validate an application. In such cases, applicants have the right of appeal for non-validation under section 78 of the Town and Country Planning Act 1990. The relevant ground for the appeal would be non-determination within the 8 or 13 week determination

period (depending upon whether the application is minor or major). Similarly the right to complain to the Local Government Ombudsman also remains.

### **Notes on how this guidance should be used by applicants.**

This validation checklist is in three parts.

**Part One** sets out the minimum national requirements for all applications. Planning applications submitted without any of the listed items are likely to be invalidated. Applicants will be informed in writing of where the application is deficient and the timescale within which it should be provided.

**Part Two** provides a list of additional local requirements. These requirements will need to be met in particular circumstances and will be dependant on factors such as site location, characteristics of the site, the scale and nature of the development and the policy requirements of the adopted Oldham Metropolitan Borough Unitary Development Plan, 2006.

**Part Three** provides a comprehensive checklist for different application types.

### **General Points:**

- Oldham MBC welcomes the submission of applications via the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk) using the national application form.
- Plans and any supporting documents should be in PDF format (and no larger than 1mb)
- For paper applications, 3 copies of all documentation must be submitted. Applicants are, however, encouraged to submit applications electronically via the Planning Portal
- Plans marked “not to scale” or “do not scale” will not be registered
- All plans must be to a metric scale
- The Council welcomes pre-application discussions, particularly for the larger, complex and sensitive applications
- A “*major*” application relates to the following types of development:

#### Residential:

- 10 or more dwellings
- A site are of 0.5 hectares or more

#### Other development:

- Other buildings with a floor space of 1000sq, m or more
- A site area of 1 hectare or more