

Committee Name and Date of Committee Meeting

Cabinet – 15 September 2025

Report Title

Local Validation List Consultation - Planning Applications

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Andrew Bramidge, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

Cabinet approval is sought to undertake public consultation on the draft Local Validation List.

Rotherham's Local Validation List provides a framework of requirements for the supporting documents that are required to accompany planning applications. The Local Validation List provides additional detail and guidance to support applicants on what level of supporting information is required for all application types. Once adopted, it will be used to determine whether planning applications are valid. It is key to ensuring that sufficient information is submitted to enable applications to be determined effectively and efficiently in line with Statutory deadlines on which Local Planning Authorities are measured. It is now out of date, as it was last reviewed in 2019 and the National Planning Policy Framework requires Local Validation Lists to be kept up to date through a review every two years.

Recommendations

That Cabinet: -

1. Approves a public consultation on the draft Local Validation List at Appendix One.
2. Delegate approval of the updated Local Validation List for planning applications, following consultation, to the Strategic Director for Regeneration

and Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy unless there are substantive changes required.

3. Delegate the approval of all future iterations of the policy including the necessity for public consultation to the Strategic Director for Regeneration and Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy.

List of Appendices Included

Appendix 1 Draft Local Validation List
Appendix 2 PART A - Initial Equality Screening Assessment
Appendix 3 Carbon Impact Assessment

Background Papers

[Rotherham Local Plan 2013 – 2028](#)

[Adopted Statement of Community Involvement](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Local Validation List Consultation - Planning Applications

1. Background

- 1.1 Rotherham's Local Validation List provides the framework for ensuring that sufficient information is submitted with planning applications to enable them to be determined effectively and efficiently. The submission of sufficient information and supporting documents increases the ability to determine applications within the Statutory Timescales for determination of planning applications on which Local Planning Authorities are measured.
- 1.2 Local Authorities have performance measures on the time taken to determine planning applications and, in particular, are set targets of determining 60% of major applications within 13 weeks and 70% of non-major applications within 8 weeks. Where supporting information is not received before the validation of a planning application, the request must be made during the 13 or 8 week period which results in delays in being able to determine the application. Where these targets are not achieved, Local Planning Authorities can be designated as a standards planning authority which means that that the local planning authority has been identified by the Secretary of State as not adequately performing its functions, such as determining applications for major development, non-major development, or both. Where a local planning authority is designated, applicants for the designated category of development can choose to submit their application directly to the Secretary of State, who then has the Planning Inspectorate handle it on their behalf.
- 1.3 In relation to the preparation of Local Validation Lists, paragraph 45 of the National Planning Policy Framework (NPPF) 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.” The Local Validation List is now at final draft stage and can be taken forward to public consultation.

2. Key Issues

- 2.1 National planning validation requirements are set by the Government in national planning legislation and guidance, primarily the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) and the National Planning Policy Framework.
- 2.2 In addition to the national requirement for validation, a Local Planning Authority is able to request additional supporting information with a planning application. These requirements should be set out in a formally adopted 'local list' which must be less than two years old.
- 2.3 Rotherham's Local Validation List document is currently outside of that timeframe, having been last updated in 2019. The shift of focus during Covid

to enable continuation of work through digital platforms both during and immediately after that period resulted in delays in updating the Local Validation List due to the level of work required to overhaul the document. There has also been a significant number of amendments to Regulations in the Planning forum which have led to uncertainty about the direction in relation to requirements for validation of planning applications which has also contributed to the delay in updating the Council's Local List.

- 2.4 The Council is required to undertake public consultation on the local list, and to take account of any comments received in preparing the final document. Once adopted by the Council the requirements set out in the Validation List can be required to validate a planning application.

3. Options considered and recommended proposal

3.1 Option 1: carry out public consultation on the draft Local Validation List

A local validation list requires further locally specific documents to support planning applications prior to their validation. Statutory consultations carried out during the consideration of a planning application require certain levels of information to enable an assessment of the proposal against National and Local Planning Policies and to deal with local constraints. The submission of that information before the application is valid enables a full and comprehensive consideration of the information at an early stage in the planning application process and ultimately contributes to decreasing the length of time that is taken to determine planning applications. A Local Validation List also ensures that developers/agents/applicants know the expectations of the Local Planning Authority for all types of applications.

3.2 Option 2: do not carry out public consultation on the Local Validation List

If no public consultation is undertaken then the final document could still be used by the Council as informal guidance but cannot be adopted as a Local Validation List and the documents set out within the document are not required prior to validation of a planning application resulting in determination delays.

3.3 Option 3: decline to take forward the Local Validation List

If the Council does not have a Local Validation List, the only supporting documents that could be required prior to Validation of a planning application would be those on the National List. Statutory consultees require a minimum level of information to assess development proposals and provide comments on a planning application and in the absence of a Local Validation List these would have to be requested during the process of assessing the planning application. This would result in significant delays to processing planning applications and lack of consistency. It would also impact delivery of housing and employment development due to delays in determining planning applications and frustration for planning applicants and agents.

- 3.4 Option 1 is the recommended option.

4. Consultation on proposal

- 4.1 Preparation of the draft Local Validation List has been undertaken in conjunction and consultation with the Planning Policy Team and all relevant consultees both internally and externally. Member engagement will be arranged during the consultation period to allow members to raise any specific questions and provide feedback on the details of the draft Local Validation List.
- 4.2 Consultation will be undertaken in line with the Council's adopted Statement of Community Involvement. This statement sets out how the Council involves the public and stakeholders in producing planning policy documents and consulting on planning applications.
- 4.3 Consultation will be undertaken via the Council's planning consultation website. This notifies interested parties (including statutory consultees, members of the public and other stakeholders) on the consultation database which allows and encourages comments to be submitted online. A summary of the consultation plan is set out below.

Where will the draft Local Validation List be available to view?

The draft Local Validation List will be available to view on the Council's planning consultation website, with links from the Planning Policy webpage and from the corporate consultations webpage.

The document can be viewed online at Rotherham's libraries which offer internet access (free for library members and at a minimal cost for non-members). Library staff will be briefed and are able to offer assistance if required.

A printed copy of the draft Local Validation List will be available to view at the Council's main offices at Riverside House during normal office hours.

How will people know about the draft Local Validation List?

The Council's Planning Service maintains a database of those interested in preparation of the Local Plan and other planning documents. They will be notified by email of the consultation.

Notification will also be sent to any relevant stakeholders identified whose details are not currently held on the consultation database.

The Council's Planning webpages will be updated to provide details of the consultation and how to provide comments.

A notice publicising the consultation will be placed in the local press.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Subject to approval by Cabinet, it is proposed to undertake public consultation over a four-week period during October 2025 with exact dates to be confirmed.
- 5.2 Following consultation, any comments received will be considered in producing a final version of the Local Validation List and a consultation feedback report produced detailing the main issues raised and how these have been addressed.
- 5.3 Approval of the updated Local Validation List will then be delegated to the Strategic Director for Regeneration and Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy.

6. Financial and Procurement Advice and Implications

- 6.1 The costs of the proposed consultation are minimal and will be contained within the service's approved revenue budget.
- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

- 7.1 The National Planning Policy Framework(NPPF) requires a local authority to update Local Validation Lists every two years. The National planning validation requirements are set out pursuant to the Town and Country Planning(Development Management Procedure)(England) Order 2015 and the requirement as to the public consultation of the Local Validation List pursuant to paragraph 45 of the NPPF December 2024. Public consultation on the draft Local Validation List will allow the Council to ensure more robust decision-making and thus mitigate any risks of challenge.

8. Human Resources Advice and Implications

- 8.1 There are no direct Human Resources implications arising from the recommendations contained in this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The Local Validation List is intended to assist in delivering the Council's strategy and policies set out in the Local Plan. This includes promoting and delivering sustainable patterns of development and sustainable communities, reducing pollution and conserving and enhancing the quality of the built and natural environment.

10. Equalities and Human Rights Advice and Implications

- 10.1 The Local Validation List is intended to assist in delivering the Council's strategy and policies set out in the Local Plan. SPD provide guidance on the strategic policies of the Local Plan.
- 10.2 The published Integrated Impact Assessments (IIA) that supported the preparation, examination and adoption of the Rotherham Local Plan provide a comprehensive Equalities Assessment of all the strategic policies of the Local Plan. Community and stakeholder consultations were undertaken at various stages of Local Plan preparation, and this resulted in further refinements to policy wording. At each stage of Local Plan preparation an IIA, including an Equalities Assessment, was prepared and refined to reflect the most up to date policies that emerged following consultation.
- 10.3 The consultation process will be carried out as set out in the Equalities Screening Assessment to ensure that it is accessible to all. An equalities screening assessment has been carried out and is attached in Appendix 2.

11. Implications for CO2 Emissions and Change

- 11.1 A carbon impact assessment has been carried out and is attached at Appendix 3. (Ref. CIA421)
- 11.2 There are no implications for CO2 emissions and climate change associated with undertaking consultation on the draft SPD.

12. Implications for Partners

- 12.1. The implications for partners or other directorates are mainly associated with consultation on the draft SPD and to ensure partners and directorates are fully engaged in the process.

13. Risks and Mitigation

- 13.1 The Local Planning Authority currently rely on an outdated document to determine what documents are required to validate an application. Developers/agents/applicants could challenge the requirement for documents which would result in applications being validated without sufficient information to assess the proposal and delays in determination of applications. Statutory consultees require a minimum level of information for development proposals and can prevent applications being determined without their full consideration. Requesting information during the determination period of a planning application would result in significant delays to the processing of applications and this could seriously affect the Council's Statistics and Performance and reputation as a Planning Authority. It could also affect delivery of housing and employment developments.

14. Accountable Officers

Simon Moss, Assistant Director of Planning, Regeneration & Transport

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	John Edwards	26/08/2025
Assistant Director, Financial Services (Deputy S.151 Officer)	Rob Mahon	20/08/2025
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	18/08/2025

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