

STANDARD APPLICATION FORM AND VALIDATION

INTRODUCTION

1. This Circular, which applies to England, provides guidance on the use of the new national Standard Application Form for planning permission and other associated consent regimes. It also provides guidance on the information which must be provided in support of a planning application so that the local planning authority can determine the validity of applications. The Standard Application Form together with the new arrangements for validation will help to provide a streamlined and simplified planning system.

POWERS

2. Section 42 of the Planning and Compulsory Purchase Act 2004¹ provided the powers to prescribe the form of applications for planning permission and certain consents made to a local planning authority. It also provided new powers to prescribe the form of applications for the display of advertisements and for listed building and conservation area consents.
3. The specific powers for these changes are contained in;
 - the Town and Country Planning (General Development Procedure) Order 1995 (the GDPO) as amended by the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008;
 - the Planning (Listed Buildings and Conservation Areas) Regulations 1990 as amended by the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2008; and

¹ A new section 62 under the Town and Country Planning Act 1990 was replaced by section 42 of the Planning and Compulsory Purchase Act 2004 to allow for secondary legislation prescribing the form of applications for planning permission and certain consents.

- the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

THE NEW STANDARD ELECTRONIC PLANNING APPLICATION FORM AND VALIDATION PROCEDURES

4. Until now Government policy has been to allow local planning authorities to produce their own application forms. This has resulted in variations across the country. For applicants, in particular those that apply to more than one local planning authority, there have been differences in the information requested for similar types of application. The introduction of a standard planning application form will make the planning application process quicker and easier for the applicant by providing more certainty and standardisation about the information required at the start of the application process. The form also allows one application to be made for a range of consents.
5. Provisions set out in Article 4E of the amended GDPO introduce a standard planning application form published by the Secretary of State for planning permission and associated consents. Although it will be possible to use the new form to submit applications on paper, the full benefits of standardisation will only be realised through its use as part of the electronically based process. The Government therefore wishes to encourage use of the electronic version wherever possible.
6. The new provisions also amend Article 5 of the GDPO concerning the procedure for validating planning applications, and provide a new definition of a valid application set out in Article 20 of the amended GDPO. The new definition clarifies what information needs to accompany a planning application before it can be “validated” to enable the local planning authority to begin its determination of the application. This is also intended to reduce the wide variation in the information sought by local planning authorities and the level of detail considered acceptable for an application to be deemed valid.

SCOPE OF THE STANDARD APPLICATION FORM

7. The Standard Application Form can be accessed by the applicant directly, through the Planning Portal via the following link: www.planningportal.gov.uk, or via a local planning authority link to the Planning Portal on their website. An application can also be completed on a paper version of the form provided by the local planning authority. The form allows for all applications for planning permission, except those for mineral development², as well as associated consent types. These include:
 - Householder consents;
 - Outline and full planning permission and approval of reserved matters;
 - Listed building consent;
 - Conservation area consent;
 - Advertisement consent;

² see paragraph 8

- Consent under Tree Preservation Orders and Notification of proposed works to trees in conservation areas;
- Lawful Development Certificates;
- Applications for Prior Notification/Approval under the Town and Country Planning (General Permitted Development) Order 1995 (the GPDO); and
- Removal or variation of conditions.

APPLICATIONS NOT COVERED BY THE NEW PROVISIONS OF THE GPDO.

8. The Standard Application Form cannot be used for applications for mining operations or the use of land for mineral-working deposits. Such applications should therefore continue to be made on a form provided by the local planning authority.
9. Applications made under the Planning (Hazardous Substances) Act 1990 for Hazardous Substance consent are not covered by the Standard Application Form. Such applications should therefore continue to be made on a form provided by the local planning authority.

APPLICATIONS FOR PRIOR NOTIFICATION/APPROVAL

10. Applications under the GPDO for prior notification/approval are not subject to the provisions for the new requirements for applications to be made on a standard application form or the new provisions on the validation of planning applications. Therefore, while the Standard Application Form will be available for use by applicants wishing to apply for a determination as to whether prior approval is required under parts 6, 24 and 31 of Schedule 2 to the GPDO they are under no obligation to do so. The statutory information requirements for prior notification/approval applications are set out in the relevant part of the GPDO and local planning authorities must validate applications where these requirements are met. If prior approval is required, the local planning authority must notify the applicant in writing and decide whether or not to give their approval based upon the application they have already received. There is no statutory requirement to submit another application for prior approval.

APPLICATIONS FOR CONSENT UNDER TREE PRESERVATION ORDERS AND NOTIFICATION OF PROPOSED WORKS TO TREES IN CONSERVATION AREAS.

11. Although use of the Standard Application Form for consent to cut down or prune trees under Tree Preservation Orders (TPOs) and Notification of proposed works to trees in conservation areas is not mandatory its use is recommended until the Town and Country Planning (Trees) Regulations 1999 is amended. Separate guidance will be provided on commencement of these provisions.

APPLICATIONS TO VARY CONDITIONS

12. Applications to vary conditions, except those relating to the length of a permission or consent, can be made on the Standard Application Form. The applicant will need to provide sufficient information to enable the local planning authority to identify the

previous grant of planning permission and the associated condition which the applicant is seeking to vary. The applicant will not be required to provide copies of the application but it might assist the local planning authority's consultation and determination procedures if they provide copies of the original drawings.

RENEWAL OF PLANNING PERMISSION

13. The provisions in Regulation 3 of the Town and Country Planning (Applications) Regulations 1988 that set out the requirements associated with the submission of planning applications have been replaced by the provisions in Article 4E of the GDPO. This means that applicants seeking to renew a planning permission will need to submit a fresh application for planning permission on the Standard Application Form.

APPLICATIONS BY THE CROWN

14. Applications by the Crown will need to be made on the Standard Application Form. Certain applications, however, will be made direct to the Secretary of State. These are for urgent Crown development under section 293A of the Town and Country Planning Act 1990 and for urgent works relating to Crown land under section 82B of the Planning (Listed Buildings and Conservation Areas) Act 1990. These applications have to be submitted direct to the Planning Inspectorate together with a certificate stating that the proposed development is both of national importance and should be carried out as a matter of urgency. Full details are set out in paragraphs 26 - 37 of the Memorandum to Communities and Local Government Circular 02/2006 *Crown Application of the Planning Acts*.

IMPLEMENTATION DATE AND TRANSITIONAL ARRANGEMENTS

15. Local planning authorities will be required to allow applications on the Standard Application Form from 6th April 2008 when its use will become mandatory. However, until 6th May 2008 local planning authorities will accept applications both on the Standard Application Form and on their own forms. This is to assist applicants who are nearly ready to apply around the date of change over to the Standard Application Form. After 6th May local planning authorities will refuse applications which are not submitted on the Standard Application Form.

INFORMATION REQUIREMENTS

16. The information required to make a valid planning application will consist of:
 - information provided on the Standard Application Form;
 - mandatory national information requirements specified in the GDPO; and
 - information to accompany the application as specified by the local planning authority.
17. This information will enable the local planning authority to validate an application for planning permission and begin its determination.

18. Different types and scales of application will require different levels of information and supporting documentation to be submitted. In order to help local planning authorities to assess applications effectively and expeditiously, it is important that applicants answer all the relevant questions on the Standard Application Form and provide all the accompanying information requested. However, local planning authorities are strongly advised to ensure that the minimum necessary information is requested to determine the application.

SUPPORTING INFORMATION

19. The first stage in determining the validity of an application is for the local planning authority to make sure that all the necessary supporting information has been provided correctly. The list in **Annex A** outlines the mandatory national requirements specified in the GDPO. This list sets out the minimum information that must accompany all applications for planning permission. To support applicants using the Standard Application Form, this list is included on the form for each application type.
20. In addition, the Standard Application Form will specify the need for applicants to provide information specified by the local planning authority and shown on a local list on the local planning authority's website before submitting their application. It will be up to the local planning authority to specify exactly what information is required for each application type to ensure that the applicant supplies the correct supporting information.
21. Communities and Local Government has issued a recommended national list of local requirements set out in the guidance *Validation of Planning Applications – Guidance of local planning authorities*³. This guidance outlines the scope of information that may be required, from which local planning authorities can choose their specific local requirements to be included on their local lists for a range of application types. As set out in paragraph 10 above the new provisions relating to the validation of planning applications do not apply to applications for prior notification/prior approval. However, local planning authorities are encouraged to produce local lists that indicate the information that it would be helpful for applicants to provide with these applications. These lists will only be advisory and cannot be used for validation.
22. There is no statutory deadline for the adoption of local lists which local planning authorities can do at anytime. However, unless and until a local planning authority publishes its local list on its website in advance of an application being submitted, any local requirements will have no bearing on the validity of applications made to them and only compliance with the mandatory national requirements will determine whether or not an application is valid.
23. To help support the use of the Standard Application Form, local planning authorities should configure the electronic application system on the Planning Portal with their local lists for each application type to ensure that the form reflects up to date information requirements for each local planning authority. In addition paper copies should also be made available at the local planning authority's offices for those applicants wishing to make an application on a paper form.

³ The document published in December 2007 can be accessed at:
<http://www.communities.gov.uk/publications/planningandbuilding/validationapplications>

24. Where a local planning authority has an existing list setting out its requirements which is available on its website, it should review the list to ensure it reflects the items specified on the recommended national list of local requirements and if necessary consult on it before using it to validate planning applications.
25. If a local planning authority is satisfied it has received an application that complies with both the mandatory national requirements specified in the GDPO and its published local list it should proceed to validate and determine the application within the relevant time periods set out in Article 20 of the GDPO.
26. The process of validating planning applications should essentially be an administrative process. Local planning authorities are encouraged to adopt a straightforward approach to validation, whereby they should check that the correct information and fee (where applicable) have been submitted with the application.
27. The quality of the information submitted should have no bearing on the validity of the planning application during the validation process but should be assessed during the determination process.
28. Article 5 of the GDPO makes it clear that provided the application submitted meets the requirements set out in the GDPO encompassing the mandatory national requirements and published local requirements then it should be registered as a valid application.
29. If an application submitted lacks the necessary information specified both in the GDPO and in local planning authorities' published lists they will in general be entitled to invalidate the application, and so decline to determine it.
30. Where an application is not accompanied by the information required by the local planning authority, the applicant should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases, local planning authorities should not automatically declare the application invalid unless they can justify the need for the information in the particular case.
31. Applicants are therefore encouraged to agree information requirements with the local planning authority prior to submission through pre-application discussions so that where possible the information sought is proportionate to the nature of the scheme. It is particularly important that local planning authorities only seek information that is necessary for a decision to be made and should not require a level of detail to be provided that is unreasonable or disproportionate to the scale of the proposal. Not all the information on the local planning authority's published local list will be necessary in every case.
32. 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 with the relevant ground for the appeal being non-determination within the 8 or 13 week determination period (see paragraph 36 below). If the inspector agrees with the applicant's view that the necessary information has been provided then the application

is determined at appeal. If the inspector agrees with the local planning authority, the applicant is required to provide the additional information to the local planning authority to enable them to validate and determine the application.

NOTIFICATION OF VALIDITY

33. Once a planning application has been received accompanied by all the necessary information, it should be validated as soon as reasonably practicable. Applications should be clearly marked with the date of receipt. Normally, most minor and small scale applications should be validated within 3-5 working days from the date of receipt. Major applications should be validated within 10 working days.
34. Notification should be given to the applicant in writing in the same terms (or substantially the same terms) as set out in Part 1 of Schedule 1 of the GDPO, confirming the validity of the application and the start date of the statutory period for determination.
35. If an application is later found to be invalid because it lacks the necessary information, the local planning authority should similarly notify the applicant in writing in order to avoid any confusion stating the local planning authority's reasons for taking this view and specify the outstanding information required from the applicant to achieve validation.

DETERMINATION PERIODS

36. Article 20 of the GDPO 1995 states that minor/other applications should be determined within 8 weeks and major applications within 13 weeks. Local planning authorities should start the determination process as soon as a valid application is received. A valid application is registered on the day of receipt (Day zero). The time period from application to decision begins the day after a valid application and the correct fee (where applicable) have been received (Day one) regardless of whether the application is submitted electronically or in paper format.
37. For prior notification/approval applications under Parts 6 and 31 of Schedule 2 to the GPDO, day 1 of the 28 day period within which local planning authorities must determine the application is the date of receipt of a valid application. For Part 24 of the GPDO day 1 of the 56 day period also starts on the date of receipt of a valid application. This is unaffected by any requests for, or later receipt of, further information.
38. The main reason for introducing local lists is to ensure that information in support of an application is provided at the start of the planning application process. Setting out information requirements in this way should afford both the applicant and local planning authority more certainty when submitting applications for determination and ensure that all the supporting information necessary is provided as early in the process as possible. This is especially important because where a local planning authority fails to determine a valid application within the statutory time periods this brings into effect the applicant's statutory right of appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

39. In some circumstances supporting information may be inadequate or its quality may be a concern. These are not grounds for invalidating applications, but applicants are encouraged to submit information to a good standard since this will greatly assist the determination process. Changes to the validation procedures do not affect the local planning authority's ability to request clarification or further information during the determination process. Local planning authorities can exercise their powers under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988 to direct the applicant to provide any further information, they deem necessary to help in the determination of the application (except for outline planning applications, for which further information can be requested but not further plans and drawings).
40. Where the local planning authority uses its powers to request additional information from the applicant, the 'clock' should not be stopped whilst waiting for further information. Normal determination periods should continue to apply unless a longer period is agreed in writing between the applicant and local planning authority to extend the determination period. This represents a strong case for engaging in pre-application discussions so that the applicant gains a better idea in advance of what information is likely to be required by the local planning authority
41. A direction to the applicant to provide further information should be made only when necessary to assist the local planning authority in its determination of an application and must not affect the validity of an application, where it has been validated and registered.
42. However, if an application previously considered valid is later found to be invalid following registration, the original start date for processing the application should be disregarded. The new time period should start again on the date the application is made valid. In cases where a fee in respect of an application is paid by cheque which is subsequently dishonoured or electronic payment which is declined, the start date for processing the application should begin on the day immediately after the local planning authority is satisfied that they have received the full fee.

ELECTRONIC AND PAPER FORMS

43. Electronic submission of supporting information may not always be possible because of its volume and variety. In these circumstances, information can be submitted in hard copy even if the application has been submitted electronically, but applicants who submit supporting information by post must provide the original plus three copies (a total of four copies). Applicants who choose to submit their application and supporting information this way will be notified of the validity of their application when the local planning authority is satisfied they have received all the necessary information in whatever format.
44. Applicants who submit an application electronically to the local planning authority, can communicate in this way throughout the whole application process unless an alternative approach is agreed between the local planning authority and applicant.
45. For electronic applications it will be acceptable for applicants to produce a written signature on the form in block capitals of their name or the Agent's details if signed on the applicants behalf.

MULTIPLE APPLICATIONS

46. The Standard Application Form will allow applicants to apply for multiple consents at the same time. The form has been designed so that for applications for more than one consent regime the questions that appear will not duplicate information requests. A fee (where applicable) will apply for each consent sought.
47. Use of the form for multiple applications which come under different consent regimes is intended to streamline the application process. However, it does not alter the fact that these applications are legally distinct and their validity and determination should be treated as such by the local planning authority. Local planning authorities will need to consider the most appropriate procedures for handling multiple applications.
48. At the end of the determination process local planning authorities are advised to send the applicant one decision letter for each application for each consent regime. However, where a decision letter combining consents is sent the different consents must be differentiated within the letter as they are still legally distinct from one another.

NUMBER OF COPIES OF APPLICATION FORM

49. The provisions in the GDPO specify that applications submitted electronically will not need to be accompanied by any further copies either of the application or accompanying information.
50. Applicants who apply for permission or consent on a paper copy of the Standard Application Form must provide the original plus three copies of the form and any accompanying plans, drawings or information associated with the application (a total of four copies) unless the local planning authority indicate that a lesser number is required. Local planning authorities may request additional copies above the statutory requirement, but failure to provide these, would not be a basis for refusing to validate the application.

CERTIFICATES OF OWNERSHIP

51. In order for the local planning authority to validate any application for planning permission or listed building and conservation area consent, it must be accompanied by ownership certificates. The requirement for ownership certificates comes from Article 7 of the GDPO and Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990.
52. The certificates prescribed in Part 2 of Schedule 2 to the GDPO and in Part 1 of Schedule 2 to the Planning (Listed Building and Conservation Areas) Regulations 1990 have been replaced by certificates published by the Secretary of State provided as part of the Standard Application Form.
53. A written signature will need to accompany any paper version of the Standard Application Form certificates submitted, but for any electronically submitted certificate, a typed signature of the applicant's name will be acceptable.

ETHNIC MONITORING

54. The Government does not intend as part of the Standard Application Form to prescribe the manner in which local planning authorities should monitor the impact of their policies and service delivery on ethnic groups or communities. Attention is drawn to **Annex B** which advises on ethnic monitoring. Such monitoring is essential if local planning authorities are to address the needs of all sections of the community.
55. Local planning authorities should consult with black and minority ethnic groups on the need to provide text associated with the Standard Application Form in languages other than English, to cater for those for whom English is not their first language.

ANNEX A

Standard Application Form: National Information Requirements

APPLICATION FOR PLANNING PERMISSION (INCLUDING HOUSEHOLDER CONSENT)

A valid application for planning permission (including householder consent) would consist of:–

- (a) an application which complies with article 4E of the GDPO therefore:–
 - is in writing (paper or electronic application), on a form published by the Secretary of State;
 - includes the particulars specified or referred to in the form;
 - is accompanied by a plan which identifies the land and any other plans and drawings necessary (drawn to an identified scale, with North marked on all plans); and
 - three copies of the form and accompanying documents (or fewer if the local planning authority so indicates or no copies if application is made electronically);
- (b) the Ownership Certificate as required by Article 7 of the GDPO;
- (c) the Agricultural Holdings Certificate as required by Article 7 of the GDPO;
- (d) Design and Access Statement (if required⁴);
- (e) the particulars or evidence required by the authority under section 62(3) of the Town and Country Planning Act 1990 where these requirements have been published in advance of the application being made; and
- (f) the appropriate fee.

APPLICATION FOR APPROVAL OF RESERVED MATTERS

A valid application for approval of reserved matters would consist of:–

⁴ The requirements for design and access statements are set out in Article 4C of the Town and Country Planning (General Development Procedure) Order 1995

- (a) an application which complies with the requirements of Article 4 (approval of reserved matters) of the GDPO, and therefore:–
 - is in writing (paper or electronic application);
 - contains sufficient information to enable the authority to identify the related outline planning permission;
 - includes such particulars and such plans and drawings as are necessary for assessment of the reserved matters; and
 - three copies of the form and accompanying documents (or fewer if the local planning authority so indicates or no copies if application is made electronically); and
- (b) the appropriate fee.

APPLICATION FOR LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

A valid application for listed building consent or conservation area consent would consist of:–

- (a) an application which complies with Regulation 3(1) of the Planning (Listed Building and Conservation Areas) Regulations 1990 and therefore:–
 - is in writing (paper or electronic application), on a form published by the Secretary of State;
 - includes the particulars specified or referred to in the form;
 - is accompanied by such plans, drawings and information as are necessary to describe the works; plans to show the direction North and plans and drawings to be drawn to an identified scale; and
 - three copies of the form and accompanying documents (or fewer if the local planning authority so indicates or no copies if application is made electronically);
- (b) the Ownership Certificate as required by Regulation 6 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;
- (c) the Design and Access Statement (if required); and
- (d) the particulars or evidence required by the local planning authority under section 10(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 where these requirements have been published in advance of the application being made.

APPLICATION FOR ADVERTISEMENT CONSENT

A valid⁵ application for advertisement consent would consist of:–

- (a) an application which complies with Regulation 9 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and therefore:
 - is in writing (paper or electronic application), on a form published by the Secretary of State;
 - includes the particulars specified in the form;
 - be accompanied by a plan which identifies the land to which the application relates drawn to an identified scale, identifies the location of the site by reference to at least two named roads, identifies the proposed position of the advertisement and shows the direction of North;
 - three copies of the form and plan (or fewer if the local planning authority so indicates or no copies if application is made electronically); and
- (b) the appropriate fee.

APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE

Article 24 of the GDPO provides that an application for a certificate under section 191(1) or 192(1) shall:–

- (a) be in writing (paper or electronic application), on a form published by the Secretary of State (or a form to substantially the same effect);
- (b) include the particulars specified or referred to in that form;
- (c) be accompanied by:–
 - (i) a plan⁶ drawn to an identified scale and showing the direction North, identifying the land to which the application relates;
 - (ii) such evidence verifying the information included in the application as the applicant can provide;

⁵ The decision must be notified within eight weeks from the date of receipt of the application. No formal validation process is stipulated in the context, of advertisement consent applications, but if the requirements above are not met, the local planning authority cannot entertain the application (section 327A of the 1990 Act).

⁶ Where an application specifies two or more uses, operations or other matters, the plan which accompanies the application shall indicate to which part of the land each such use, operation or matter relates.

- (iii) a statement setting out the applicant's interest in the land, the name and address of any other person known to the applicant to have an interest in the land and whether any such other person has been notified of the application; and
- (iv) the appropriate fee.

Where an application for a certificate under section 192(1) of the Town and Country Planning Act 1990 is made in respect of Crown land, it shall, in addition to the documents required by paragraph (2), be accompanied by:-

- (a) a statement that the application is made in respect of Crown land; and
- (b) where the application is made by a person authorised in writing by the appropriate authority, a copy of that authorisation.

Article 24(7) of the GDPO gives the local planning authority power by notice in writing to require the applicant to provide such further information as may be specified to enable the authority to deal with the application.

APPLICATION FOR PRIOR APPROVAL – PART 6 (AGRICULTURAL BUILDINGS AND EXTENSIONS) OF SCHEDULE 2 TO THE GPDO

Paragraph A2(2)(ii) provides that the application for prior approval shall be accompanied by:-

- (a) a written description of the proposed development and the materials to be used;
- (b) a plan indicating the site; and
- (c) the appropriate fee.

Development may be undertaken if no notice of the local planning authority's decision is given within 28 days following the date of receiving the application.

APPLICATION FOR PRIOR APPROVAL - PART 24 (DEVELOPMENT BY TELECOMMUNICATIONS CODE SYSTEM OPERATORS) OF SCHEDULE 2 TO THE GPDO

Paragraph A3(4) of the GPDO provides that an application for prior approval shall be accompanied by:-

- (a) a written description of the proposed development;
- (b) a plan indicating the proposed location;
- (c) the appropriate fee;
- (d) where A3(1) applies, evidence that the requirements of that paragraph have been satisfied; and

- (e) where A3(2) applies, evidence that the Civil Aviation Authority or the Secretary of State for Defence or the aerodrome operator (as the case may be) has been notified of the proposal.

Development may be undertaken if no notice of the local planning authority's decision is given within 56 days following the date of receipt of the application.

APPLICATION FOR PRIOR APPROVAL - PART 31 (DEMOLITION OF BUILDINGS) OF SCHEDULE 2 TO THE GPDO

Paragraph A2(b)(ii) of the GPDO provides that an application for prior approval shall be accompanied by:–

- (a) a written description of the proposed development;
- (b) a statement that a notice has been posted in accordance with subparagraph (iii); and
- (c) the appropriate fee.

Development may be undertaken if no notice of the local planning authority's decision is given within 28 days following the date of receiving the application.

APPLICATION FOR REMOVAL OR VARIATION OF A CONDITION FOLLOWING GRANT OF PLANNING PERMISSION (SECTION 73 OR 73A OF THE TOWN AND COUNTRY PLANNING ACT 1990)

A valid application for removal of a condition following the grant of planning permission would consist of:–

- (a) an application which complies with article 4E of the GDPO and therefore:–
 - is in writing (paper or electronic application), on a form published by the Secretary of State;
 - includes the particulars specified or referred to in the form;
- (b) the Ownership Certificate as required by Article 7 of the GDPO;
- (c) the Agricultural Holdings Certificate as required by Article 7 of the GDPO;
- (d) the Design and Access Statement (if required);
- (e) the particulars or evidence required by the authority under section 62(3) of the Town and Country Planning Act 1990 where these requirements have been published in advance of the application being made; and
- (f) the appropriate fee.

APPLICATIONS FOR PLANNING CONDITIONS

No standard application form for these applications has been produced. Article 21 of the GDPO provides that the application must be in writing and determined within 8 weeks beginning with the date on which the application is received.

ANNEX B

Standard Application Form: Ethnic Monitoring

The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 imposes on public authorities, including local planning authorities, a general duty to promote race equality and good race relations. The general duty means that in carrying out their functions public authorities should aim to eliminate unlawful racial discrimination, promote equal opportunities, and promote good relations between people of different racial groups. To help public authorities meet this duty, the Home Secretary has made an order (under the Act), giving listed public bodies specific duties to monitor employment policy and practice and produce a Race Equality Scheme. The former Commission for Racial Equality (now the Equality and Human Rights Commission) has issued a statutory code of practice and non-statutory guides to help authorities meet all these duties. In their Race Equality Scheme authorities are required to set out, among other things, their arrangements for assessing and monitoring the impact of their policies on race equality and race relations. In line with this requirement, and in order to ensure that they have data to demonstrate that they have complied with the general duty, local planning authorities should monitor policy and service delivery.

Such monitoring should help planning authorities to fulfil the Government's aim to build sustainable and inclusive communities and to reduce social exclusion. It will also help planning authorities to achieve Best Value, which requires that in providing their services they should be responsive to the needs of all of their citizens.

Authorities should refer to *Ethnic Monitoring: A Guide for Public Authorities* and the *Report of the CRE inquiry into planning, provision and management of Gypsy sites in England and Wales* both published by the Equality and Human Rights Commission for guidance. Monitoring should be based on the census categories⁷ and care should be taken to ensure that minority groups that are not separately identified in the standard census categories are added to the ethnic monitoring form where applications from members of such groups are likely to be received. One example may be Gypsies and Irish Travellers. The Equality and Human Rights Commission have advised that Gypsies and Irish Travellers should be identified as distinct sub-groups under the category 'white', in the same way as they are in the schools census.⁸ In the case of Gypsies and Irish Travellers, applications for caravan sites, as opposed to more conventional housing, should be recorded separately and treated as a distinct class of application for the purpose of this monitoring.

As a minimum it is suggested that statistics should be gathered on numbers of applications from each ethnic minority, the number of applications which succeed and fail or partially fail, together with brief reason(s). Analysis of this information should provide authorities with an opportunity to identify what lessons can be learnt in the event that a disproportionate number of such applications are shown to be failing. Ideally, basic data on enforcement action taken on applications from ethnic minority

⁷ www.statistics.gov.uk Click on 'Census' then 'View Results'. Then '2001 Census Form'

⁸ http://www.standards.dfes.gov.uk/ethnicminorities/collecting/763919/764063/English_form.doc

applicants should also be recorded, together with reason(s) and outcomes. Enforcement data could also be compiled where no application has been made. Apart from helping to comply with the General Duty such monitoring should eventually help planning authorities to remove barriers to delivering a more comprehensive service to the widest community.

NB: Local planning authorities were sent free copies of *Diversity and Equality in Planning; A Good Practice Guide*⁹ when it was published by The Office of The Deputy Prime Minister in January 2005. The guide contains case studies from a range of planning authorities and provides helpful advice on how authorities can better identify and address the planning needs of a diverse population.

⁹ It may be found online at
http://www.communities.gov.uk/pub/506/DiversityandEqualityinPlanningAgoodpracticeguidePDF1415Kb_id1144506.pdf

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