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## **District Executive**

**Thursday 4th June 2020**

**9.30 am**

## **Virtual Meeting using Zoom meeting software**

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The following members are requested to attend the meeting:

Jason Baker  
Mike Best  
John Clark  
Adam Dance  
Sarah Dyke

Peter Gubbins  
Henry Hobhouse  
Val Keitch  
Tony Lock  
Peter Seib

Any members of the public wishing to address the meeting at Public Question Time need to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Wednesday 3<sup>rd</sup> June 2020.

The meeting will be viewable online at: <https://youtu.be/n7CPj4ZOPc>

For further information on the items to be discussed, please contact [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Wednesday 27 May 2020.

**Alex Parmley**, *Chief Executive Officer*

**This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the mod.gov app**

# Information for the Public

The District Executive co-ordinates the policy objectives of the Council and gives the Area Committees strategic direction. It carries out all of the local authority's functions which are not the responsibility of any other part of the Council. It delegates some of its responsibilities to Area Committees, officers and individual portfolio holders within limits set by the Council's Constitution. When major decisions are to be discussed or made, these are published in the Executive Forward Plan in so far as they can be anticipated.

Members of the Public are able to:-

- attend meetings of the Council and its committees such as Area Committees, District Executive, except where, for example, personal or confidential matters are being discussed;
- speak at Area Committees, District Executive and Council meetings;
- see reports and background papers, and any record of decisions made by the Council and Executive;
- find out, from the Executive Forward Plan, what major decisions are to be decided by the District Executive.

The Council's Constitution is also on the web site and available for inspection in Council offices. The Council's corporate priorities which guide the work and decisions of the Executive are set out below.

## District Executive

Meetings of the District Executive are usually held monthly, at 9.30am, on the first Thursday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom video-conferencing. For more details on the regulations regarding remote/virtual meetings please see the Local Authorities and Police and Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

The Executive Forward Plan and copies of executive reports and decisions are published on the Council's web site: [www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

## **Public participation at meetings (held via Zoom)**

### **Public question time**

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings. If you would like to participate and contribute in the meeting, please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) for the details to join the meeting.

If you would like to view the meeting without participating, please see: <https://youtu.be/n7CPj4ZOPc>

The period allowed for participation in Public Question Time shall not exceed 15 minutes except with the consent of the Chairman and members of the Committee. Each individual speaker shall be restricted to a total of three minutes.

If you would like to address the meeting at Public Question Time, please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Wednesday 3<sup>rd</sup> June 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

### **Virtual meeting etiquette:**

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will un-mute your microphone at the appropriate time. We also respectfully request that you turn off video cameras until asked to speak.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

# District Executive

**Thursday 4 June 2020**

## Agenda

### **1. Minutes of Previous Meeting**

To approve as a correct record the minutes of the District Executive meeting held on 7<sup>th</sup> May 2020.

### **2. Apologies for Absence**

### **3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

### **4. Public Question Time**

### **5. Chairman's Announcements**

#### **Items for Discussion**

### **6. Impact of Covid-19 on the Council (Pages 5 - 39)**

### **7. Digital Strategy (Pages 40 - 77)**

### **8. South Somerset Families Programme - supporting struggling families, improving life chances for children and young people (Pages 78 - 86)**

### **9. Planning Validation Guide (Pages 87 - 178)**

### **10. Planning Enforcement Protocol (Pages 179 - 232)**

### **11. Investment Assets Update Report (Pages 233 - 251)**

### **12. District Executive Forward Plan (Pages 252 - 256)**

### **13. Date of Next Meeting (Page 257)**

## Impact of Covid-19 on the Council

Executive Portfolio Holder:	Cllr Peter Seib, Finance & Legal Services Cllr Tony Lock Protecting Core Services
Strategic Director:	Kirsty Larkins, Director-Strategy and Commissioning
Lead Officers:	Jo Nacey, Section 151 Officer Kirsty Larkins, Director- Strategy and Commissioning
Contact Details:	Jo.nacey@southsomerset.gov.uk or 01935 462243 Kirsty.larkins@southsomerset.gov.uk or 01935 462744

## Purpose of the Report

To give Members an overview of the initial impact Covid-19 has had on the Council including finances, demand, and organisational performance across the Council. The report sets out some of the potential implications for the council, its services and what it aims to deliver. This includes the potential need to scale back or cease important community initiatives such as our town regeneration programmes, as well as the potential need to cut service levels and / or stop other discretionary services, as well as ensure the organisation works in a different way to minimise overheads.

## Forward Plan

This report did not appear on the District Executive Forward Plan as Covid 19 was an unforeseen pandemic across the Country.

## Public Interest

The report sets out the impact Covid-19 has had on Council finances, service performance and the demand for services we provide.

## Recommendations

That District Executive:-

1. note the impact on Covid-19 on Council Services and Finances.
2. agree to an update every two months, over the coming year or until no longer required.
3. agree to the approach to dealing with the financial and service impacts of the Covid-19 crisis as set out in paragraphs 48 to 55 in the report.
4. agree to the revision of the Financial Strategy, Budget and Council Plan, the drafts to be brought back to District Executive in August.
5. agree to a draft Recovery Plan being brought to District Executive in July.

## Background



## South Somerset District Council

1. Lockdown measures were introduced by Government on 23<sup>rd</sup> March 2020, and as a result the way in which we functioned as a Council radically changed. Several services, such as the Octagon and Westlands, had to close with immediate effect, and all staff were required to work from home wherever possible, something we had introduced a week prior to the lockdown announcement.
2. Our aim throughout the crisis has been to ensure we are there to support our communities and businesses. The demand for services and the need to set up new services in response to Covid-19 has meant a significant change across the Council, with staff being re-tasked to critical areas of work.
3. The Council finances are also severely impacted, with loss of income and increased expenditure despite grants from the Government.
4. The measures developed in light of Covid-19 will provide assurance on progress of recovery and help inform decision moving forward.

### New services and changes to existing services

5. We have had to develop new services and processes in response to the outbreak and the needs of the community.
6. One of the first pieces of work we completed was issuing Council Tax hardship grants to 5539 households with the total value of the award being £820K. Whilst awaiting changes to software systems, staff manually changed direct debits so that households would feel the benefit of this immediately, rather than having to wait over a month.
7. The Community Wellbeing Hub has been set up at Westlands and has now delivered over 700 food parcels to shielded, vulnerable and those facing financial hardship. We have also provided hot meals and breakfast bags to the homeless. As a result of some of the challenges with the national voucher scheme, the Hub has also taken on providing meals to children entitled to free school meals in South Somerset.
8. As regards homelessness, we agreed with government to aim to get all rough sleepers off the street within a week. With additional Government funding we have secured extra accommodation meaning we have been able to remove all rough sleepers from our streets, apart from five who are refusing to come into accommodation but are engaging with support. We are now supporting around 180 people in temporary accommodation and are working with the government on the long term solutions for the families and individuals.
9. We have extended our Customer Connect offer and from the 3<sup>rd</sup> April 2020 we opened our coronavirus helpline which operates from 0800 until 1800, 7 days a week. We are also part of the single number Somerset Coronavirus Support Helpline number which went live on 9 April 2020. As well as receiving calls, our Customer Connect Team are making welfare calls out to the most vulnerable in our community who haven't already engaged with services to ensure they are aware of the support that is available to them. Where we have been unable to



make contact via phone our Localities Team have carried out home visits (socially distanced).

10. We have administered business rates discounts ensuring that those businesses entitled to these received the benefit as soon as possible. 1764 businesses in our area have benefitted from these with a total value of £25 million. In addition, we have administered government grants to businesses. Our aim was to get this money to businesses entitled as quickly as possible but this required businesses to provide us with information prescribed by the government. Whilst grants took a bit longer to administer at first, we got to the point where, provided we have been supplied with the information, grants are being paid out within 48 hours. To ensure that businesses benefit from the grants available we have ensured each potentially entitled businesses has had a letter, an email and up to three phone calls to try to make them aware. In addition, we have publicised the grants through social media and all Members have been engaged in finding businesses within their wards to encourage applications. We have issued paid grants to more than 2700 businesses with a total value of over £32 million being paid.
11. We are currently preparing for the roll out of the discretionary grants to businesses. Part of the challenge with these has been the amount made available is not that large and so we are trying to focus these on where they are needed most in the district whilst also ensuring the sums involved are sufficient to have a beneficial impact for businesses.
12. In order to meet the new needs and increased demand in some areas, almost a quarter of our staff have been redeployed to services and roles that are not part of their normal duties. In doing this, staff have shown enormous flexibility as well as adaptability to learn new skills and tasks. They have all shown total commitment to the Council and our communities and a focus on meeting our objective of being there to support our communities and businesses. We are extremely grateful for their efforts as we have asked a lot of them over the past few weeks. The table below gives a summary of the redeployments.

Housing	<ul style="list-style-type: none"> <li>• Staff redeployed: 5</li> <li>• % increased staff: 71%</li> </ul>
Hub	<ul style="list-style-type: none"> <li>• Staff redeployed: 29</li> <li>• % increased staff: n/a%</li> </ul>
Crem	<ul style="list-style-type: none"> <li>• Staff redeployed: 2</li> <li>• % increased staff: 50%*</li> </ul>
Revenues	<ul style="list-style-type: none"> <li>• Staff redeployed: 11</li> <li>• % increased staff: 100%</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>• Staff redeployed: 10</li> <li>• % increased staff: 65%</li> </ul>
Connect	<ul style="list-style-type: none"> <li>• Staff redeployed: 32</li> <li>• % increased staff: 140%</li> </ul>
Planning	<ul style="list-style-type: none"> <li>• Staff redeployed: 2</li> <li>• % increased staff: 13%</li> </ul>

13. Our efforts to support our communities and businesses have meant engaging in partnership and coordination at various levels. This includes:

- With central government
- at a regional level including Heart of the South West LEP and South West Councils
- working through the Avon and Somerset Local Resilience Forum – the body which we are “primary responders” on which is charged with responding to emergencies and major incidents
- with Somerset councils and other agencies such as the CCG
- at a local level, with town and parish councils together with community and voluntary organisations



## Performance

14. Appendix A sets out the demand for existing services and their performance since Covid-19. You can see from the information that we have seen significant increases in some areas of work, whilst other areas due to the changes in the law and the guidance on social distancing have ceased for the time being. Where services have ceased it has had a significant impact on our income, even taking into account the grants we have received from central Government, details of which are given below
15. One of the most rapid increases in demand is within the Benefits service. Claims for Council Tax Support and income changes have increased by 500%, and due to a time lag in receiving Universal Credit updates we are likely to see this figure increase. We will need to ensure this area of work is resourced to keep up with demand and ensure those most in need are receiving the correct financial support.
16. There will also need to be considerable ongoing work with the rough sleepers we have accommodate to ensure they do not return to the streets, initial funding from Government was limited to help with the initial crisis. We will need to work with partners to look for more innovate ways to resolve the complex issues.
17. As a result, and as part of our recovery planning, we will need to consider the distribution of resources across the council so that we are able to meet the increase in demand for some services which is anticipated to be required for some time, as well as resourcing the community and economic recovery.
18. Appendix B sets out the standard quarterly performance statistics.

## Impact on our financial position

19. Covid-19 has had a significant impact on the Council finances. District councils in particular are increasingly reliant on income generated through fees, charges and investments. SSDC derives 53% of what it spends on services from income that it generates and clearly this has been impacted significantly. In addition, in responding to the crisis we have taken on additional costs to support our communities and businesses.
20. At this stage it is still very difficult to project the full impact on our 2020/21 budget and beyond which was approved by Full Council in February 2020, due to the many uncertainties about the timescale of the lifting of Covid-19 restrictions; the ongoing impact on our businesses; the ongoing needs of our residents and; the continued uncertainty surrounding the level of Central Government support and funding.

## MHCLG monthly financial return

21. We completed our second monthly return to MHCLG (Ministry of Housing, Communities and Local Government) as of 15 May 2020. We are mindful that Full Year projections must be caveated due to uncertainty and some of the



assumptions we have had to make, nevertheless, we need to progress work on minimizing the potential impacts.

22. A summary of the potential costs that we have reported are provided at **Appendix C**. Members are asked to note that this is a live document. We have highlighted to MHCLG we have yet to quantify the full costs of the Hub activities and these will be added to next month's report.

### **Central Government Covid-19 funding to date**

23. We have received 3 tranches of money from MHCLG so far. We have no indication as yet whether there will be further tranches.

### **Ring-fenced monies – Council Tax Support**

24. Tranche 1) – Hardship Fund – Received £1,155,628 – The bulk of this was spent on Council Tax reductions for those in receipt of CTS. Residual funds are being used to provide food boxes for those households facing hardship) and support further CTS applications. These monies have been paid directly against our council tax payers' accounts and as such have not helped to mitigate our Covid-19 costs. We have also not received any financial support for administering these payments.

### **Un-ring-fenced monies – General – New Burdens**

25. Tranche 2) – Covid Response (New Burdens) We were allocated £64,586 out of the £1.6bn fund announced, the majority of which went to the Upper Tier and Unitary councils with district councils across the country only receiving £10 million of the £1.6bn. This money was used to fund services for the homeless.
26. Tranche 3) – Covid Response 2 (New Burdens) –We were allocated £1,672,767. However, set against the MHCLG April return totaling £10.943m and our most recent return of £10.374m, this is only a short term easing of the pressure, equating to just over 1 month of additional cost and lost income.

### **Other measures**

27. In response to potential cash flow problems that many councils were facing due to increased expenditure and decreased income, the Government has allowed councils to defer their Business Rates payment to Central Government for the next three months. This is a delay rather than a payment "holiday", but it has meant that we have not yet had to borrow as anticipated. This equates to £2.3m per month for 3 months that we are not paying to Government which supports our cash flow in the short term. To be clear, the expectation of government is that this will need to be paid by the council to them at some point in the future.
28. We have, to date, continued to pay across the precept payments to the other preceptors, SCC, Police, Fire and parishes, as required by law. We are in continuous discussions with County in relation to cashflow and we may need to discuss delaying payments should cashflow pressures demand it. We are also



mindful of the financial pressures under which the County Council are also operating, including their cashflow.

## **Risks and Forecasts**

29. We will be required to complete monthly returns with updated figures. Further pressures are emerging, e.g. those associated with the Waste Partnership, delays to the waste “roll out” and additional costs in relation to the partnership. Somerset County Council is currently working on these, so as a partner we can incorporate them into our next costs return to MHCLG.

We will need to revisit the estimates with the following in mind:

30. How is **business rates and council tax collection** performing in relation to our usual assumptions. Is 10% default realistic? NB. Any non-receipt of Business Rates or Council Tax although affecting our cashflow, will not hit our bottom line until the following year 2021/22. It will be important to quantify this to inform Budget Setting. It could be a material figure adding millions to the budget gap.
31. **Car parking** income will be determined by the lifting of restrictions and the public’s appetite to return to a new “normality”. The first stage of making this forecast realistic is the publication of a timetable for lifting restrictions from Central Government.
32. We have made some prudent assumptions regarding our **arts and events income** but as the weeks go by the possibility of large gatherings being allowed in this calendar year becomes increasingly unlikely. This may have a material effect on our forecasts and the viability of the businesses themselves.
33. **Planning Applications** are a difficult area to forecast during normal years with a large application making a significant change to the outturn position. In these uncertain times we have made some prudent forecasts but with any demand led service, the figures will be transient. We are aware that many developers are making redundant large sections of their forward development schemes and this together with a general reduction in income levels amongst residents and the overall economic uncertainty means we should plan for a significant reduction in all types of planning applications for the rest of this year and in to next year.
34. **Commercial Investment** income is at the forefront because of the scale of the sums involved. The commercial team continues to work hard with lessees to maintain our income streams but we have agreed to defer some payments and make other pragmatic concessions with a view to supporting those businesses continuing which is important to the national economy, but also important to the longer term security of our income. Currently the income generation is still performing well and the collection percentages are high, but this is a “watching brief” and will be informed by the review of the Commercial Strategy. We anticipate that there will be a material impact in the second quarter. This will need to be mitigated by the use of our Commercial Investment Risk Reserve – this reserve having been established to reduce the risk of reductions in commercial income and so shield the council’s revenue budget from economic shocks.

35. **Public Works Loan Board (PWLB) – Consultation.** Members will be aware that there has been a request from MHCLG for councils to participate in a consultation on the use of the PWLB borrowing with a particular focus on the use of this source of borrowing for commercial yield purposes, this means out of district investments where the prime objective is yield rather than regeneration/development. Due to the current Covid-19 pressures the deadline for the consultation has been extended to 31 July 2020.

This is an important consultation for us as it marks another sign of Central Government's intention to discourage commercial investments outside of councils' own areas. It is important to highlight for Members that we do not currently have any borrowing with PWLB as we have other, cheaper and more flexible options, such as borrowing from other local authorities. Nevertheless, it is an important option, especially as we may seek to secure our borrowing on longer terms.

36. **Treasury income** has been an area where we have improved our performance over the past few years and as a result, is now a significant source of income, representing some 11 per cent of our net revenue budget. Through the crisis this has seen a significant reduction and our Pooled Funds are likely to suffer a 30% reduction in income. This is alongside a significant reduction in the value of each investment, albeit these are often long-term investments and so values need to be judged over the term not at one particular point. We are mindful however that this is a long term strategy and therefore any "knee jerk" reaction to a fall in value would be inappropriate and would simply crystallise that loss.
37. **Summary of Financial impact.** The table below shows a summary of our predicted cost and income impact for the full year. Further detail is given in Appendix C.

Affected area	£k
Core funding – Business Rates	600
Core funding – Council Tax	804
Fees and Charges	4,426
Commercial Income	1,890
Treasury Income	364
Housing and Homelessness	990
Other	1,300
<b>Total Estimated Impact</b>	<b>10,374</b>

NB. These are current assumptions and will be affected by how quickly lock down measures are lifted; how services are affected by this and; how long we will need to support people impacted by the crisis.

## What does this all mean?

38. The impact of Covid on both our short term forecasts and our long term aspirations will be significant. We are currently working to understand the impact on our MTFP,



## South Somerset District Council

Financial Strategy, Commercial Strategy and the ambitions set out in our Council Plan. We have a history of holding prudent reserves to enable the council to continue with its aspirations for service provision; supporting our most vulnerable; supporting businesses at the same time as driving regeneration and our commercial property agenda. Worryingly, the existence of these reserves may mean that we are not seen by the government as a council in need of financial support to the same extent as many others, particularly those in the upper tier with Social Care pressures.

At the start of the crisis, the message from government was that councils should “do whatever it takes” to support communities and that the government would support them financially for additional cost and loss of income. Clearly the national finances are under strain and the message has changed to one that indicates there may be no more support for councils financially, outside of what the government has asked councils directly to do.

In addition, it is apparent that the government is contemplating asking councils to utilise reserves to meet the ongoing cost of services. We have some reserves that are to cover risk and “a rainy day” and it may be appropriate to utilise some of these to offset some of the costs of the crisis. The Council has built up some other reserves to deal with economic and community challenges in our area. These are referred to as earmarked reserves.

39. If we were required to use earmarked reserves this would lead to the reduction or cessation of programmes those funds are meant for such as:
  1. Developing our economy and improve productivity and skills
  2. Regenerating our town centres and high streets which have been suffering from the changes in shopping habits – a process accelerated by the Coronavirus. This includes our programmes in Chard, Yeovil and Wincanton.
  3. Accelerate housing delivery to meet government targets and deliver affordable housing – we have a housing crisis and this is being exacerbated by the current health crisis.
  4. Deal with the Climate Emergency and decarbonise the Council and the local economy.
  5. Support struggling families, reduce deprivation and reduce the number of children in poverty – currently 25% of our children grow up in poverty and Somerset has one of the lowest rates of social mobility in the country.
40. All these programmes are now potentially under threat of needing to be scaled back or stopped. However, instead of stopping them, what we would wish to be doing is working with government and local partners to accelerate the delivery of them as they all have a role to play in the recovery of our communities and the economic recovery. Depending on what stance the government takes on council finances, this may not be possible.
41. We will need to understand what call there may be on our reserves and whether we can continue at the same pace to deliver our non-core business. Further, we may now be in a position where we also need to significantly reduce our ongoing running costs in the face of what is likely to be a long-term reduction to our income and a sustained increase in demand for some services.



42. Our focus now is on analysing the data and sensitivity analysis so that we can re-draft our Financial Strategy alongside our MTFP. We continue to hope that we may see a further tranche of monies from government in keeping with the original pledge to ensure that our additional costs are funded so that we do not have to consider reimagining our core service delivery, but this is becoming increasingly unlikely.

### **Are we contemplating issuing a S114 Report?**

43. It has been reported in the media that some councils are on the brink financially and are contemplating Section 114 reports. The Local Government Act 1988 in relation to S114 Reports says that the CFO “shall make a report... if it appears that the expenditure of the authority incurred in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure”.
44. For us as a district it is not the case that we are close to a S114 report. We have made an estimate of our total year impact as c£10m. As at the end of December 2019 we had £3.8m of General Reserves; £22.6m of Revenue Reserves and £14.6m of Capital Reserves (which can only be spent on capital). As at 15 May we had £14.7m of convertible cash (this excludes the business grants money). This will be reviewed on an ongoing basis as the costs and income losses crystallise.
45. This does not mean we won't have to make significant changes to our plans which include regeneration projects and also our future service provision and there will be difficult choices to make within this. Without the funds that were promised at the outset from Central Government there will be a significant impact on our ability to support our residents and to maintain service delivery at the current levels.
46. We are now in the invidious position of potentially being penalised for holding reserves which we have built up by being forward thinking; innovative and prudent. We have underwritten our commercial income risk and are mindful that the Government is unlikely to “make good” our lost commercial income, so this is not an immediate pressure for us. What is more of a pressing issue is that our Financial Strategy is predicated on increasing service income to meet the increasing demands; that commercial investments will help offset the decade or more of Central Government funding cuts and; increasing the Treasury investment returns, which have now been hit because of the current Market and the need to use our own cash to fund the additional costs.
47. We have coped with the uncertainty of the Fair Funding Review and the Business Rates Reset and have set aside funds to help mitigate the anticipated impact of these on our finances. The latest delay in these work streams has given rise to further uncertainty and meant that financial planning is now even more difficult. We do not work on a year by year basis and it would be foolish to do so. The current crisis adds to the uncertainty but long before this the lack of clarity from Central Government on our funding streams of Business Rates; Revenue Support Grant and New Homes Bonus have been a huge obstacle to robust Financial Planning.

### **Strategy for dealing with the Impact of the Crisis**





48. Set out below is a draft approach and strategy for how we will start to respond to the financial impact of the crisis on the Council.
49. **Lobbying** - The first plank of our response should be to continue to lobby for additional resources from Government. We should do this directly, with the LGA and with our local MPs, highlighting the important role we are playing in supporting communities and businesses by leading and supporting recovery.
50. **Scenario Planning and Service Levels & Overheads Review** - Within each service, we need to consider the scenarios for recovery, the impact of the crisis and what this might mean for service levels and initiatives. We will need to look at shifting resources to areas where demand will likely remain high and therefore look to reduce other areas.
51. **Commercial Strategy Review** - Post-transformation, by far the majority of our “savings” in the Financial Strategy were to come from Commercial Investments. However, the commercial world has changed not just in the short term but permanently in some ways. Whilst there may be some opportunities that arise in the crisis as businesses may need quick access to capital as part of their recovery plan, overall the picture for investment in property is extremely uncertain and will likely remain so for some time. It is hard to conceive of making any investments in commercial office space or retail given the potential long lasting or permanent changes that may occur as a result of the crisis. On the other hand, investments which have previously been regarded as higher risk, may actually become regarded as safer havens within the uncertain economic waters ahead. We need to consider what a “balanced portfolio” looks like in these uncertain times and what other investment opportunities might exist outside of traditional property. If we are going to avoid substantial cuts to services, we need to look at how we can continue to invest and drive income growth. This was the case pre-Covid-19 and is even more important now. This may require an increase in the investment fund to either account for lower available returns in the market as capital seeks out where any return might be available, and / or to deliver increased commercial income to offset the loss of income from fees and charges.
52. **Advancing our Digital Strategy** – whilst the Digital Strategy business case was not built around delivering savings in itself, it was always envisaged that the implementation of the strategy would lead to a programme of actions, initiatives and business cases. The DS will enable us to modernise and improve services and become more efficient, including delivering financial savings. An example of such an opportunity exploited in the Commercial world is the introduction of Artificial Intelligence in to service delivery. It is recommended that we look at how we can rapidly advance the Digital Strategy and that we look to allocate a notional savings target against the strategy for the next three years, within a revised Financial Strategy.
53. **A new plan for the development of the Council** – we are at the stage where the Transformation Programme is coming to an end and most of what we envisaged we would deliver has been achieved. However, we have agreed as a council that transformation, change and development of the council and its



## South Somerset District Council

services will not end when we close the programme. We now need to develop a new plan for the development of the Council and its services, that takes account of the impacts of Covid-19 on our organisation, our customers and communities. It will take in aspects such as the digital strategy but also look at updating our operating model, at the skills we need to develop for the future, how we manage demand and how we provide good services in the context of both higher demand and less resources.

54. **A recovery plan** – in response to major incidents, councils are expected to develop recovery plans. This crisis has been wide ranging and deep in terms of its impacts including on our communities, economy and our organisation. At the same time as there being challenging issues to deal with there are opportunities to make improvements in the recovery that benefit our communities. We will develop a recovery plan that will look at both the challenges and the opportunities and will use this to reshape our Council Plan.
55. **Review of Financial Strategy, Budget and Council Plan** – following the work above we will need to do a fundamental review of the three related documents and propose options for revision for initial agreement by Leadership (SLT and DX).

### Risk Matrix

This report is for information only – no risk profile. Once further reports have been completed in relation to the Recovery Plan, Medium Term Financial Plan and the Financial Strategy the risks will be updated

### Council Plan Implications

As recommended by the report we will need to review the Council plan taking into account the resources available to us and increased demand for services.

### Carbon Emissions and Climate Change Implications

There are no carbon emissions or climate change implications, this report is for information only.

### Equality and Diversity Implications

There are no equality or diversity implications

### Privacy Impact Assessment

There are no privacy impact implications

### Background Papers

None



Service Area	Service Overview	Demand	Performance	Key Indicators	
<b>Arts and Entertainment</b>	<p>Octagon and Westlands are closed and it is uncertain when they will be able to open to the public gain Westlands venue - Operating as Wellbeing Hub</p> <p>In terms of activity that we are currently doing in addition to managing the cancelled events:</p> <ul style="list-style-type: none"> <li>- Bid to the Arts Councils Relief Fund - £35K for Octagon Theatre</li> <li>- Bid to BFI for Westlands – available for venues that show film where that programme has been suspended.</li> </ul>	Decreased	Down	Performance Cancellations in April: 24 (Octagon), 9 (Westlands)	Gross value of refunds in April: - £52,671.80
<b>Benefits</b>	<p>Increased claims for Council Tax Support and income changes up by 500% Time lag in receiving Universal Credit updates but likely to see a high increase. Making part of the process automated so should improve the service standards for customers and reduce workload. Processing times improved from 87 days to 43 days</p>	Increase	Unchanged	Average Time taken to process Housing Benefit claims in March: 27 days (Compared with 20 in Feb/2020)	Council tax support claims complete in March: 326 (Compared with 17 in Feb/2020)
<b>Building Control</b>	<p>Services still in operation remotely. Site visits only being undertaken where absolutely necessary.</p> <p>Physical site inspections (currently using video/photographic evidence)</p> <p>Move to accepting payment via the website only, which has improved processing times, and reduced the need for paperwork</p>	Decreased	Unchanged	New building reg applications received in April: 44 (Compared with 79 in Apr/2019)	Building reg applications closed in April: 119 (Compared with 67 in Apr/2019)

Service Area	Service Overview	Demand	Performance	Key Indicators	
<b>Careline</b>	Installations are still happening using distancing and PPE. Demand is lower than usual but could increase to facilitate hospital release. At the moment elderly and vulnerable people do not want to have people into their homes. The reduction in installation does have a negative impact on income for the service	Decreased	Down	Total installations in April: 25 (Compared with 32 in Apr/2019)	Total Referrals in April: 25 (Compared with 47 in Apr/2019)
<b>Communications</b>	The Comms Team have increased our social media presence across the main platforms, articles have been well received	Increase	N/A	Social media connections (Facebook/Twitter) in April: 12267 (Compared with 9341 in Apr/2019)	Social media reach per day (Facebook/Twitter) in April: 33089 (Compared with 24539 in Apr/2019)
<b>Crematorium</b>	Cemetery and Crematorium grounds are reopened for visitors as per government guidance, obviously social distance guidance applies and this is being monitored. Funerals are being carried out with a maximum of 10 mourners for each services. The Funeral Directors are coordinating the number of mourners.  We are unable to order memorial tablets as the stone masons are on lock down, Cemetery closed to the public but burials can take place with graveside services maintaining social distancing	Increase	N/A	Number of services in w/c 22/04/2020: 32 (Compared with 26 in w/c 22/04/2019)	

Service Area	Service Overview	Demand	Performance	Key Indicators	
<b>Customer Connect</b>	7 day a week, 8am to 6pm telephone service for Covid-19 Face to face services not running but digital support given over the phone Garden Waste Collection Waste Container Requests - now resumed Missed recycling collections Recycling centres	Increase	Increase	Number of calls received in w/c 28/04/2020: 4522 (Compared with 3479 in w/c 14/04/2020)	Average call wait time in w/c 28/04/2020: 2:49 (Compared with 4:05 in w/c 14/04/2020)
<b>Economic Development</b>	ED work is largely focussed on feeding into the recovery plans to help the economy and businesses recover and adapt to Covid-19				
<b>Environmental Health</b>	EH still running but reduced service and demand is down.  We have taken on enforcement work for closure of premises not allowed to open and are liaising with police and trading standards on this. Also will be issuing FPNs (Fixed Penalty Notices) for police on their evidence for breach of social distancing rules				
HMO (Houses in Multiple Occupation)	HMO inspections have stopped unless urgent	Decreased	Down	HMO inspections in March: 0 (Compared with 8 in Mar/2019)	

Service Area	Service Overview	Demand	Performance	Key Indicators	
Pest Control	Pest Control - Only able to respond to emergency reports of rats in premises. Many cases have been closed by phone advice from LO. Sewer baiting is currently being done	Decreased	Down	Pest control service request response in 7 days Total and (%) in March: 75/75% (Compared with 138/100% in Mar/2019)	
Food Inspections	Food safety inspections have stopped.	Decreased	Down	No Inspections	
DFG (Disabled Facilities Grants)	No standard DFGs are being progressed due to vulnerability of clients and staff. BUT emergency and fast track DFGs are being done remotely to progress urgent adaptations for hospital discharges	Unchanged	Unchanged	DFG priority A case: average time from application to approval in March - 7 Days (Compared with 1 day in Mar/2019)	DFG: average time from application to approval in March - 1 Day (Compared with 2 Days in Mar/2019)
<b>Environmental services + Streetscene</b>	Clinical waste - we expect full service delivery Reduced Service - Essential maintenance of Crematoria and open spaces ongoing, missed recycling collections will not be returned for. No Garden Waste Services have been deployed across Somerset, We are no longer accepting orders for container deliveries across Somerset until further notice. Recycling Centres are currently closed				

Service Area	Service Overview	Demand	Performance	Key Indicators	
Fly tipping		Increase	N/A	Fly tipping in w/c 27/04/2020: 36 cases (Compared with 17 in w/c 29/04/2019)	
Horticulture		Decreased	Unchanged	Arrangements are being put in place with our main external clients so that we can continue to receive the relevant overall annual contract income	
<b>Housing</b>	Homeless case work running as normal but with appointments being done remotely.				
Homefinder Somerset		Increase	Increase	Assessment of applications wait times in April: Up to date (Compared with 5 day wait in Feb/2020)	Change of circumstances wait times in April: 5 days

Service Area	Service Overview	Demand	Performance	Key Indicators	
Rough Sleepers	At the moment there are 5 rough sleepers refusing accommodation but additional support is in place.	Increase	Increase	Number of rough sleepers in April: 33 (5 sleeping out/24 in accommodation) (Compared with 2 in Apr/2019)	
Temporary Accommodation	The team have resourced 34 additional units of accommodation to be able to remove rough sleepers from the streets.	Increase	Increase	Average length of stay in temporary accommodation (number of nights) in April: 4.1 (Compared with 1 in Apr/2019)	Additional units of temporary accommodation: 7 Chalets (Preston Hotel) + 27 rooms (Terrace Lodge Hotel)
Land Charges	We expect demand to decrease as the housing market slow down and we will likely see a loss of income	Down	Increase	Property searches requests received in w/c 24/04/2020: 24 (Compared with 30 in w/c 26/04/2019)	Property searches dispatched in w/c 24/04/2020: 33 (Compared with 13 in w/c 26/04/2019)

Service Area	Service Overview	Demand	Performance	Key Indicators	
<b>Leisure and Recreation</b>	<p>County parks and nature reserves remain open, staff redeployed or WFH. Messages re-enforced on not travelling to sites by vehicle. We will monitor stats as lockdown restrictions lift and we are able to safely provide more services.</p> <p>Reduced services - 2 Site inspections per week at Chard Reservoir, Ham Hill and Yeovil Country Park - pick litter, empty bins, carry out inspections.</p> <p>1 Site inspection per week at CHAC to check Environmental monitoring.</p> <p>Stopped services - Yeovil Rec Ninesprings Café Ham Hill &amp; Ninesprings café ranger centres (Closed to public) Countryside &amp; heritage events cancelled Chard Reservoir bird hide Cartgate TIC. CHAC Petters TIC Volunteering across all services closed - update letter to volunteers being sent wc 13/4.</p>	Decreased	N/A		
<b>Licensing</b>	<p>Licensing still running but reduced service and demand is down.</p> <p>Where possible inspections are being done by video links e.g. animal activity licensing</p>	Decreased			

Service Area	Service Overview	Demand	Performance	Key Indicators	
Taxi Licenses		Unchanged	Unchanged	Overall number of taxi applications in March: 33 (Compared with 47 in Mar/2019)	
Temporary Event Notices	Likely to see an increase as restrictions are lifted				
Premises Licences		Unchanged	Unchanged	Premises Licences Issued in March: 17 (Compared with 18 in Mar/2019)	



Service Area	Service Overview	Demand	Performance	Key Indicators	
Locality	<p>Continuing to respond to requests to put up Planning notices, process abandoned vehicles. Gas Checks at Birchfield being carried out by Tim Cox</p> <p>We have picked up delivery of Health kits for the elderly shielding</p> <p>Pest Control - Only able to respond to emergency reports of rats in premises.</p> <p>Play area inspections. - SSDC play areas have been closed. Signs put up and gates secured where possible. There is a need to monitor the condition of the areas to enable them to reopen safely when able to do so.</p> <p>Food licencing &amp; Taxi Licence premises checks suspended</p> <p>Taxi Checks suspended</p> <p>CT&amp;BR homes visits suspended</p> <p>Noise complaint home visits suspended</p> <p>Play Area maintenance suspended (unless there is an emergency)</p> <p>Water testing suspended</p> <p>Food sampling suspended</p> <p>Health Walks suspended</p> <p>Schools Out programme Easter cancelled.</p> <p>Play area inspections – these have stopped but we have done a round robin to check signs still in place.</p>	Decreased	Down	Weekly number of Play inspections in April: 0 (Compared with weekly average of 70)	Weekly number of hours supporting Health Walks in April: 0 (Compared with weekly average of 5)

Service Area	Service Overview	Demand	Performance	Key Indicators	
<b>Planning</b>	Move to digital consultation with Parishes, strongly encouraging online applications only. Demand is still high but expect we will start to see the number of applications being submitted reduced. Site visits being carried out where safe to do so. Have used video calls to assess sites. We have continued to see an increase in applications but would expect this to slow down until we move out of lockdown	Increase	Unchanged	Total planning applications in, in w/c 24/04/2020: 31 (Compared with 20 in Apr/2019)	Total planning applications out, in w/c 24/04/2020: 33 (Compared with 21 in Apr/2019)
<b>Property</b>	Services realigned to lockdown/home working scenario. Reduced the number of parking inspections	Decreased	Unchanged		
<b>Revenues</b>	Suspended Recovery and Enforcement action, so there will be a reduction in collection rates. Once recovery work starts there will be an increase in workload. Increase in retail relief discount applications. Only a small drop in moves across the District at the moment	Increase	Unchanged	Volume of business rates billing work outstanding in April: 775 Items (Compared with 451 in Mar/2020)	Volume of council tax billing work outstanding in April: 2590 Items (Compared with 1469 in Mar/2020)
Business grants	With support from across the Council the team have processed around 2400 business support grants and paid out £28M	Increase	Increase		

Service Area	Service Overview	Demand	Performance	Key Indicators	
<b>Strategy and Commissioning</b>	The majority of the team have been redeployed to Benefits and Revenues work. This means work has stopped in the following areas: Local Plan, Gypsy and Traveller Accommodation Needs Assessment, Customer Insight, Member Development, 5-year housing land supply, update SHMA, Economic Development Needs update. Areas where work has slowed considerably are development of new websites for Leisure and Rec, Coaching and mentoring framework, employee engagement survey. Performance is down as the team are not producing or progressing the various projects mentioned above	Decreased	Down	Ongoing Procurements (Strategy through to Contract Award) being delivered by S&C: 16	Freedom of Information requests completed in April: 29
<b>Street Naming and Numbering</b>	Business as usual	Decreased	Unchanged		
<b>YIC (Yeovil Innovation Centre)</b>	Reduced opening hours and significant reduction in the number of businesses currently accessing YIC to work.	Decreased	N/A	Cost of Cancelled external meetings due to COVID-19: £15,418	



# South Somerset District Council

## Corporate Performance Monitoring

Quarter 4 report: January – March 2020



**Protecting  
Core Services**



**Economy**



**Environment**



**Housing**



**Healthy, Self-reliant  
Communities**






This is our fourth quarterly report for the 2019-20 Council Plan annual action plan. There are two sets of comparisons for the data within the report. One compares performance against the agreed target and the other compares the current result with past performance to give a direction of travel.

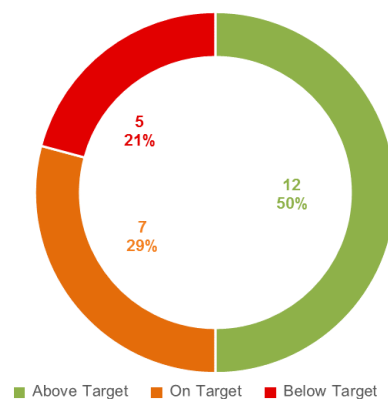
For targets this quarter 12 measures were above target (green), 5 were on target (amber) and 7 were below target (red).

For direction of travel this quarter, 13 improved (green), 5 stayed the same as last quarter (amber) and 4 were worse (red) than the previous quarter. There is commentary included within the report which explains the current position in more detail, this commentary has been provided by the Lead Specialists/Specialists within the appropriate areas

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### Progress against targets - summary for this quarter

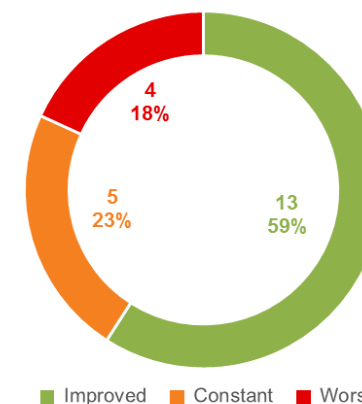
-  Red = significantly below target
-  Amber = behind target
-  Green = on, ahead of or above target











### Direction of travel - summary for this quarter



-  Red = Significantly worse than last quarter (more than 10%)
-  Amber = No real change
-  Green = Improved on the last quarter



# Protecting Core Services

Ref	Measure (frequency of reporting)	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of travel	Supporting information
PCS1	Number of on-line accounts activated – Household & Business (Quarterly)	The number of new Customer accounts during the quarter	10,000	3482	5132	2116	6514			
PCS2	Number of accounts active at 6 month point – Household & Business (Quarterly)	The percentage of customer accounts in active use within the last 6 months	50%	-	-	68%	-*			* Although we are unable to produce this figures, there are 13682 total number of accounts active, over a period of 48 hours 2.32% accessed their accounts
PCS3	Service requests through on-line forms as a % of all requests (Quarterly)	% of transactions being completed using online service forms instead of other channels, for the same service e.g. phone/letter	70%	67%	71%	72%	69%			This figure represents over 6000 online interactions. Some indigo data was lost during the quarter which has led to a dip in the figures.
PCS4	% of property portfolio with a performance assessment (Quarterly)	The number of SSDC owned properties with an assessment in place	95%	50%	50%	50%				Awaiting information
PCS5	Council Tax Collection (Quarterly)	The % of council tax collected at 31 <sup>st</sup> March	98% (annual cumulative)	28.11%	55.56%	82.9%	97%			
PCS6	NNDR collection (Quarterly)	The % of National Non Domestic Rates collected at 31 <sup>st</sup> March	97% (annual cumulative)	33%	56.29%	80.82%	97%			



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Amber = behind target



Green = on, ahead of or above target



Red = Significantly worse than last quarter (more than 10%)





Amber = No real change



Green = Improved on the last quarter

# Protecting Core Services

Ref	Measure	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of travel	Supporting information
PCS7	Speed of processing - Housing Benefit new claims (Quarterly)	The average (mean) number of days taken from receipt of application from the customer to notification of decision	21	37 days	41	25	28			In recent weeks we have been working to clear down the SOS updates and LCTR2 (council tax support application forms). As some of the SOS updates were quite old the April figure for changes of circumstances has gone up to 23 because we have cleared those older work items. We are implementing some auto-processing in this area and I would therefore expect the May onwards trajectory to be improving
PCS8	Speed of processing - Housing benefit change of circumstance (Quarterly)	The average (mean) number of days taken from notification of change by the customer to notification of adjustment	7	8	16	9	1			
PCS9	Speed of processing - Council tax new claims (Quarterly)	The average (mean) number of days taken from receipt of application from the customer to notification of decision	30	67	63	69	62			
PCS10	Speed of processing - Council tax change of circumstance (Quarterly)	The average (mean) number of days taken from notification of change by the customer to notification of adjustment	7	15	51	34	11			



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Amber = behind target



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# Protecting Core Services

Ref	Measure	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of Travel	Supporting information
PCS11	Speed of processing – planning applications – major (Quarterly)	The % of valid major planning applications determined within 13 weeks	60%	100%	89%	76.9%	100%	●	↑	Exceeds target. 14 out of 14 determined within 13 weeks or with an agreed Extension of Time.
PCS12	Speed of processing – planning applications – minor (Quarterly)	The % of valid minor planning applications determined within 8 weeks	70%	97%	90%	92%	94%	●	↑	Exceeds target. 150 out of 159 determined within 8 weeks or with an agreed Extension of Time.
PCS13	Speed of processing – planning applications – other (Quarterly)	The % of all valid other planning applications determined within 8 weeks	80%	99%	96%	96%	96%	●	↑	Exceeds target. 191 out of 199 determined within 8 weeks or with an agreed Extension of Time.
PCS14	Planning appeals lost as a % of all decisions (Quarterly)	The number of appeals to the Planning Inspector lost (i.e. decision overturned) expressed as a % of all decisions	10% (max threshold)	3.52%	2.00%	0.88%	0.83%	●	↑	Please note this stat applies to Major Planning Applications only. We have seen a number of major applications approved and we still have a number of major appeals at appeal.

NB: PCS14 The description provide by MHCLG (Ministry of Housing, Communities and Local Government) is 'The quality of decisions is the percentage of planning applications refused, for major development that have been overturned at appeal, once nine months have elapsed following the end of the assessment period' and its measured over years not quarters:- April 16\_March 18 – 7.38%, April 17\_March 19 – 4.23% and April 18\_March 20 2.00%



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# Protecting Core Services

Ref	Measure	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of Travel	Supporting information
PCS15	Commercial property income yield (Annual)	The annual income from SSDC commercial property investments	£449k							Awaiting information
PCS16	Annual average yield increase of business services (%) (Annual)	The % and numerical value of income (yield) across all income generating services	5% or £250k							Awaiting information

Annual measure

Annual measure



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Amber = behind target



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Amber = No real change



Green = Improved on the last quarter

# Economy

Ref	Measure	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of travel	Supporting information
E1	% spend with local SMEs (bi-annual)	The proportion of SSDC purchasing through local SME suppliers (within the SSDC postcode area), as a % of total spend for goods and services. We assign SME status on the EU definition of SME. <250 employees, We base local status on SSDC postcodes, using CEDAR Vendor addresses.	10%	20% Revised to 15%	13% Revised to 14%	9%	5%			<p>Year end cumulative 9.7% Q4 figure is down due to effect of 4 large supplier payments (none which are local/SME) totalling 1.7M against a total Q4 spend of 5.4M.</p> <p>Cumulative Year YTD performance is 9.7% for Local/SME of our £17.9M external spend.</p> <p>For the year end we have also looked into the local spend when based on a 30 Miles radius from BA20 2HT (Proposed from ED team, and benchmarked with comparable authorities). This returns a 28% SME &amp; Local spend.</p>
E2	Delivery of the Economic Development Strategy (EDS) (Quarterly)	The number of actions and priority projects which are in progress, aligned to the EDS delivery plan.	30 Milestones in progress	17 on target	21 on target	23 on target	24 milestones completed including all primary actions with 6 secondary actions part completed			<p>100% of primary actions completed 50% of all secondary actions completed with work underway on the remaining 50%</p>



Red = significantly below target



Amber = behind target



Green = on, ahead of or above target



Red = Significantly worse than last quarter (more than 10%)







Amber = No real change



Green = Improved on the last quarter

# Environment

Ref	Measure	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of travel	Supporting information
EN1	% of household waste recycled (Quarterly)*	The % of all household waste recycled (Somerset wide)	53%	54.98%	54.95%	53.71%				
EN2	Residual waste sent to landfill (Quarterly)*	The % of residual waste volume going to landfill (Somerset wide)	46%	43.69%	43.89%	44.88%				
EN3	Waste recycled in the UK (Quarterly)*	The % of all waste collected which is recycled in the UK (Somerset wide)	90%	91.75%	88.61%	84.90%				

\*SSDC is part of the Somerset Waste Partnership. At present the performance data relating to waste services is supplied by SWP and is not available at a district level. The opportunity to create a district level picture is being explored. Currently targets for the new financial year are not available, SWP targets will track performance against last year.



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Green = on, ahead of or above target



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# Housing



Ref	Measure	Description	Target 19/20	Q1	Q2	Q3	Q4	Perf against target	Direction of travel	Supporting information
H1	Number of households in temporary accommodation (Quarterly)	The number of households in temporary accommodation as at the final day of the quarter	30	34	43	41	44			
H2	Length of stay in temporary accommodation (Quarterly)	The average (mean) number of days spent in temporary accommodation (B&B)	7 days	1	3	2	6			There were 12 households counted within this quarter, one was in temporary accommodation for 27 nights due to being a large family and this has affected the results.
H3	Number of cases of homelessness prevented/helped (Quarterly)	The number of households assisted by SSDC to prevent or relieve homelessness	30 per Quarter	68	74	63	71			
H4	Affordable housing completed (Annual)	The number of affordable homes completed for occupation	254 pa	-	-	-	196		Annual figure	This data is correct up to 29 <sup>th</sup> Feb 2020, it shows that we are under target for affordable completions (target 254 dwellings) for time period (would expect this figure to increase once all the monitoring is up to date)
H5	Affordable housing as a % of all housing completed (Annual)	Number of affordable homes completed as a % of all new housing completions	35%*	-	-	-	31%		Annual figure	The reason we are below target is because the target is based on needs assessment and doesn't take account of viability of planning etc.

6 nights is the average length of time spent by 12 households in the period. One of the households were placed in B&B outside of town in an emergency – they were the victims of arson, and they spent 27 nights in B&B because they had a large family and there were delays in finding other temporary accommodation that was large enough to take them. Because of the unusual circumstances, I recalculated the average period for just the remaining 11 households and the average was a much better 4 nights



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# Healthy, Self Reliant Communities

The Council's area of focus for 'Healthy, Self-Reliant Communities' relies significantly on our work with partners through the design and delivery of a range of community based programmes. A small number of Key Performance Indicators are included below.

Ref	Measure	Description	Target	Q1	Q2	Q3	Q4	Perf against target	Direction of travel	Supporting information
HSC1	Participation in Health Walks (Annual)	The number of residents participating in health walks supported by SSDC	10,500				9453			Wincanton 3 large walks, branched off and have gone independent from January, would need to adjust target because of this. Missing final 2 weeks of the year. Wet weather at the start of the year meant many walks cancelled. Some surgery walks have stopped
HSC2	Volunteering at SSDC (Annual)	The number of days provided through volunteering at SSDC	2300				732 hours			



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## Appendix C

Income Source	Full Year Impact	Assumptions
<b>Core Funding</b>	<b>£k</b>	
Retained Business Rates	600	Assumes a 10% default rate
Council Tax	804	Assumes a 10% default rate and significant increase in Council Tax Support claimants
<b>Fees and Charges</b>		
Car parking	970	Significant impact for first half of year and then reduction of 30% for second half due to changed shopping habits, confidence etc.
Westlands Entertainment Venue	405	Figures quoted are net income loss and assumed a significant impact for the full year.
Octagon Theatre	857	Figures quoted are net income loss and assumed a significant impact for the full year.
Ninesprings Café	77	Figures quoted are net income loss and assumed a significant impact for the full year.
Yeovil Recreation Ground Café	27	Figures quoted are net income loss and assumed a significant impact for the full year.
Garden Waste/Recycling	430	Suspended until mid-May
Tourism	18	Income figures affected for a full year.
Yeovil Innovation Centre	231	Same principle as commercial income
Planning Applications	819	£50k per month (April amount less large payments) to September then 75% of profiled budget
Building Control Fees	251	£8k per month (April amount) to September then 75% of profiled budget
Local Land Charges	303	£5k for Q1 & Q2, then 75% of profiled budget
Home Aid Partnership	38	£1.5k April, £0.5k May to Sept then 75% of profiled budget
Commercial Income - Rents	1,890	First quarter more than 80% of rents were received. Expect "hit" in second quarter and then longer term to recover.
<b>Other</b>		
Treasury Investment Income	364	Reduction in available returns and investment funds reduced due to current pressures.

<b>Total Income Loss</b>	<b>8,084</b>	
<b>Cost Area</b>		
Housing and Homelessness	990	Estimated costs including homelessness provision and support of the Hub.
Environmental and Regulatory (Death management)	200	Includes part of the cost of new cremator
Other (includes IT and finance/procurement measures to support businesses)	1,050	Includes IT costs of homeworking (additional kit and band width) Also includes cost of staff processing grant claims and support of businesses/customer connect extended hours and 7 days per week
Shielding and Wellbeing Hub	50	We have advised MHCLG that this figure will be updated (increased) when we have quantified the costs relating to the Hub.
<b>Total Costs</b>	<b>2,290</b>	
<b>Total Impact</b>	<b>10,374</b>	

## Digital Strategy

Executive Portfolio Holder:	Tony Lock, Protecting Core Services
Strategic Director:	Nicola Hix, Director of Support Services
Lead Officer:	Toffer Beattie, Lead Specialist Digital Change
Contact Details:	toffer.beattie@southsomerset.gov.uk

## Purpose of the Report

1. To provide a new council wide Digital Strategy, outlining the strategic aims of the council, why we need a Digital Strategy, how we achieve our objectives and how we measure the outcomes and evaluate our success.

## Forward Plan

2. The main driver behind the Digital Strategy is the need to institutionalise the capability developed as part of the Transformation Programme. The Digital Strategy is in many ways the successor to Transformation, making change and continuous improvement central to how the council conducts business outside of a resource limited programme. The timing of this report - at a time when the Forward Plan showed a Transformation Update – illustrates the continuity between the Transformation Programme and the Digital Strategy.

## Public Interest

3. The Digital Strategy is not a public facing strategy. It is an internal document that shows how the council officers will organise and operate to fully capitalise on the potential of digital working. However, because the strategy has important links to how members and citizens are engaged it has been decided to bring it to attention of District Executive.
4. The purpose of the Digital Strategy is:  
**‘To create a professional business partner to the organisation, that proactively engages with the change agenda through the delivery of high-quality digital solutions and services’.**

## Recommendations

5. That District Executive is asked to:
  - a) approve the Digital Strategy, with its proposed organisation and operational changes, for immediate adoption and implementation;
  - b) note the strategy will be implemented in line with the budget agreed by Full Council as part of the 2020/21 budget setting report in February 2020;
  - c) note any potential savings identified as a result of its implementation will be added to the financial strategy and medium term financial plan once identified.

## Background

6. The Transformation Programme, which had been running for a little over 3 years, has delivered significant benefits across all areas of the council. The new operational model is





## South Somerset District Council

fully embedded and working well. New ways of working such as agile, have been widely adopted leading not only to important day to day efficiencies but also ensuring the organisation's ability to continue through the Covid 19 lockdown. The council's business, both back-office and customer facing, is now predominantly digital.

7. There have been valuable lessons learnt throughout the Transformation Programme. Service redesign has been slower than at first envisaged, leaving some parts of the council feeling overlooked. Stakeholders have not always been fully engaged and some have found themselves 'waiting to be transformed'. With this in mind we have learnt we can be more ambitious and can drive ourselves forward exploiting novel technologies. The Digital Strategy is the reset required to build on the robust platform provided by the Transformation Programme and create a future fit digital authority.
8. The Digital Strategy pre-dates the Covid 19 pandemic. It was written not as a cost cutting or savings measure and the business case did not go into the detail potential downstream savings. We now find ourselves in a very different financial situation, one where substantial efficiencies and savings will need to be made over the next few years. Far from undermining the Digital Strategy, this makes its implementation all the more pressing. Efficiencies of the sort needed are inconceivable without significantly increased service automation, and it is clear that digital innovation will be key to ensuring that customer service doesn't suffer from a more austere financial climate but instead continues to improve.

### Report Detail

9. The attached detailed report outlines the following areas:
  - Strategic Drivers, Vision and Ambition
  - Assessment of where we are today
  - Development of new capabilities – technical and organisational
  - Future IT Service
10. Upon review of the Digital Strategy document you will see it promises to deliver:
  - Digital transformation with agility and at pace;
  - Continuous improvement of services;
  - Digital Strategy that is integrated to wider business plans and priorities;
  - Road maps and architectures to drive decision making;
  - Digital as an integral part of the organisation's change governance lifecycle;
  - Systems are reliable and easy to use; and
  - Business managers who have the capability to exploit new digital technology

### Organisational Capability and Culture

11. The Strategy emphasises the need for enhanced digital capability and culture across the organisation. The entire workforce needs the basic skills to be able to use the tools that are being delivered. Anecdotal evidence suggests that this is not currently the case. Furthermore, digital thinking and behaviours must be embedded into the leadership and governance of the organisation. The Strategy proposes measures to address these shortfalls; ideas that will be refined as the Strategy is implemented.

### Digital Services

12. Fundamental to the success of the Strategy is establishing a more sophisticated capability to lead and engage in the design and improvement of digital services. The current IT Service has become unfit for purpose to support a digital organisation. As with most traditional IT Services, it is reactive in nature and focussed primarily on operational support.



## South Somerset District Council

To deliver into the future a new IT Service (Digital Services Team) is proposed, one that will:

- Proactively engage with its business customers to co-create digital strategy and plans, exploring the art of the possible.
- Create an underpinning IT strategy and design the future so that the integration between the business model and digital is aligned.
- Procure and manage the performance of suppliers, driving value from the relationships.
- Embed an agile development capability to support continuous improvement of digital services.

13. The new Digital Services team, consisting of 12 specialists, led by the Lead Specialist Digital Change, and is based upon 3 core functions:

- Strategy and Architecture;
- Change and Continuous Improvement; and
- Service Management.

### Delivering Capabilities

14. As part of the preparation of the Digital Strategy, workshops were held to identify digital capability gaps and from that a list of 8 priority capability areas were drawn up. These will form the initial work plan for the Digital Services and it against these headings that progress will be reported.

- **Great On-Line Services.** Automated 'end to end' services designed around customers' journeys and needs, including advice and guidance, driving channel shift and reducing demand
- **Well Managed and Efficient Processes.** Simplified and consistent business processes that are continuously monitored and improved, exploiting technologies such as RPA and AI.
- **Working Flexibly.** An integral part of a 'ways of working' strategy that enables staff to work anywhere with technology that supports this.
- **Access and Analyse Data.** Well managed data, underpinned by the right policies, that can be readily accessed, supported by tools to enable 'smart' analysis.
- **Integrating with Partners.** Able to readily connect with partners, sharing information and collaborating in the delivery of services, building towards the platform model.
- **Empowering Communities.** Use of tools (e.g. social media) providing information to increase resilience, support democratic engagement and reduce demand.
- **Easy to Use Systems that Just Work Well.** Increase the reliability and ease of use of systems, making them more intuitive and less complex.
- **A Skilled and Confident Workforce.** Develop the capability of managers and staff to be able to operate effectively in a digital world.

### Implementation

15. Reorganisation of the IT department is currently ongoing. There has been no assimilation from existing IT roles to into the new digital service posts. Therefore, all IT specialists were put at risk and had the first opportunity to compete for ring-fenced posts. To date we have recruited 11 out of 13 new posts. The timeline below gives an indication that we expect to have recruited to all roles in the new structure by the end of June.

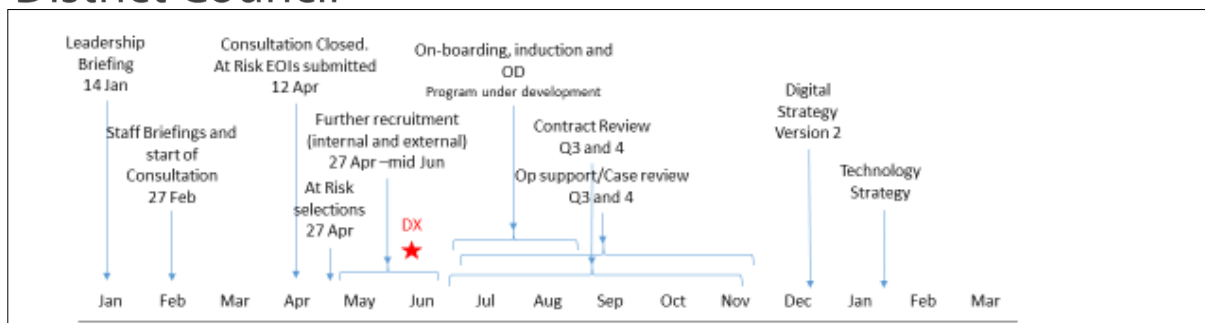


Figure 1. Implementation Timeline

16. The Strategy identifies the need for upskilling and on-going development of the whole workforce. The plan for this will be developed as part of implementation and is likely to be a long-term and on-going issue. For the new Digital Services team, a more focussed period of Organisational Development (OD) will be required before the full capability is achieved (shown in Figure 2 above). However, 2 high priority projects (Contract Review and Operational Support/Case Review) will be started as soon as possible, prior to the conclusion of the OD period.

## Benefits

17. As part of implementation appropriate performance measure will be identified to ensure that benefits from the Digital Strategy are measured and reported upon.
18. In the short term (Quarter 3 and Quarter 4 of 2020) the priority will be to conduct a detailed review of the council's IT contracts and look at options for delivery of operational support. It is anticipated that circa £287K per annum can be saved by tighter commercial management, contract renegotiation and better management of relationships with approx. 70 suppliers. Efficiencies in the delivery of operational support are estimated to offer a saving of some £56K per annum.

## Financial Implications

19. The 2020/21 budget approved by Full Council in February 2020 included a proposed budget allocation of £422,120 towards the implementation of the Digital Strategy.
20. £235,000 of this funding was for one year only to assist with implementation for consultancy, support and development and a contingency for redundancies should this be required.
21. The remaining £187,120 was a permanent increase in funding towards the IT establishment budget for the increase in establishment numbers.
22. It is still envisaged that the implementation of the Digital Strategy will be achieved within this original allocation.
23. The Digital Strategy implementation has enormous potential to improve the quality of our services, our efficiency and productivity, as well as provide potentially efficiencies and financial savings. Over the coming weeks will be trying to quantify what these may be over the next 2 to 3 years in order to feed these into our revised Financial Strategy.

## Risk Matrix

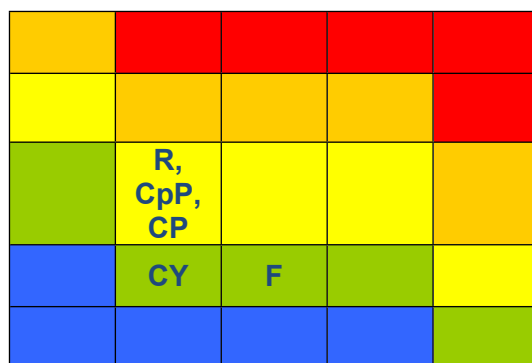
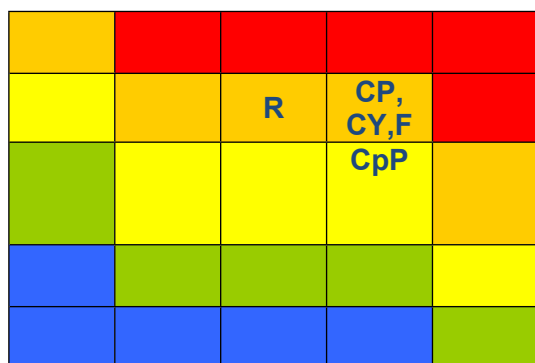
24. The risk matrix shows risk relating to the Corporate Plan headings.



# South Somerset District Council

Risk Profile before officer recommendations

Risk Profile after officer recommendations



## Key

Categories	Colours (for further detail please refer to Risk management strategy)
R - Reputation	High impact and high probability
CpP - Corporate Plan Priorities	Major impact and major probability
CP - Community Priorities	Moderate impact and moderate probability
CY - Capacity	Minor impact and minor probability
F - Financial	Insignificant impact and insignificant probability

Cat	Description	Before Digital Strategy		After Digital Strategy	
		Likelihood	Impact	Likelihood	Impact
R	Council services fail to improve/deteriorate	Possible	Significant	Unlikely	Moderate
CpP	Elements of plan are delivered inefficiently	Possible	Moderate	Unlikely	Moderate
CP	Potential of digital not realised in community initiatives	Probable	Significant	Unlikely	Moderate
CY	Staff numbers are unable to cope with increasing demand post Covid	Probable	Significant	Unlikely	Limited
F	Services cannot be delivered in austere post Covid climate	Probable	Significant	Possible	Limited

## Council Plan Implications

25. Digital enablement underpins all themes and areas of focus in the Council Plan. The existing IT organisation was unable to deliver innovation and change at the pace required to match the Council's ambitions. The Digital Strategy will deliver the culture and organisational capability needed.

## Carbon Emissions and Climate Change Implications



## **South Somerset District Council**

26. Better, more widely accessible digital services for our citizens, and a culture of digital working in the back office is good for the environment: unnecessary journeys are minimised for a host of transactions; the use of paper and office consumables is reduced as more is done on line; and the move to cloud services eliminates the need for energy inefficient on-site servers are just a few of many examples.

### **Equality and Diversity Implications**

27. An Equality Impact Relevance Check Form has been completed which identified that the Strategy is unlikely to have any negative impacts from people from the protected characteristics. A copy of the form is appended to this report.

### **Privacy Impact Assessment**

28. Personal and potentially sensitive corporate data will continue to be handled on IT systems as before. But the proposed structure includes the post of Specialist Security and Compliance. This post will ensure that policies and standards are established to protect information against cyber threats. Importantly the post will ensure that such safeguards are designed in from the outset and are not tacked on as an afterthought.

### **Background Papers**

29. Digital Strategy v5 dated 30 Jan 20.  
30. Equality Impact Relevance Check Form.

# **South Somerset District Council**

## **Digital Strategy**

**V5 - 30 January 2020**

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## 1. Executive Summary

South Somerset District Council (SSDC) has a high level of ambition to transform the way it engages with citizens and delivers its services through the exploitation of innovative opportunities digital technology can offer. Through its Transformation Programme, the council has undertaken an ambitious programme of change in the way it operates, driving efficiency and improving services to customers. This provides a robust platform on which future digital transformation can be built.

Digital Transformation is not primarily about technology. It is about how an organisation can reimagine the way in which it operates, using advances in digital technology, to enable different ways of working and engagement with its customers. Therefore, this strategy has been developed through engagement with SSDC's business leaders, primarily SLT and LMT, and should be viewed as a core business strategy. There will need to be an underpinning technology strategy, but that is not the purpose of this document.

The Transformation programme has been challenging and a lot of lessons have been learned along the way. The investment made to date, both by the programme and in council's underlying technology infrastructure provides a good platform on which future changes can be built. As the programme ends in 2020, SSDC has initiated this work to progress the development of a Digital Strategy to guide the future plans and priorities for investment. Each investment will need to be justified through a robust business case.

SSDC is now reaching the point where some fundamental decisions need to be made about delivering on its future ambition and vision for digital. Will the organisation continue as one that uses digital to support services as they are delivered today? Or does it reimagine how services could be delivered, embedding digital into the fabric of the organisation to achieve outcomes, engaging communities and partners as part of a system wide approach? It is recommended that a wider stakeholder group, including members, is engaged in developing the next iteration of the digital strategy.

This document sets out four main themes which will need to be developed through the digital strategy:

- Future strategic organisational requirements and the implications of making this happen.
- Creating a digitally skilled workforce that can confidently operate in a transformed organisation.
- The consequence for the current IT service and the future role it needs to perform.
- Changes to the organisation's governance needed in a more agile digital world.

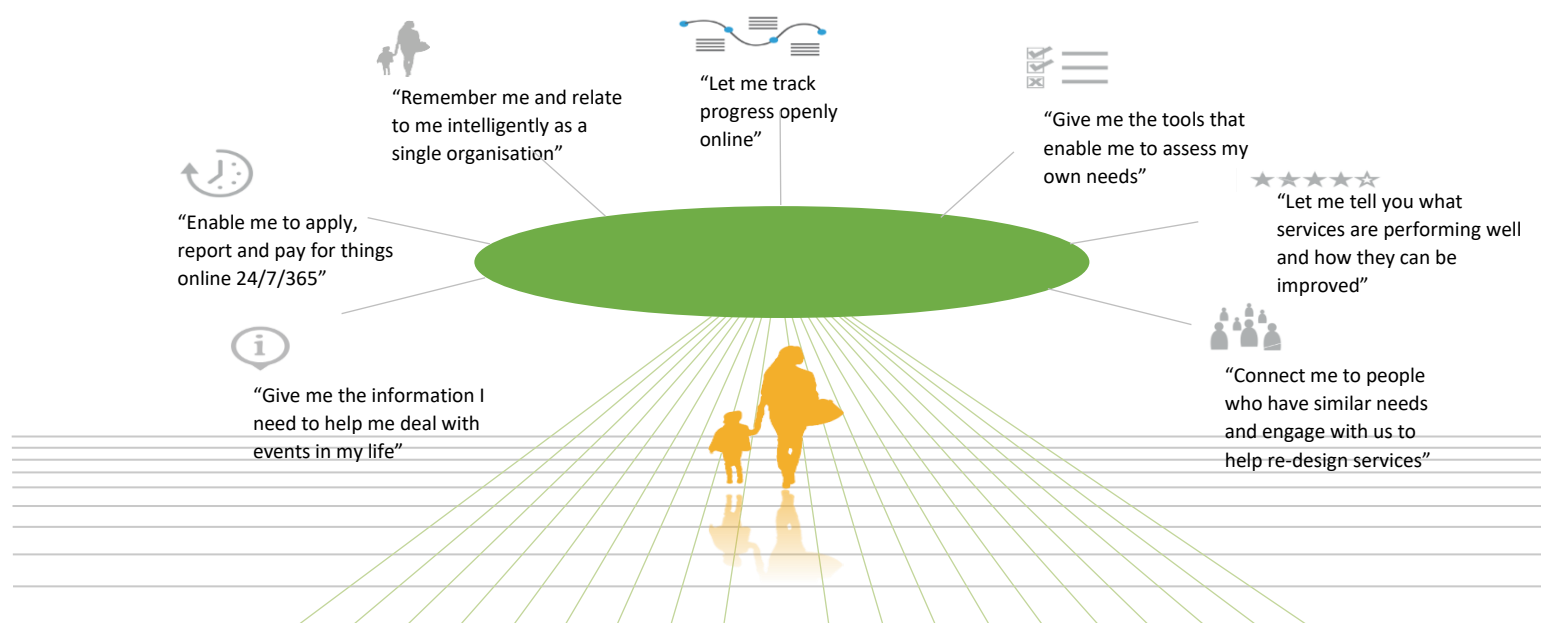
These themes are developed in more detail within the report which makes recommendations regarding the next steps.



## 2. Strategic Context

### a) The External View

Being able to transact and engage digitally with any organisation is now a basic expectation of its customers. The picture below indicates the sort of capabilities that a digital strategy should typically enable for its customers.



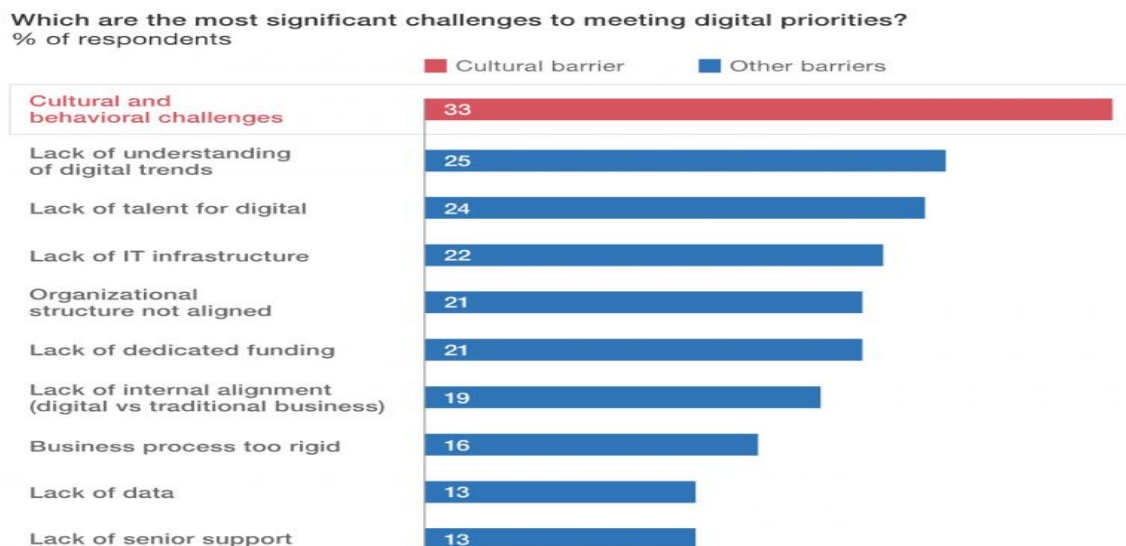
To achieve these outcomes, SSDC will need to be much more outward looking, engaging proactively with partners and stakeholders to build services around the needs of customers, creating a common platform to achieve this. This must become a priority for the organisation going forward, without which services to customers will be fragmented and difficult to use, often resulting in low take up. Adopting standards that allow organisations to readily share information and integrate business processes is key. The retail sector that joins up delivery across the supply chain is a good example of this.

Modern technology enables many organisations to replace previously manual delivery methods with automated and intelligent technical solutions. Much greater use of emerging technologies such as Robotic Process Automation (RPA) and Artificial Intelligence (AI) will be key. The use of such technologies not only offers efficiencies, but improves the speed, ease of access and quality of service to customers. It also frees up skilled staff from administrative tasks, enabling them up to focus on activities where their expertise can really add value.

Digital is not primarily about technology, but what it enables. The starting point should always be 'how can I redesign or reimagine my business to exploit the opportunities that technology can offer'. It is not simply about doing what we do today but using technology to do it better.

**Therefore, it is critical this strategy is business led and owned, driving the changes SSDC needs to make in the way it operates to deliver its business outcomes. It is not an IT strategy.**

A survey of business leaders, whose organisations depend on digital to deliver, identified the following barriers to successfully achieving their digital priorities. The top 3 issues identified are all around culture, organisational understanding and capability to exploit digital opportunities. Therefore, it is essential that SSDC pays attention to these aspects of digital change and is not just focused on the technology aspects.



Many organisations that have become critically dependent on digital solutions to deliver services, to the extent that they are starting to challenge the need to have a separate digital strategy, it is simply part of their business strategy.

The consumerisation of IT, with powerful mobile devices with ubiquitous network coverage at low costs, has transformed customers' expectations. This will continue to increase, with the imminent introduction of 5G being a further gamechanger enabling near real time operation.

Finally, the commoditisation of IT, where the major shift in the market has been to pay as you go for services rather than own infrastructure (e.g. the move to cloud), will continue to develop and become more attractive as prices fall.

## b) South Somerset District Council Context

South Somerset District Council (SSDC) has made a commitment to become a digital council, using technology to drive efficiency and put customers at the heart of designing great services.

The Transformation Programme is underpinned by the delivery of a new suite of technology, largely based on the Civica product suite. This has been a challenging programme for SSDC, with issues both with supplier's products and the internal delivery, although these are now starting to be addressed. While the commitment to Civica should reduce costs and short-term risks, given its strategic importance to SSDC, it will require strong strategic planning and supplier management to avoid being 'locked in' to a single supplier.

Prior to the Transformation Programme considerable investment has been made in modernising the underlying infrastructure, which is in reasonably good shape using modern technology. However, there are a great deal more that could be done to exploit the opportunities that the investment already made could offer. There are gaps in the capabilities to support a more flexible and agile workforce.

Senior staff across the organisation have consistently identified the need to grow the capabilities of the organisation to exploit the opportunities digital can offer. The current IT Service 'traditional' for a local authority with its primary focus being on services to run the organisation. Modern IT departments supporting digital transformation have a very different set of additional capabilities, with the focus on designing, planning and supporting business change. Consequently, the Digital Strategy needs to address the areas indicated in the diagram below.



### 3. Strategic Drivers, Vision and Ambition

#### 3.1 Strategic Objectives

The Council has defined the following strategic objectives which need to inform and shape the council's digital strategy.



Examples include:

- Being able to openly share information to operate as **One Team**.
- **A strong and ambitious workforce**, that understand the importance of digital in a modern organisation and has the skills to exploit it to deliver great services.
- **Focused on communities and customers**, building digital services around customers' needs and supporting community enablement and engagement through social media and other channels.
- Driving to **continually improve** service quality based on feedback from customers is a core principle of modern digital organisations.

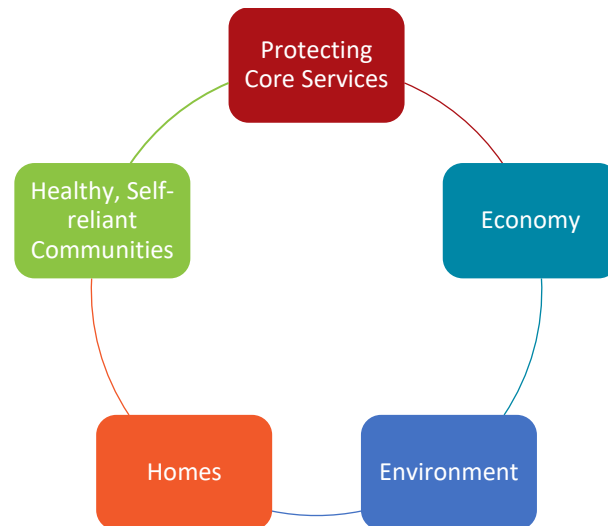
#### 4.2 Design Principles

The Future State Programme design principles offer robust and relevant guidance to inform the Digital Strategy. These needed to be embedded into the Digital Strategy.

1. Focus on the customer experience	3. Support customers to do more for themselves	5. Resolve issues at first point of contact	7. Manage customer expectations and keep them informed throughout	9. Use skills and expertise effectively	11. Use technology to help maintain compliance
2. Fewest number of steps for the customer	4. Proactively prevent and shape demand	6. Collect information once and only if we must have it	8. Processes are Digital by default	10. Manage work efficiently using workflows and prompts	12. Build performance measures into process workflows

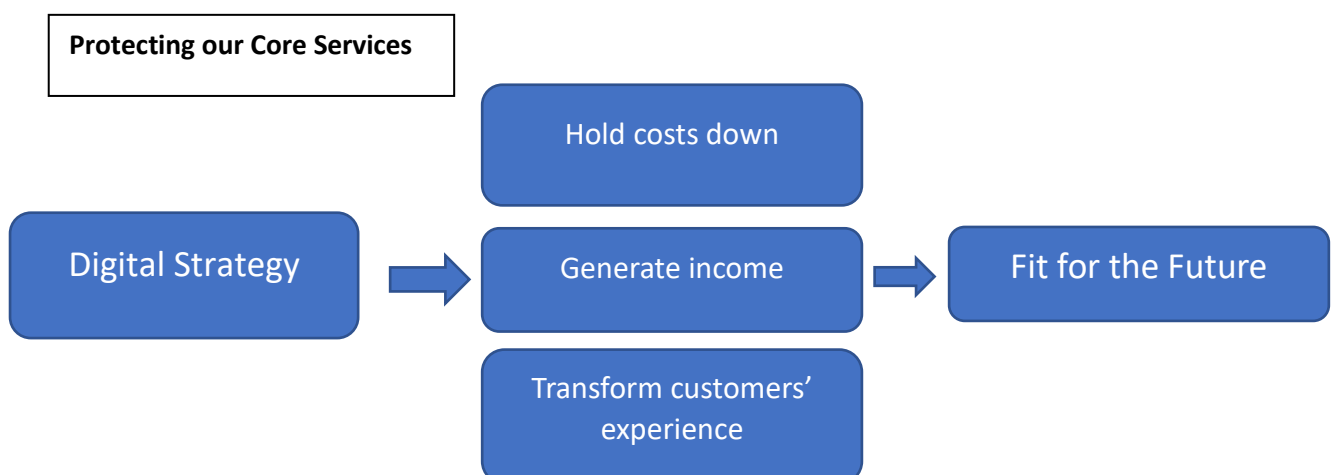
### 4.3 Communities of Practice

SSDC's Communities of Practice set out five core areas on which all of the council's activities are focused.



There are implications for the digital strategy in each of these areas, particularly when considering the wider use of technology to enable smart communities and using information to influence and engage.

However, the primary area where the digital strategy currently impacts the organisation is with Protecting Core Services. The Digital Strategy will be one among other strategies contributing to the delivery of this theme.



#### **4.4 Creating a Vision and Ambition for Digital**

A priority activity must be to establish a clear vision about how SSDC will embrace digital to deliver its outcomes for the communities and individuals it serves. Without this clarity there is a real risk that the ambition to really transform the organisation will be set too low.

Therefore, an early piece of work is needed to develop the organisations vision for the future and the role digital plays within this. For example, how will SSDC work with partners to deliver outcomes; how can technology be used to empower communities to help them become more sustainable.

The digital strategy action plan needs to have a greater external focus than has surfaced to date, looking at what others are doing creatively with technology, both within local government and other sectors. This will help to raise the ambition.

## **4. Where Are We Today?**

### **4.1 Overview**

It was not the intention with this document to undertake an in depth look at the current position within SSDC. However, it is important when defining any strategy to understand the start point, so the following notes gives a brief oversight of the current position.

### **4.2 Technology**

In general, SSDC have made a reasonably good level of investment in the underlying technical infrastructure. From the initial analysis most of the current technology platforms can be taken further and provide the basis future development. However, over time as assets move to end of life, consideration must be given to using cloud services for infrastructure, platforms and applications.

There are some gaps, for example the use of VDI to create a virtual desktop environment is unlikely to meet the needs of a more mobile organisation that will use laptops, tablets and smart phones more extensively.

There are two primary issues with the current technical estate:

- There are no firm plans to exploit the current technology platforms, that can do an awful lot more if they were deployed and utilised effectively.
- There is no underpinning technology strategy (this underpins the Digital Strategy) and consequently no road maps for the future development or replacement of infrastructure. This is currently somewhat ad-hoc.

### **4.3 The Transformation Programme**

The Transformation Programme has delivered a modern platform on which to build the Digital Council. Clearly, there have been significant issues, both with the product and the internal delivery process, but the majority of these are now being addressed. There is a great deal more that can be done to exploit the investment made to date, the Transformation Programme provides a robust platform to build on, rather than being the end state.

The choice to go with an 'everything in one box' product from Civica means there is a more limited flexibility over designing service from scratch. However, offsetting this is a lower cost and risk solution that will meet the more standard requirements. There may be requirements that require a more specialised solution e.g. for bookings, which should be relatively easily bought in and integrated. Having the capability and standards to integrate products from different suppliers is key.

The assumption is therefore made that the Civica platform will be the core toolset on which the council builds its services for the next 3-5 years. The challenge, once the Transformation Programme has ended, is the need to invest further time and effort into further developing and continuously improving the Civica product so that its full potential can be exploited.

#### **4.4 Digital Capability of SSDC**

From discussions with managers around the organisation, the consensus was that the digital capability of the organisation needs to be significantly lifted.

The current relationship with IT, and the way IT based change is delivered, has been very traditional and rather transactional. In developing a modern digital environment, managers with accountability for services need to be an integral part of the redesign of services and how digital technology is used to enable this. This will require a significant investment in new skills and understanding in business staff and managers.

Also, the general capability of staff across the organisation to use technology was consistently described as patchy. Without investment to grow the skills in individuals to use the tools provided efficiently, transitioning to a digital world will be more difficult.

Investing in a much better organisational digital capability needs to be a major theme of the strategy.

#### **4.5 Governance**

The visibility of governance arrangements of digital change has been limited to the Transformation Programme. Some short-term changes have been recommended for the remainder of the programme to address immediate issues with delivery. The governance model is relatively traditional, and more aligned with a 'top down' waterfall approach, rather than being agile.

Digital transformation somewhat challenges this model as it requires a much more agile approach to delivery, where priority is driven by the business value the change will deliver. It tends to work in much shorter delivery cycles (weeks) and creates a much closer relationship between business leads and the technical delivery teams. Some projects will still lend themselves to the more traditional waterfall type approach, e.g. a major infrastructure change.

SSDC is in the process of establishing a Programme Management Office, as part of existing plans. This will be very helpful in creating a level of independent assurance on delivery and risks. Given the move to a much more integrated organisation, built around a single operating model, this really needs to be a key feature of future governance. This needs to operate at both a business and technical level.



## **5.5 IT Services**

The current IT service is built around a traditional role of managing back office infrastructure and operational customer services. Increasingly organisations are buying in services for these more commoditised areas, with a higher proportion of the internal team much more focused on change enablement and strategy.

A short-term issue is the lack of capacity and capability to support the Civica solutions delivered through the Transformation Programme, once the programme closes. This is a significant risk.

The need to create a fit for purpose new service to support a digital organisation is significant and relatively urgent.

## 5. Closing the Gap – Developing the Capabilities

### 6.1 Key Capabilities

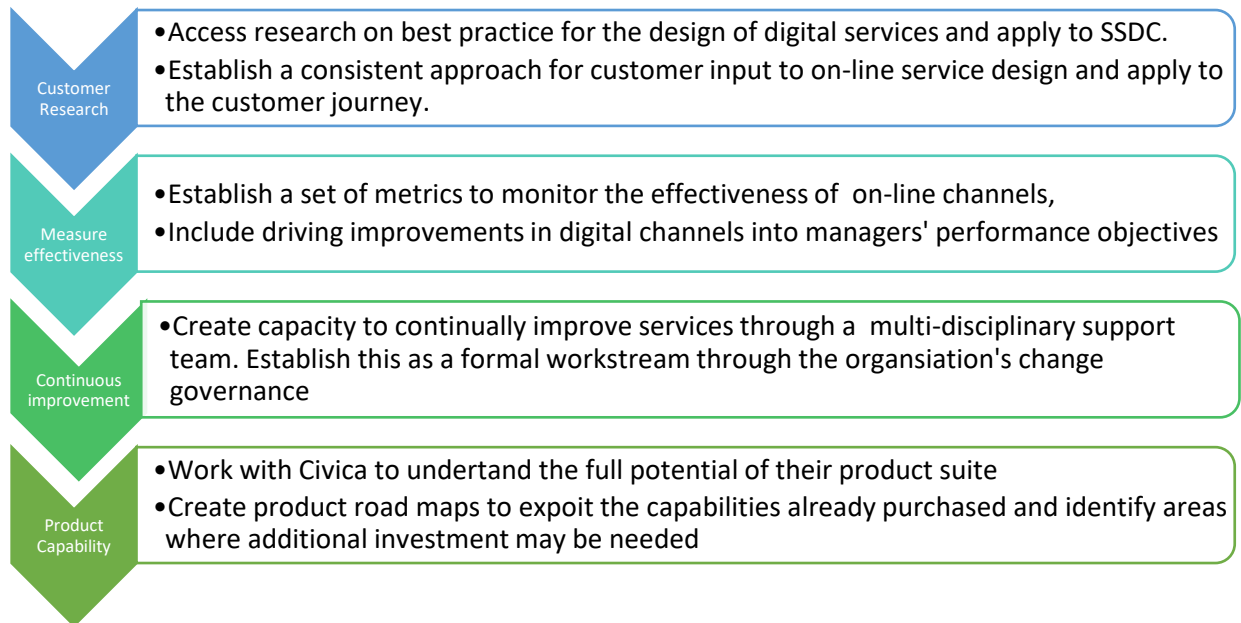
A workshop of the Leadership Management Team (LMT) identified the following priority capabilities that need to be addressed as part of the strategy. These are further developed in Section 6.2 into possible next steps to develop each area.

Great on line services	<ul style="list-style-type: none"><li>• Automated 'end to end' services designed around customers journeys and needs, including advice and guidance, driving channel shift and reducing demand.</li></ul>
Well managed and efficient processes	<ul style="list-style-type: none"><li>• Simplified and consistent business processes that are continuously monitored and improved, exploiting technologies such as RPA and AI.</li></ul>
Working flexibly	<ul style="list-style-type: none"><li>• An integral part of a 'ways of working' strategy that enables staff to work anywhere with technology that supports this.</li></ul>
Access and analyse data	<ul style="list-style-type: none"><li>• Well managed data, underpinned by the right policies, that can be readily accessed, supported by tools to enable 'smart' analysis</li></ul>
Integrating with Partners	<ul style="list-style-type: none"><li>• Able to readily connect with partners, sharing information and collaborating in the delivery of services, building towards the platform model.</li></ul>
Empowering communities	<ul style="list-style-type: none"><li>• Use of tools (e.g. social media) providing information to increase resilience, support democratic engagement and reduce demand</li></ul>
Easy to use systems that just work well	<ul style="list-style-type: none"><li>• Increase the reliability and ease of use of systems, making them more intuitive and less complex.</li></ul>
A skilled and confident workforce	<ul style="list-style-type: none"><li>• Develop the capability of managers and staff to be able to operate effectively in a digital world.</li></ul>

## 6.2 Developing the Capabilities

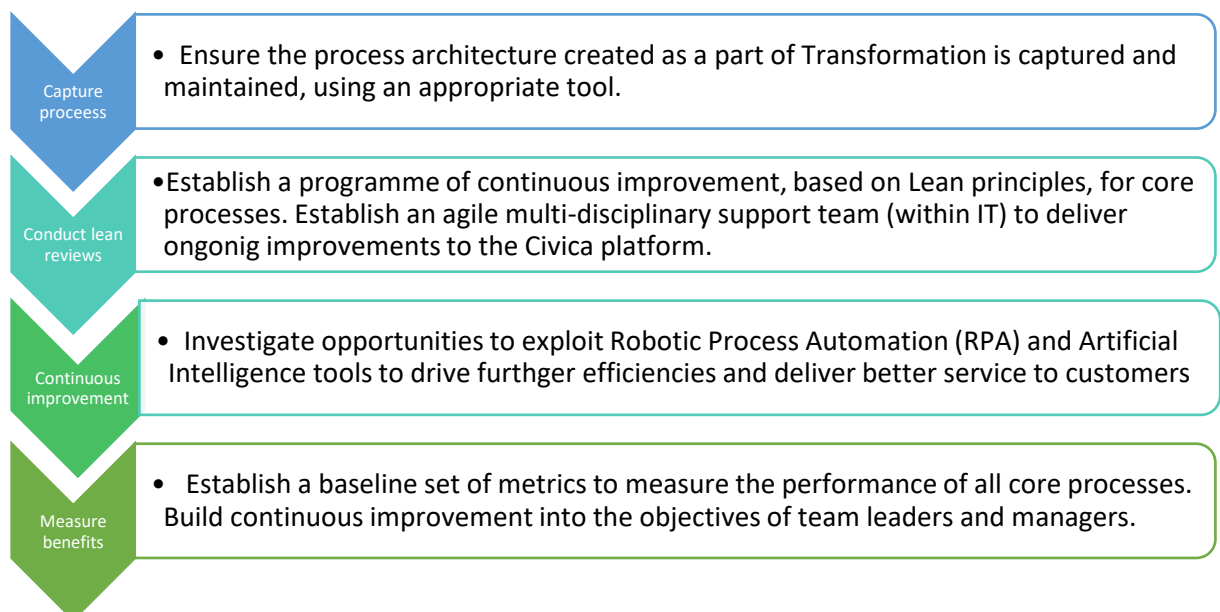
### a) Great On-Line Services

**Requirement:** Ensuring we have on-line services that our customer will want to use because they are so good.



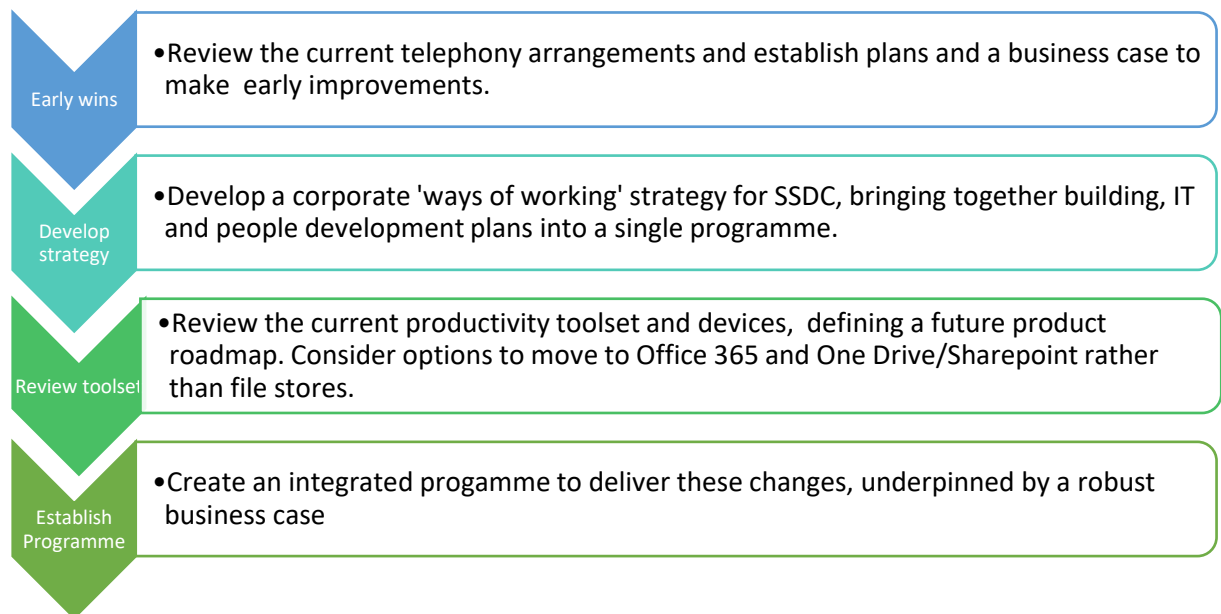
### b) Managed and efficient processes

**Requirement:** To continue to drive efficiency gains and quality improvements into the core processes through which services are delivered.



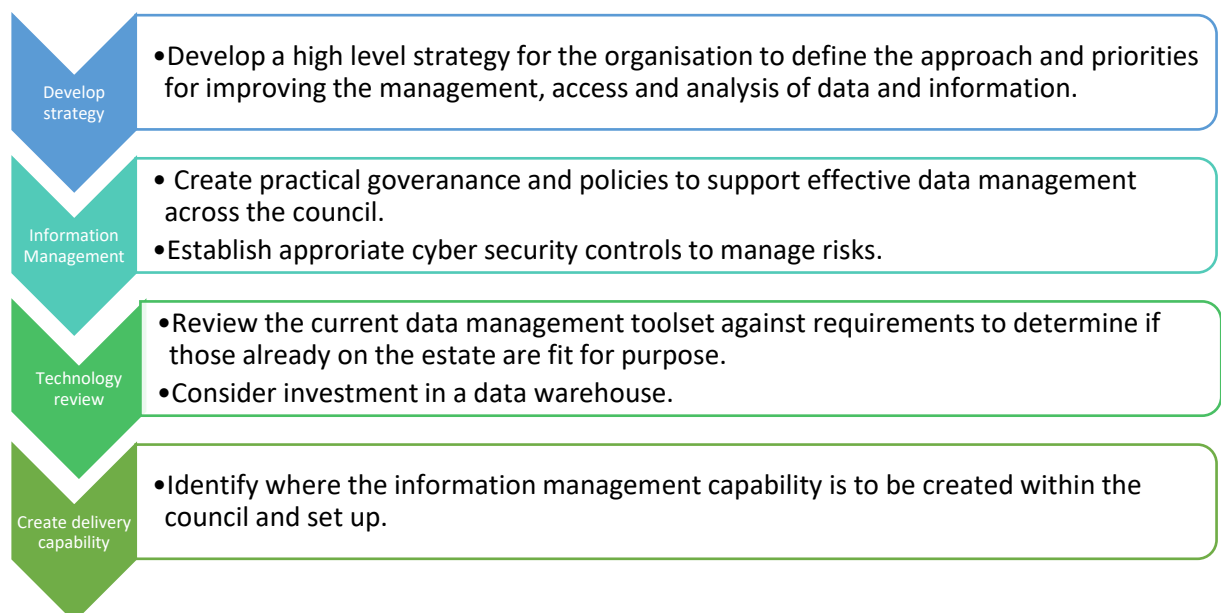
### c) Work Flexibly from any location

**Requirement:** Create an environment in which staff can work efficiently from any location, readily able to collaborate and share information with colleagues.



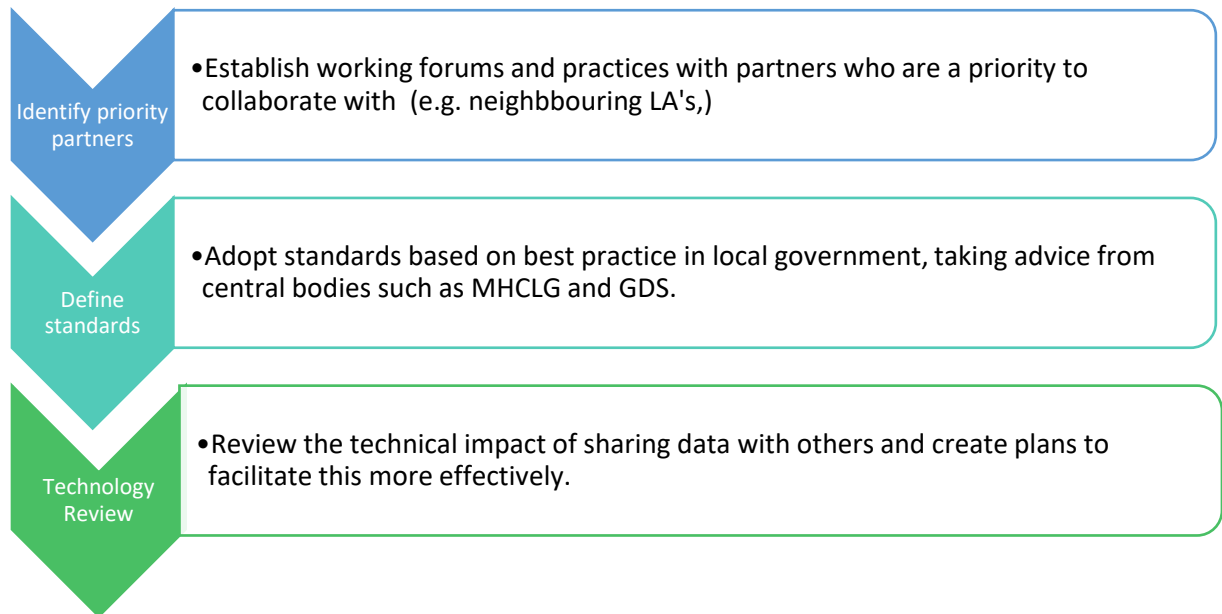
### d) Securely access and analyse data

**Requirement:** To access information held within SSDC and other sources and the tools to analyse data, supporting better planning and performance management while managing the associated cyber security risks.



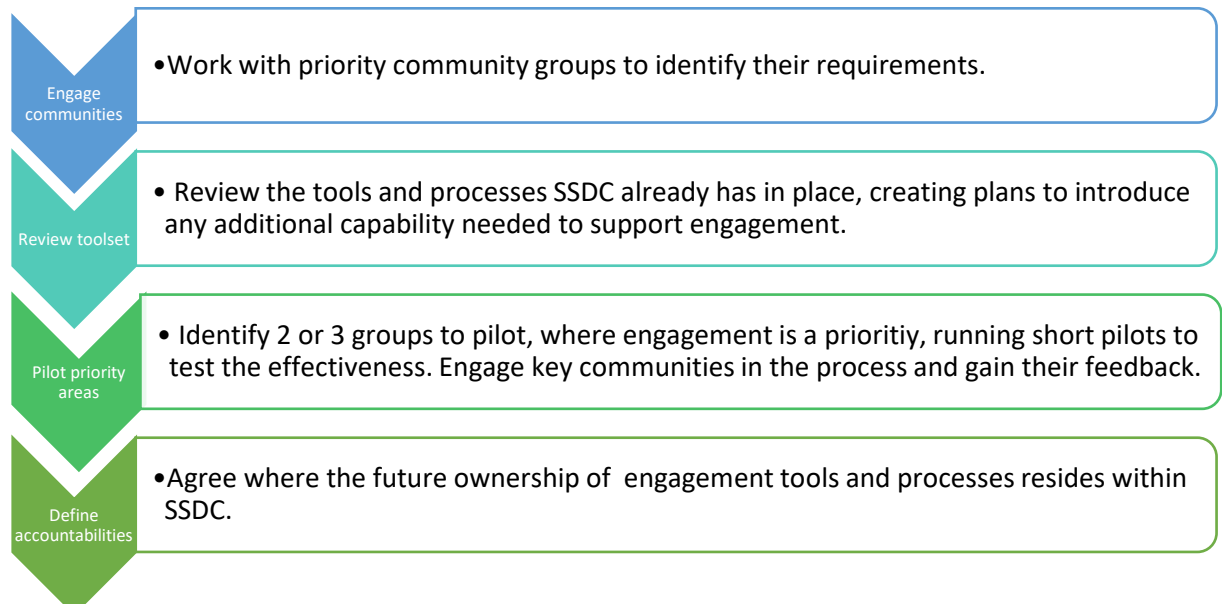
## e) Integrating with Partners

**Requirement:** To be able to collaborate with partner organisations to deliver outcomes and services more effectively.



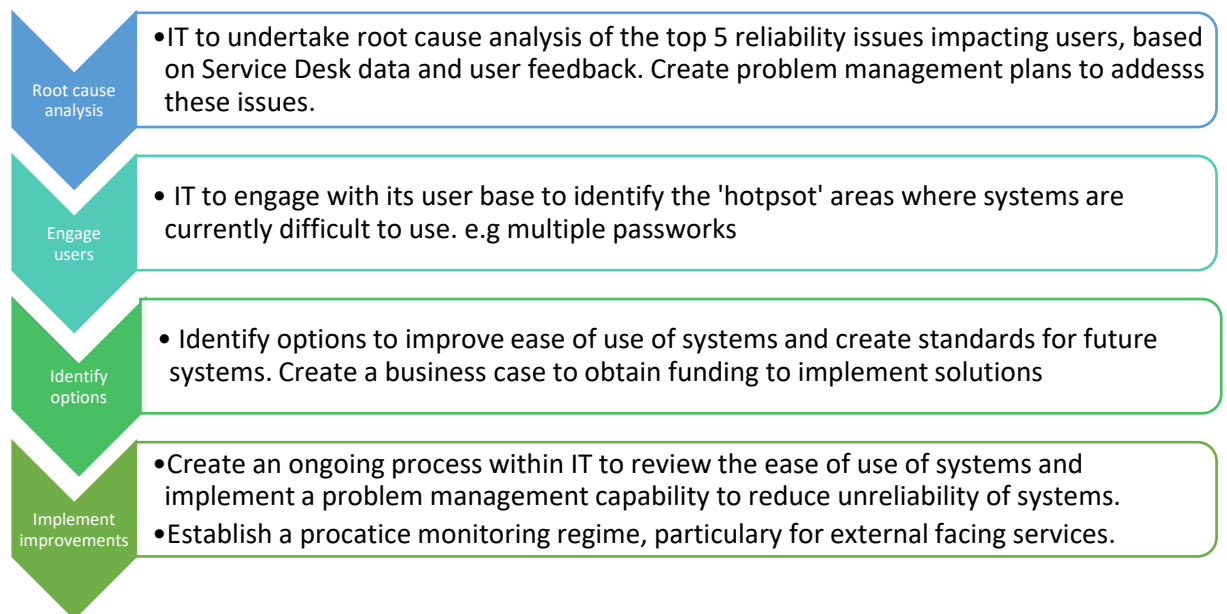
## f) Empowering Communities

**Requirement:** To be able to enable and engage local communities, making them more resilient and reducing demand. Supporting more effective democratic engagement.



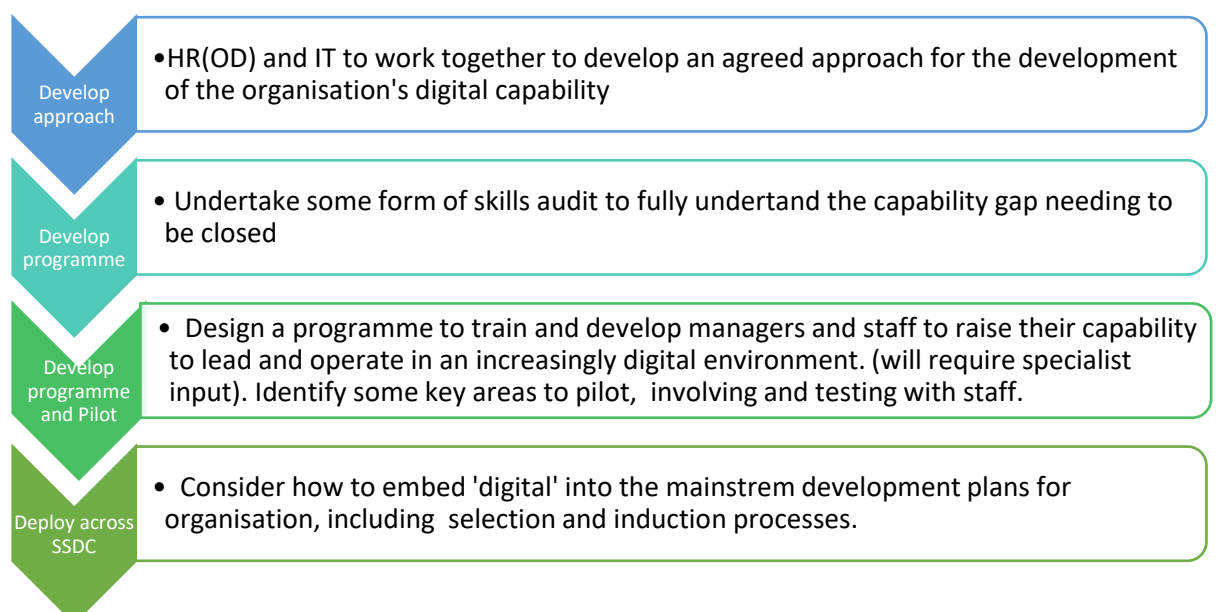
### g) Easy to use systems that just work

**Requirement:** To improve the reliability and ease of use of our systems for users and customers.



### i) Skilled and Confident Workforce

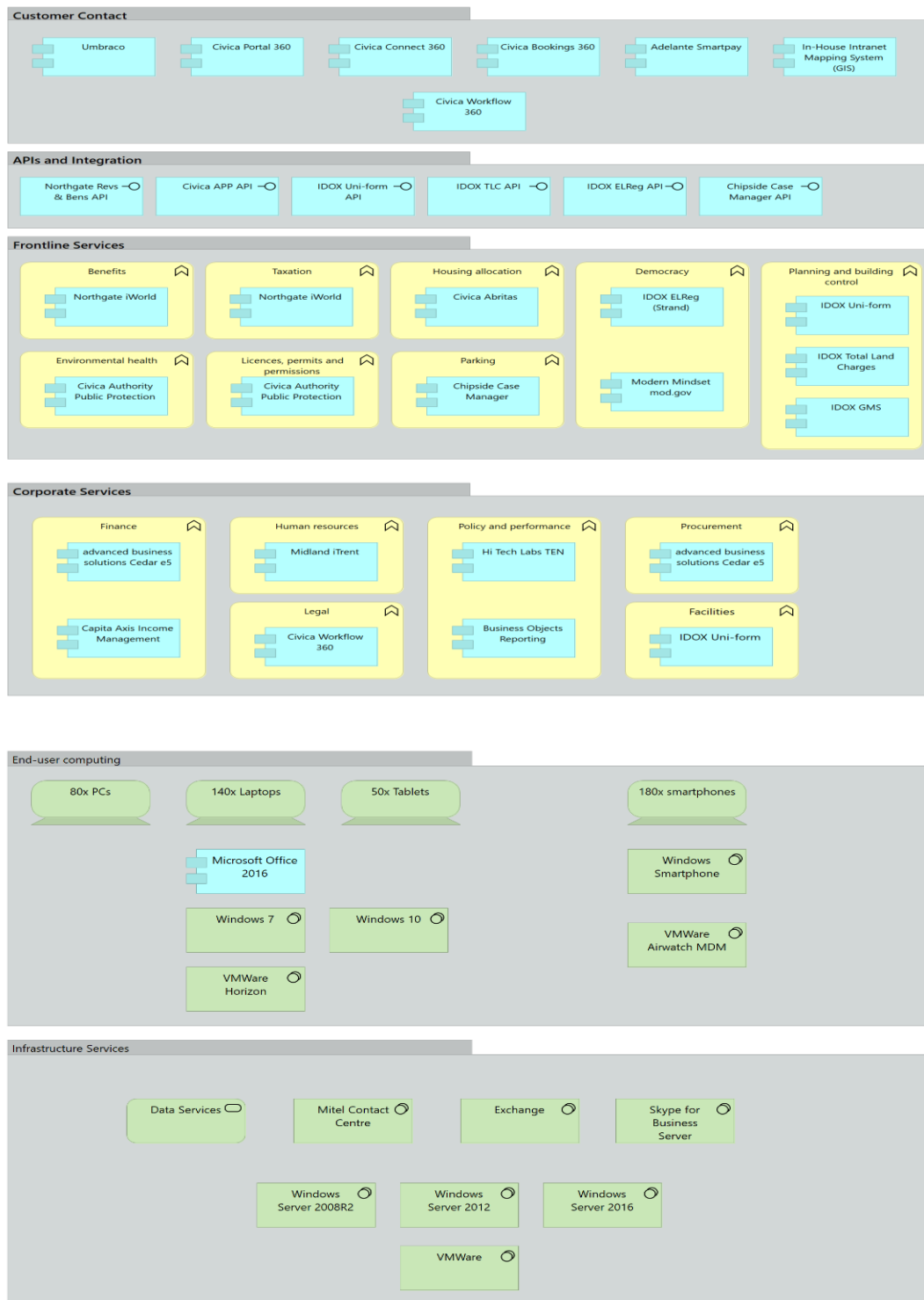
**Requirement:** Developing the necessary leadership, management and IT skills for staff and managers to operate effectively in an increasingly digital environment.



## 6. Technology Implications

The architecture diagram below has been captured through a short piece of analysis of the current IT estate. This provides the opportunity to identify areas where there are gaps in the organisations technology capability.

### 7.1 Architecture Diagrams



## **7.2 Key Technology Gaps**

The following short to medium term gaps have been identified in the organisation's technology capability. These will need to be addressed in order to deliver the required outcome of the Digital Strategy and ensure we are building on solid foundations.

### **a) User devices.**

The current thin client devices are unable to provide the flexibility and user experience which is required for staff to work efficiently and flexibly.

Laptops and tablets will become the standard user devices and thin clients will be phased out.

Mobile phones provided to staff will need to be fully integrated with Skype in order to deliver truly unified communications.

### **b) Remote connectivity to the network.**

The current methods of connecting to the network remotely do not provide a seamless and consistent experience to staff. Not all software and systems are available remotely which currently restricts some staff from working flexibly.

A new platform to delivery remote connectivity is required. This must provide access to all software and systems in a seamless and reliable way and be available to all staff.

### **c) Collaboration Tools**

Skype for Business needs to fully adopted and embedded into the organisation. A combination of activities is required to enable this.

- The technology available in meeting rooms must be upgraded to ensure it is consistent, reliable and easy to use.
- Staff need to be made aware of the capabilities available and become confident to use them.

### **d) Business Intelligence tools**

The existing toolset to analyse data has minimal capabilities and not consistent across the organisation.

A single business Intelligence platform is essential to enable data from many different business systems to be analysed efficiently turning data into meaningful information.



## 7. Developing Organisational Capability

### 7.1 Context

Evidence from organisations who have successfully implemented a digital capability is that simply putting new technology in place without addressing the organisational capability and culture will not be successful.

Therefore, SSDC will now creating a programme of digital organisational development to equip staff and managers with the skills to operate and develop a successful digital organisation. Without this there will simply be a continuation of 'old' thinking about service models, reinforced by traditional behaviour. In addition, if staff cannot use the tools provided effectively this will fail to exploit the opportunities that technology can offer to do things very differently.

The skills and capabilities needed include:

- the basic skills to be able to use the tools that are being delivered
- a more sophisticated capability to lead and engage in the design and improvement of digital services
- embedding digital thinking and behaviours into the leadership and governance of the organisation.

### 7.2 Leading and Managing in a Digital Environment

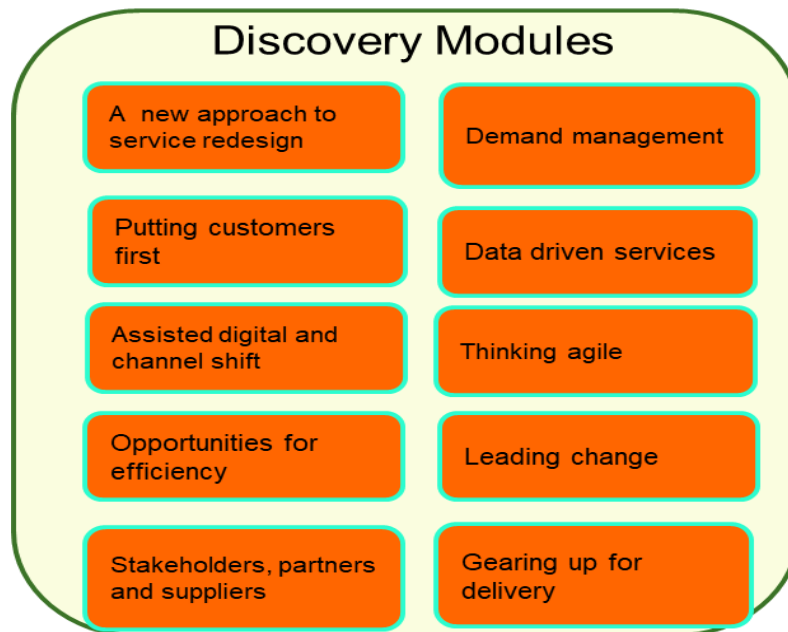
Leaders and managers need to embrace the changes that a digital environment will create and the opportunities it will offer. This means moving towards a model of continuous improvement, where many services will be delivered directly by technology, with limited or no people involved.

Specific skills need to be developed to achieve service redesign include the discovery of what is possible, delivery of change and continuous improvement of services.

The diagram below summarises some of the core skills needed by managers in each of these phases of digital delivery.



It is beyond the scope of this document to design each of these phases in detail, but the diagram below gives some examples of the specific sort of content that could be included in one of the phases for 'discovery'.



Ideally, to increase effectiveness, delivering these modules needs to be aligned to practical service redesign activity, but this is not always possible.

In addition to this more targeted training, the management development programme should be reviewed to consider how this can best be aligned with the objectives of becoming a digital organisation.

Consideration should be given to creating a Digital Champions network across the organisation, to help promote and support the development of new skills and create the required culture.

### 7.3 Digital Skills Training

No analysis of the current digital skills training in SSDC has been undertaken. However, feedback from LMT very clearly indicates that there is a lot of concern about the potential size of the gap around people's abilities to have even the basic IT skills needed to be effective.

As technology becomes more pervasive, without the necessary support staff find it difficult to engage with the digital agenda and potentially become marginalised. This can often become very evident when organisations move to more flexible working practices, both because of the dependency on new tools to be able to operate, but also because existing support networks change and expose capability gaps.

There are also significant cultural impacts to address. If for example the council should decide to move to a very flexible working environment, with a much smaller office estate with teams using collaboration platforms to work together, staff may become very isolated if they cannot use technology, such as Skype, to stay in touch.

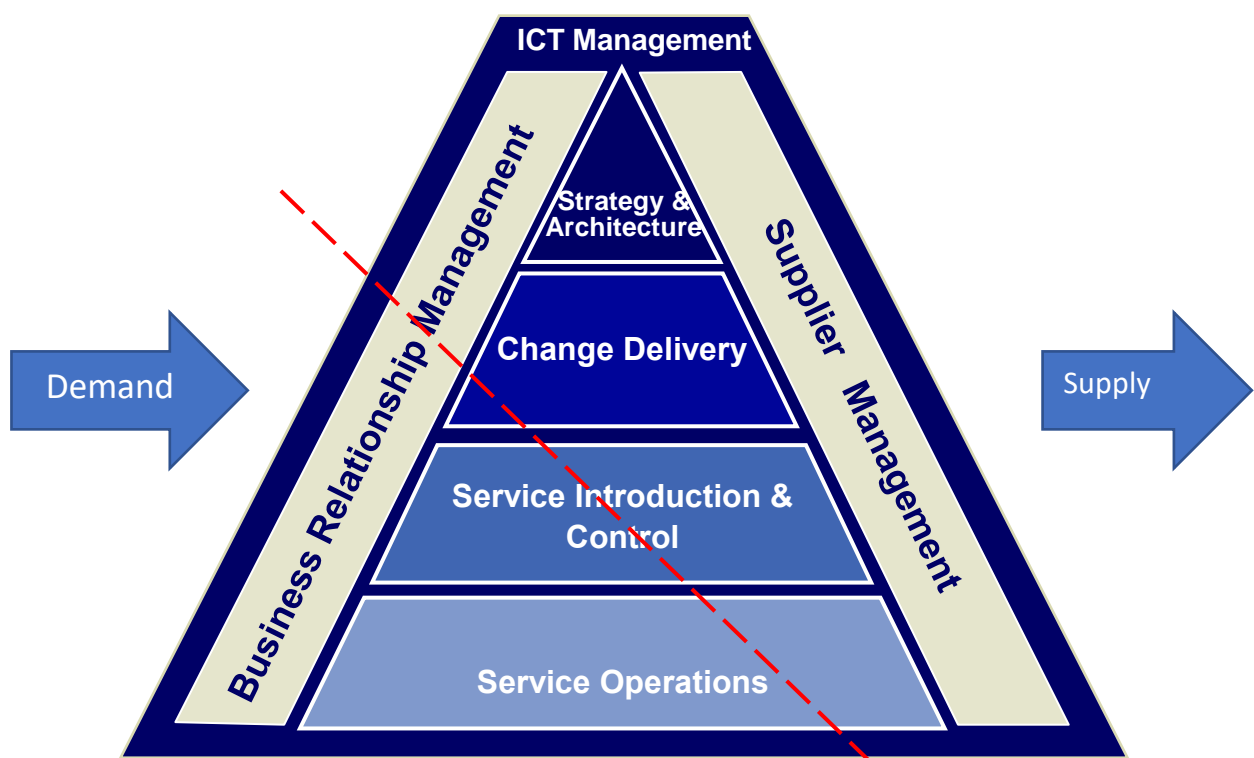
It is recommended that an audit of staff skills is undertaken to inform the design of an organisational development programme to grow the skills of staff. This should embrace both the basic capability to use the technology, but also awareness of the impact digital will have on the way the organisation will operate and the impact on the people within it.

## 8. The Future IT Service

### 9.1 Changing role of IT

The current IT Service will increasingly become unfit for purpose to support a digital organisation. The primary change that needs to be made is from an organisation that is built to deliver operational support services to one that can support the organisation to change

The following model shows the role of a modern IT service, effectively acting as the broker between demand and supply.



The transformation needed in the IT service moves the focus from below to above the red dotted line indicated on the diagram.

The future organisation will need to:

- Proactively engage with its business customers to co-create digital strategy and plans, exploring the art of the possible.
- Create an underpinning IT strategy and design (architect) the future so that the integration between the business model and the IT estate is aligned.
- Procure and manage the performance of suppliers, driving value from the relationships.
- Develop an agile development capability to support continuous improvement of digital services.

- Move to a proactive monitoring regime, from the current reactive approach, so that services are fixed before the customer is aware, not after the event.
- Able to manage in a 'cloud' based environment, requiring different skills than managing an 'on premise' estate.

## 9.2 New Capabilities

The key new capabilities that will need to be developed within the IT service:

Strategy Development	•Working closely with busienss colleagues to undertand their issues and priorities and co-design solutions integrating digital into the thinking.
Architecture	•Able to design the future techncial estate and ensure this is fully integrated with business plans to deliver agreed strategies.
Agile Change Delivery	•Creating the capability to support continuous improvement of the digital environment through a more agile and rapid approach to delivery
Business Relationship Management	•Engaging with key customer groups to undertand their requirements and issues, explaining IT plans and discussing opportunities digital offers
Supplier Managment	•Capability to manage the full commisioning lifecycle, to drive value by managing the performance of suppliers throughout the contract.
Information Management and Cyber security	•Establishing a more formalised information management capability, underpinned by effective security management
Proactive Monitoring	•Moving the IT operations function to become a proactive monitoring organsiation to increase the avaiability of services.

## 9.3 Possible Areas for Externalisation

### a) Cloud

The general direction for most organisations is towards using cloud services at several levels: infrastructure, platforms and applications. Cloud is now a well understood and mature approach, with services increasingly becoming commoditised.

However, a one size fits all approach is not appropriate as each organisation's context needs to be considered, such as:

- The age and investment made in the current 'on premise' estate.
- The balance between capital and revenue investment.
- Data storage security policies

Cloud services will play an increasingly important part of the mix, with a hybrid environment existing for a number of years. Therefore, it is important to create an organisational plan for cloud migration, so that the right decision can be made each time an opportunity to select a cloud option is considered. Cloud should always be included as one option in any case for new services.

#### **b) Other Services for Consideration**

With the increasing standardisation across IT, a number of services are now increasingly being bought in by organisations. SSDC should consider in its strategy whether any of the following services would be more effective, and potentially cheaper, if they were outsourced.

- Desk top support, including the provision of devices (e.g. laptops)
- Network management and telephony
- Legacy applications support
- Service desk

### **9.4 Changing the IT Service**

The changes to the IT service require a significant transformation. Some of today's roles will not be needed in future and new capabilities will need to be created. The transition needs to be carefully planned and managed to ensure services can be maintained and staff are treated fairly.

Some of this change is urgent, as the Transformation Programme is already creating an environment that will need to be supported after the programme has closed, but as yet there is no capability or capacity to do this.

There will also be costs associated with making the transition, developing new skills and recruitment where gaps currently exist.

Therefore, it is recommended that the creation of the new **Digital Service** is progressed as a priority and is treated as a change programme with the necessary controls and structure in place to ensure the desired outcomes are delivered.

### **9.5 Future IT Costs**

As the use of digital technology in SSDC grows, and the dependency on it being available increases, there will be upward pressure on the IT budget to support this. There is little point in investing heavily in technology then not getting the best out of it by failing to support it properly.

Increases in license numbers will tend to drive up costs and as the move towards cloud and buying services increases, there will be a shift away from capital requirements towards a flatter revenue profile.

These increases should be partly offset through the redesign of the IT service and taking opportunities to deliver further efficiencies, for example through the rationalisation of current contracts and better procurement.

It is recommended that the IT budget is re-baselined to ensure that there is clarity on the costs of the new service model and on the efficiencies to be delivered.

## **9.6 Short term issues**

Several short-term issues have emerged through the review which require more immediate attention:

**Transformation Programme:** The programme is delivering a lot of automation, workflow and other technology that is currently dependent on largely external staff within the programme to support it. An in-house capability needs to be created urgently that can pick up support issues. This needs to happen well before the programme closes, so that knowledge transfer from the programme team can be undertaken.

**Reliability of Services:** Undertake an analysis of the current service outages and identify areas that are having the biggest impact on users. Then create management plans to improve reliability.

**Usability:** The usability of some of the current technology has been regularly raised. Work with key user groups to understand where this is having the biggest impact then develop options for improvement.

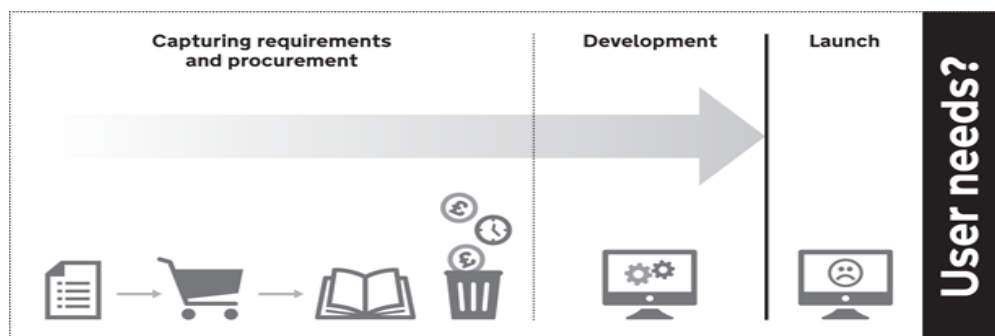
**Telephony:** Telephony, and the lack of flexibility the current set up offers, has come through as a major area of concern. There is a relatively modern underlying platform based on Skype for Business. Options to accelerate changes to telephony services should be addressed.

## 9. Governance in a Digital Organisation

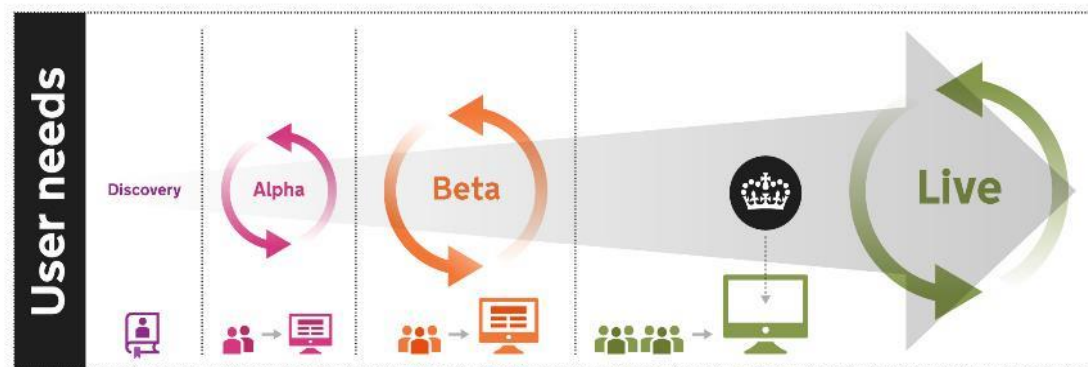
### 9.1 Agile Delivery

To exploit the opportunities digital can offer, a more iterative style of delivery is needed. This uses an approach called 'Agile' which differs significantly from the more traditional waterfall methodology. The diagram below, from the Government Digital Service, summarises the difference in the two methods.

#### Old Way



#### New Way



This approach to digital transformation is now well tried and tested across government and has proved to be the most successful way of delivering benefits from digital at pace.

The advantage of working in an agile way is that opportunities and improvements are identified and implemented throughout the change lifecycle, rather than being fully defined up front as a fixed set of very detailed requirements.



Another advantage of this approach is that delivery is in smaller increments, typically in weeks, so that if something is wrong it can be corrected and changed very quickly.

However, to work well it requires close working between the individual accountable for business services (the Product Owner) and the technical team who are designing and building the solution.

The concept of the delivery team being in place just for the duration of a programme is flawed. It needs to become an embedded part of the organisation, supporting continuous improvement. Clearly, levels of resources are likely to be significantly lower in business as usual, but the method and principles remain the same.

This will require a different governance model than the more traditional top down approach.

## **10.2 Consequence for Governance**

Often governance boards that have been accountable for change feel Agile puts them less in control. In practice, an agile approach provides a great deal more control as any issues and risks are found quickly and resolved, rather than being masked by monthly reporting cycles.

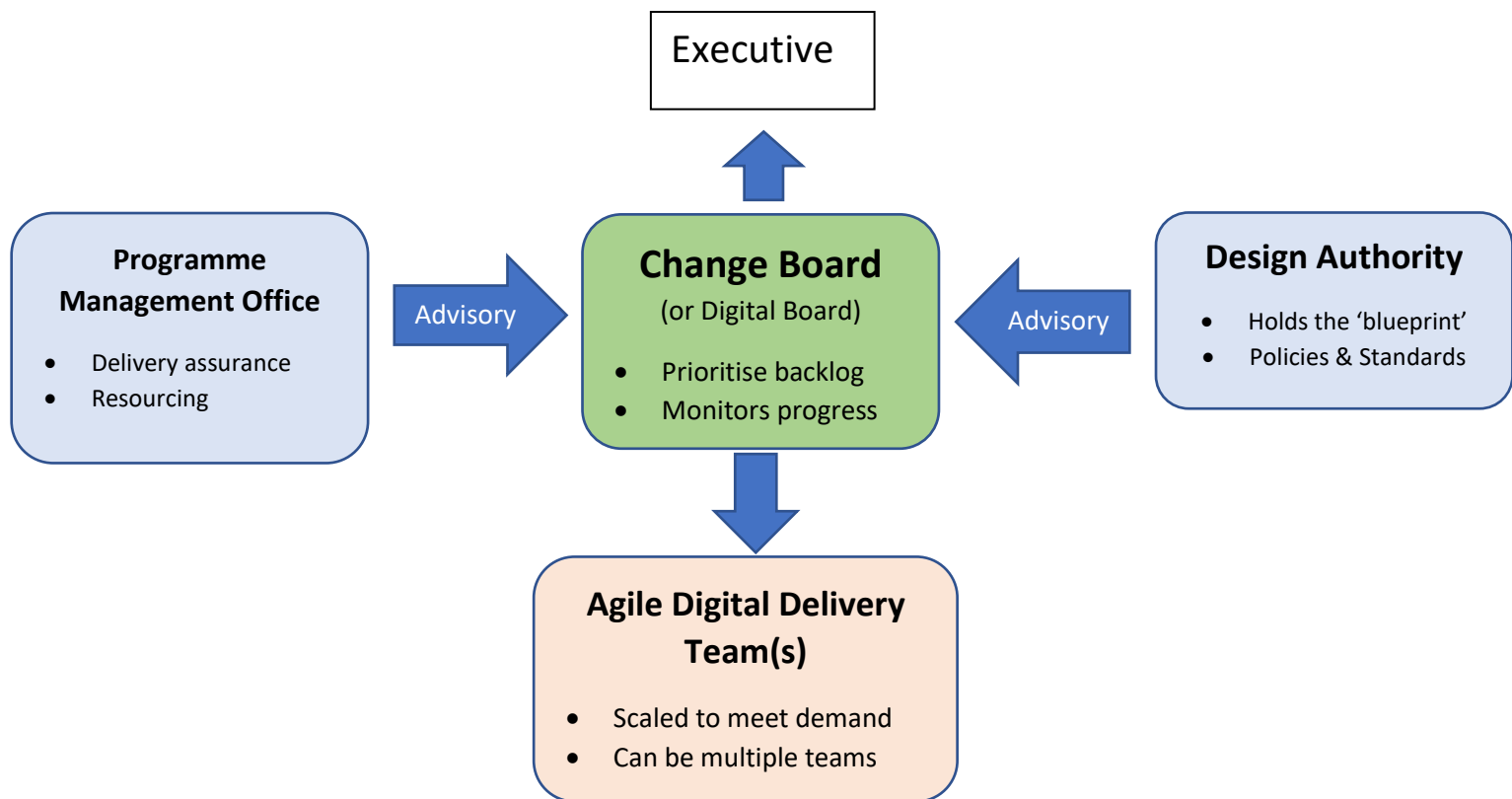
The key roles for governance in agile are:

- Prioritises planned work based on business value, which is then fed into an approved 'to do' list for the delivery team. This is called the 'backlog', which is regularly reviewed and reprioritised.
- Ensures there is clear ownership of the proposed change by the 'Product Owner' and the outcomes and benefits that need to be achieved are clear.
- Adjusts resourcing levels so that the pace of delivery of the backlog can be changed to meet the organisation's needs.
- Addresses risks and issues that cannot be resolved in the delivery teams.
- Ensures that new services are ready to go live and keeps them under review to drive continuous improvement.
- Ensures organisational policies and standards are being applied.

There is no differentiation between changes to existing services and new requirements, these are simply prioritised based on the business value they deliver.

### 10.3 Proposed Governance Model

The simplified picture below is indicative of some of the functions that are needed within any future governance model.



Key features include:

- A **Change Board** (this could be for all SSDC change or just Digital) that sets priorities, monitors progress and manages risks.
- The **Agile Delivery Team** provides a scalable resource to deliver new services and improvements to existing. Will be one team as a minimum to support continuous improvement.
- **Programme Management Office** provides independent assurance to the board on delivery and ensures all resources needed to deliver are in place.
- **Design Authority** ensures the 'To-Be' operating model and underpinning principles, policies and standards are followed by the delivery teams.

## **APPENDIX – Priorities identified at the LMT Workshop**

### **Priority 1 - Staff and Managers Digital Capability**

- Create an effective learning environment to grow our digital skills, digital by default
- Improved training on basic IT skills for all staff – base level induction
- Invest more heavily in ensuring staff can use the IT tools we have and are implementing
- Increase digital skills of managers so they can understand the art of the possible and how this can be applied to their service area
- Commercial/investment work – support needed to enable
- Learning needs to be blended, personalised and continuous, not a ‘one shot’ set approach
- Understand the opportunities better, what’s out there, trends and tools

### **Priority 2 - Easy to use systems that are intuitive for both staff and customers.**

- Must make sure our digital channels work well, are simple and encourage people to use them
- Drive the ‘tell us once’ principle into all we do.
- Develop an engaging and rewarding on-line experience for all
- Simplify access to our systems for staff, make them more consistent and intuitive

### **Priority 3= Better Technology to enable us to work efficiently**

- Become agile as an organisation in the way we operate
- Remote access to data, better collaboration tools
- Remote access critical with such a wide geographical area to support
- Simpler, easy to use phones
- Seamless integration between mobile and office
- Better in-cab technology, use of QR codes e.g. for stores management
- More mobile apps
- Integrated communications including effective videoconferencing
- Agile project management, supported by the right tool

### **Priority 3= Working effectively with Partners and the Community**

- Start to work with neighbouring LA’s in Somerset to create a ‘Somerset Portal’
- Proactively start to develop shared platforms across Somerset
- Connect digitally with partners e.g. Parish Councils
- Amazon style ‘one stop shop’ approach
- Giving communities the tools to influence SSDC policy digitally
- Link Careline with relevant services
- Progress the shared services agenda/unitary/partnership working
- Intelligence sharing with other partners

#### **Priority 4=**

##### **Communicating with Communities More Effectively**

- Opening up local democracy through broadcast tools
- Opportunity to get messages out to larger groups more quickly and easily
- Communicate internally on our performance to enable more agile and efficient working
- Linking with other councils and providers who are feeding into the same communities to join up info for our customers
- Join up our communications more effectively
- Digital marketing

#### **Priority 4=**

##### **Better data/information management, enabling flexible analytics and access**

- Information to support service demand management, planning and performance
- Better customer insight to design services
- Utilise predictive analytic tools more effectively
- A programme to rationalise and reduce storage (GDPR compliance?)
- Consistent data capture for land and buildings
- Capture real time information to manage services (Smart Community – IoT)
- Digital heritage – museum archive extended to other community museums
- Able to integrate/access with external databases and systems e.g. AONB,
- Improve join up between property, legal and finance data
- Establish a data library and standards

#### **Priority 5**

##### **Continuing to drive channel shift and automate services**

- Develop webchat/AI etc to help customers self-service, both transactions and information
- Drive customer on-boarding through effective recruitment to on-line channels
- Greater clarity about where digital services are appropriate and where F2F contact is really needed.
- Develop and extend self-serve networks
- Simplify access to information to allow easier on-line searching
- Support more effective income generation through smarter booking systems etc.

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Digital Strategy
Type of proposal (new or changed Strategy, policy, project, service or budget):	Internal strategy
Brief description of the proposal:	A strategy laying out how SSDC will exploit digital technology.
Name of lead officer:	Toffer Beattie

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

Is a full Equality Impact Assessment required?	<b>NO</b>
If Yes, Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
If No, Please set out your justification for why not.	
The greater use of digital does not impact adversely on any protected characteristic. There will be individuals across all groups that are more competent and comfortable with digital than others, and for every potential negative impact, there are positive impacts. Regardless of digitisation, we will keep analogue channels available for digitally excluded citizens. The strategy also includes the stated intention of digital upskilling for officers and members.	
Service Director / Manager sign-off and date	Toffer Beattie - 19 May 20
Equalities Officer sign-off and date	Peter Paddon - 20 May 2020

## **South Somerset Supporting Families Programme - Supporting struggling families and improving life chances for children and young people.**

Executive Portfolio Holder:	Cllr Mike Best, Health & Wellbeing
Strategic Director:	Martin Woods, Director - Place
Lead Officer:	Ian Potter, Lead Specialist – Vulnerable Customers
Contact Details:	ian.potter@southsomerset.gov.uk or 01935 462690

### **Purpose of the Report**

1. The purpose of this report is to set out details of a proposed programme delivery to meet the Council Plan Priority Project 7 - support struggling families and help to address child poverty and low rates of social mobility in the district, and to seek approval for the funding required to enable delivery.

### **Forward Plan**

2. This report appeared/ on the District Executive Forward Plan with an anticipated Committee date of 7<sup>th</sup> May 2020.

### **Public Interest**

3. In February 2020 the Council approved the Council Plan 2020 – 2024 and the Annual Action Plan 2020 – 21. One of the areas of focus in the Council Plan is to enable healthy communities which are cohesive, sustainable and enjoy a high quality of life. Within this area of focus is a priority project to support struggling families and help address child poverty and low rates of social mobility in the district. This report sets out the current challenges faced and a proposal for a programme of work to meet those challenges.

### **Recommendations**

4. That District Executive
  - a) approve the engagement of Yeovil4Family as a key partner to help deliver the South Somerset Supporting Families Programme to deliver the Council's priority project to support struggling families and help address child poverty and low rates of social mobility in the district
  - b) Agree in principle engagement for period of three years, subject to meeting agreed milestones for delivery or outcomes across South Somerset



## South Somerset District Council

- c) Approve the allocation of funding for Yeovil4Family to carry out this programme of work in the sum of up to £361k for Year 1 of the project from the Community Initiatives Reserve
- d) Note that a quarterly performance report will be brought to District Executive along with all the priority projects from the council plan
- e) Agree that a decision on a future funding allocation of £303k for each of the following two years of the programme will be brought before members at month 10 and 22 after consideration of outcomes
- f) Agree to the development of a Multi-agency plan to address child poverty and social mobility across South Somerset
- g) Delegate to the Director Place appropriate branding to reflect the cross District scope of the project

### Background

- 5. In 2019, 25% of Children in South Somerset were growing up in poverty. With the economic impact of the Coronavirus, this number is expected to increase. Being born into a disadvantaged background means the chances of getting good qualifications and a good job are poor. The educational attainment of Children from poor backgrounds in Somerset on leaving school is 22 months behind the national average.
- 6. The educational attainment of a child from a poor background is already surpassed by that of a less able child from a wealthier background by the age of seven. Somerset is towards the bottom of the national league table in relation to social mobility meaning that many of those born in to poor families are likely to stay in poverty for their lifetime.

### Improving the lives and life chances of families

#### The need for action now

- 7. The background (paras 5 & 6) in this report together with the following paragraphs demonstrates the need to urgently tackle the challenges faced by families and communities in South Somerset. The causes of child poverty and low social mobility are complex and the remedies will need the engagement of a variety of organisations from the public, community and private sectors. Therefore it is proposed to develop a Multi-agency plan to tackle child poverty and low social mobility in South Somerset. In the meantime, whilst this is being developed, applying the experience of national and local initiatives, there is scope for making interventions now that will support families and improve the position of some of the district's children.
- 8. The chance that a child will live in a deprived area in Somerset is increasingly likely - we now have 29 neighbourhoods within the 20% most deprived.



Specifically for income deprivation affecting children, there are seven neighbourhoods in the 20% most deprived nationally, with one neighbourhood in the 10% most deprived nationally. In addition, children from poorer households in South Somerset finish school with an average educational attainment that is two years behind the national average attainment. The Coronavirus has impacted economically most on individuals and households on the lowest incomes and who were already struggling. Whilst awaiting the formal data, it is anticipated that as a result of the Coronavirus, which has seen increases in the jobless count, increases in claims for universal credit and increases in requests for support to the district council in dealing with hardship, the levels of child poverty and deprivation will increase and the rate of social mobility will decrease. As an example, the claims for support with Council Tax have increased by more than 500%.

9. Unless poor social mobility and childhood poverty are tackled, many of South Somerset children's life opportunities will not improve, and disadvantage will carry over into their youth and adulthood. In addition, many children from poor backgrounds are not achieving their potential and as a result, neither benefitting from nor contributing to as fully as they could to a growing local economy.
10. Children from poor families are more likely to experience poor physical and mental health thus further compounding their social and economic exclusion.

### **Understanding the challenge**

11. Whilst some of the solutions to social mobility and eradicating poverty rest within the education system, there are many factors outside of the school environment that schools have little influence over that contribute both to educational attainment as well as life skills and life chances.
12. Struggling families are often characterised by one or more of the following traits: precarious employment (zero hours contracts or multiple part-time roles)/unemployment; unstable housing situation; benefits dependency; utilisation of community sector support e.g. food banks; high engagement and use of services such as housing, children's social care, health services, police; poor school attendance and attainment record of children.
13. Every family is unique with different needs and challenges. Those needs must be recognised and understood and support given to access the help they need and build capability to find solutions to the challenges they face.
14. Building capability and resilience within the family and in particular the children, is an important factor enabling them to cope with future challenges they will face with confidence.
15. Gaining the trust of a family is paramount in being able to identify their needs and it is recognised that the council is not best placed to undertake this work. This is because the fact that it represents authority can be a barrier to many families and the engagement requires openness and trust. In addition, the council does not





## **South Somerset District Council**

have all the skill sets required to engage with families in a very different way to how it does in the service provision environment.

16. In addition to engagement with families who are already struggling we also want to reduce the number of families reaching that point.

### **Project Aims & Outcomes**

17. The project aim is to provide support across South Somerset to struggling families to help them to be in a better position to help themselves. In particular the target outcomes for the three years of the project are:

- Creation of a more stable environment within families
- Increased attendance and educational attainment of children
- Decreased engagement of families with public services
- Reduce the number of children living in poverty
- Improve the chances that a person born into disadvantage will do well in school and get a well-paid job
- Improve the quality of life for struggling families
- To reduce the number of families reaching the point of struggling

18. In the long term, subject to the project's success and continuation beyond the first three years, the target outcomes are:

- Reduced rates of child poverty
- Increased rates of social mobility
- Improved educational attainment of children from poorer families – closing the gap on those from non-poor backgrounds
- Higher skill levels amongst South Somerset's young people that better match the needs of local employers and the modern economy
- Contribution towards reducing deprivation in South Somerset and a reduction in the number of neighbourhoods in the top 20% most deprived nationally

### **Background – Yeovil4Family**

19. Yeovil4Family (Y4F) was established in 2011 to support families across South Somerset who are isolated, have complex and challenging needs, or have established chaotic patterns and behaviours. Yeovil4Family provide a dual approach of Family Link Workers and Volunteer Family Mentors. Family Link Workers work with the family to develop a way forward, liaise with all associated agencies, and empower the family to make positive changes, establish better support networks, and develop more stable routines and behaviours.
20. Whilst Yeovil4Family is the key delivery partner, it is important to stress that the programme of support for families proposed to be provided will not just be within Yeovil but will be across South Somerset.



**The Support They Offer**

21. Yeovil4Family aims to provide support to people, in order to:

- 'help people to help themselves' to make changes and find solutions to their challenges bringing new hope into their lives;
- Turn the tide of family breakdown;
- See children prosper in a loving and caring environment;
- Develop positive and constructive relationships;
- Enhance social and life skills across all ages.

22. Recognising the impact of the work Yeovil4Family has achieved since it was established in 2011 the Council approached them with a project brief to scale up the number of families they engage with, extend the reach of that support to cover the whole district to meet the aims of the Council's priority project.

**Delivery proposal – Yeovil4Family**

**Programme Delivery**

23. This programme will be a significant expansion of the current Yeovil4Family programme across the whole of South Somerset. Yeovil4Family currently supports up to 75 families at a time with the majority of families being in Yeovil, but with families in Chard and a number of villages too.

24. Y4F has a good track record of work in this area, having successfully delivered support to 243 families through the Government's Troubled Families programme between 2012-2015. SSDC has continued to work in close partnership to deliver tailored support to families and individuals for the past 5 years since then

25. This programme would see an expansion of that capacity to 200 families extending across south Somerset including Wincanton and Chard. This expansion would happen in stages, with two phases of recruitment planned in May and September, and a 12 week timeframe from commencement of recruitment process to completion of induction and training.

26. The proposed model would provide an upscale to 100 families by September 2020 (primarily in and around Yeovil) and further upscale to 200 families in the final quarter, March 2021 meaning that by the beginning of year two the programme would be fully deployed across the whole district. This would be ahead of project timetable in the Council Plan.

27. Link workers will, be allocated cases by locality so they can partner effectively with the relevant school or GP, and Y4F will explore potential hot desk facilities to enable Link Workers to spend some time based in their locality for more effective and efficient working.

28. While the programme will be primarily carried out by Yeovil4Family it will have a multi-agency approach involving South Somerset District Council, the Police, Somerset County Council, Yarlington Housing Group, Schools and GP surgeries

## **Innovation**

29. There is good evidence that the Y4F model works and provides excellent and long standing results. That is because they are committed to long term support that is embedded in the family and in the home. Support that empowers the family to make positive choices and changes. Collaboration with agencies to provide a co-ordinated package of support around the family. Support that is tailored to each unique family, with priorities and goals that are set by the family. Referrals will come from a number of sources/agencies and different teams across SSDC
30. Y4F has faith in this model and a long history of great results that prove its effectiveness. They recognise there are real opportunities for innovation. Not so much in what the support looks like, but more in how we identify families and work more closely with partners and agencies to deliver outcomes more quickly.
31. SSDC is working with Somerset County Council on using data led intelligence to identify areas in the district where particular challenges exist which we will use to target support in areas most in need.
32. Y4F will alongside this work with agencies such as schools, GPs surgeries and housing associations to identify families who need support earlier, to engage them earlier, and be more effective and more efficient in support provision.
33. Y4F also believe that closer working with these partners will offer greater opportunities for collaborative learning. It will enable patterns that have been missed before to be recognised and incorporated into the intelligence used to design new solutions. This will, in turn, enable Y4F to respond quicker in the support curve and deliver even better outcomes. It will also enable those agencies to be more effective in their own services and spot issues earlier in the support curve.

## **Innovation partners**

34. Preparatory conversations with a few schools, and one GP surgery have been undertaken and are all very keen to collaborate with Y4F on this project. They are also developing a new style of collaboration with Yarlington Housing Group. Currently the schools and GP are all based in Yeovil, but Y4F aim to roll out this model across the whole district. Schools and GPs and other partners including the police will enable Y4F to connect more into the local partnerships, provide a point of connection into the community, and be a point of introduction to the families.



35. It is anticipated that whilst the capacity will be around 200 families at a time, the impact of the innovation, and the learning and development it offers will mean that more of the interventions will be for a period shorter than the 12 month 'standard' at present. This would mean that the capacity to help more families across a 12 month period would expand by up to 30% in year 2, and up to 50% in year 3, meaning 260 families supported across year 2, and 300 across year 3.
36. Since 2015 the Government's Troubled Families project has been led by SCC and has overseen the delivery of support to families through a range of partners across Somerset. This model will continue until March 2021. The work of Y4F compliments this model as the team are able to deliver bespoke interventions in people's homes, addressing issues which mainstream agencies are often unable to reach. Going forward we are working with SCC to ensure that the work we are proposing with Y4F fills gaps, meets the targets of all partners and enables us to share data effectively for the benefit of the families we are all working with

### **Programme commencement**

37. Yeovil4Family have recently undertaken interviews for new link workers on another area of activity and have two candidates ready to appoint if members agree the project proposal. They have capacity to interview further remotely for as long as it is necessary and are working on adapting our training to be online.
38. While there is some work to be done on office accommodation changes and IT support provision, work can begin on the project immediately on approval by members to proceed.

### **Project Timeframe**

39. It is proposed that the project will run for an initial period of three years with gateway reviews at months 10 and 22.

### **Governance & Performance**

40. The project sponsor will be the Director of Place and the Portfolio Holder will be Cllr. Mike Best
41. A Multi-agency Steering Group will be established to oversee the programme roll-out, coordinate agency input, learn the lessons from the programme and contribute to the development of the longer term plan for tackling child poverty and low social mobility.
42. A progress report will be produced for members every three months. A set of milestones and metrics will ensure progress towards the stated outcomes through the life of the project as part of progress the normal quarterly performance monitoring cycle



## South Somerset District Council

43. Progress will also be considered monthly at the Healthy, Self-Reliant Communities Community of Practice with feedback and suggestions for enhancing project delivery feeding into the project steering group for discussion and implementation.
44. The council have a current Service Level Agreement, monitored monthly, which will be adapted to ensure performance is measured and all spend is appropriate.

### Financial Implications

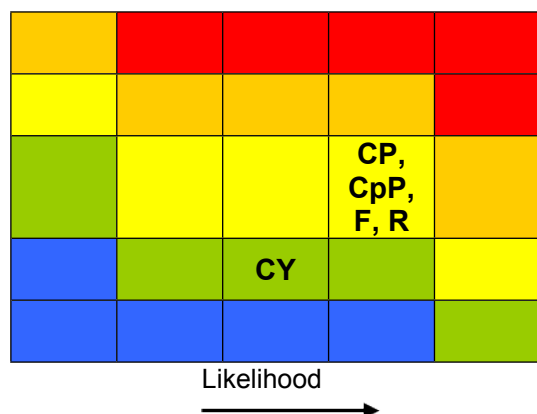
#### Project costs

45. There are a number of set up costs in year one of the project in addition to the costs associated with running the project. First year costs are forecast to be £360k. Years two and three have lower forecast costs of £300k.
46. As part of the 2020/21 Revenue Budget Setting report approved by Full Council in February 2020, there was £524.4K set aside to a new Community Initiatives Reserve. Year one costs of £360K will be allocated from this reserve.
47. Funding for years two and three cannot be identified at this time, therefore would need to be built in to budget planning and considerations and brought back to District Executive for approval at month 10 and 22 after consideration of outcomes. As set out in other reports on the agenda, the Council is in a period of financial uncertainty due to the impact of the Coronavirus on our income and expenditure. Therefore, it is not possible to fully commit to funding the programme beyond the first year. Given the impacts of the Coronavirus on the rate of child poverty, officers will work to identify what funds might be available in the Recovery Planning, to assist with delivery of the scheme going forward.

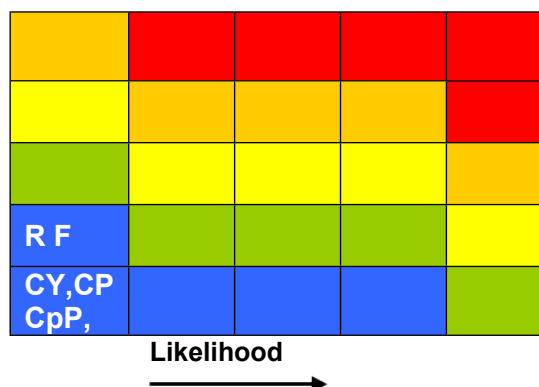
### Risk Matrix

The risk matrix shows risk relating to the Corporate Plan headings.

**Risk Profile before officer recommendations**



**Risk Profile after officer recommendations**



## Key

Categories	Colours (for further detail please refer to Risk management strategy)
R - Reputation	High impact and high probability
CpP - Corporate Plan Priorities	Major impact and major probability
CP - Community Priorities	Moderate impact and moderate probability
CY - Capacity	Minor impact and minor probability
F - Financial	Insignificant impact and insignificant probability

## Council Plan Implications

This programme falls under the Healthy, Self-Reliant Communities area of focus in the Council Plan. Specifically it meets Priority Project 7: Develop proposals to support struggling families and help address child poverty and low rates of social mobility in the district

## Carbon Emissions and Climate Change Implications

This is a district wide programme requiring some travel to be undertaken by the Link workers when meeting the families they are supporting. Cases allocated cases by locality and Y4F will explore potential hot desk facilities to enable Link Workers to spend some time based in their locality for more efficient and effective working, which will also minimise travel related emissions.

## Equality and Diversity Implications

There are no equality and diversity implications associated with this report.

## Privacy Impact Assessment

This project will involve the use, sharing and processing of personal data and I have considered the requirements of Data Protection and Privacy. I have also consulted with the council's Data Protection specialist. She is satisfied that we have a legal gateway for sharing and processing data to support this project. A full Privacy Impact Assessment will be undertaken as part of the project.

## Background Papers

- South Somerset District Council – Council Plan 2020 - 2024
- Somerset Improving Lives Strategy

# Agenda Item 9

## Planning Validation Guide

*Executive Portfolio Holder:* Tony Lock, Protecting Core Services  
*Directors:* Netta Meadows, Service Delivery  
*Lead Officer:* Simon Fox, Lead Specialist (Planning), Service Delivery  
*Contact Details:* Simon.fox@southsomerset.gov.uk

## Purpose of the Report

1. Members' support is sought to adopt a new Validation Guide to aid the validation and registration of planning applications.

## Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 4 June 2020.

## Public Interest

3. A Validation Guide sets out the type of documents and plans that an authority requires to register a planning application. There are two lists; a National list which has very basic requirements including an application form and very minimal plans and the Local list which allows the authority to bespoke their requirements.
4. The Town and Country Planning - Development Management Procedure, says an up-to-date Validation Guide (inclusive of National and Local lists) should be reviewed and republished bi-annually. Currently we do not have an adopted document by which to assess incoming applications meaning we have to rely on the National list, which sets out minimal requirements.

## Recommendation

5. That the District Executive adopt the Validation Guide.

## Background

6. The last Planning Application Validation Guide dates back to 2007, it is attached as Appendix A. The proposed new Validation Guide (combined National and Local requirements) is attached as Appendix B. The proposed document is more interactive with links to our website and other sources of information. It aims to address common issues our team experience and sets out clearly what we expect from applicants and agents. The document has been written and designed to form part of suite of key process changes to streamline the planning process and create efficiencies. The document promotes many of the facets of the modern Council, including channel shift, self-service, digital submission and the interaction between case services and specialists.
7. Even with an out-of-date Validation Guide the standard of applications submitted to SSDC is poor and a large percentage are still registered invalid meaning they don't even contain the basic information, or the correct fee or have an inaccurate or incomplete application form. This costs time and resource within our Case Services Team having to correspond with applicants to get the right information. At present there is no recompense to the Council dealing with invalid applications. The consequence of dealing with so many invalid applications is that a backlog formed meaning at its worst validation took four weeks. This has been reduced to nearer two weeks with additional resource but the impact of those lost weeks means the rest of the process is pushed back and

customer dissatisfaction starts to materialise and our ability to meet 8/13 week targets is severely prejudiced.

8. Other complementary features are being considered including:
  - To offer a chargeable pre-Validation service.
  - To investigate a fee retention policy for those invalid applications that don't proceed.

Members are not being asked to agree these matters at this point.

## Considerations and Feedback

9. The changes in the planning system since the last guide was published are very significant and therefore the requirements then compared to those proposed now are very stark. However every requirement has been considered as necessary to ensure we receive a better quality application (in terms of breath information) than we get now and address more of the policy issues, flooding, ecology, design etc
10. After an initial presentation to SLT on 20 April a two-week public consultation period was launched online on 28 April. Email's signposting to the online consultation were sent to all Town/Parish Council's, District Councillors and those applicants/agents who had submitted an application to SSDC over the last 18 month and had provided an email address. The consultation included a survey to complete so focused feedback could be sought. One point of concern was the unknown number of agents who were on furlough during this period.
11. The survey yielded 12 respondents including 5 agents and 4 parish councillors, 1 applicant, 1 district councillor and 1 member of the public. The number of contributors is low but the range of points made were extensive.

The key outcomes are analysed as:

- The document improved the knowledge of those whom had less knowledge of validation before reading the document.
  - Of those who submit applications 40% said the document would help them get applications validated first time.
  - 90% found the website links useful.
  - Answers to the question – *Please let us know the areas within this document that you feel are the most useful and why?* included:
    - Explanations of each required field and example drawings were all useful.
    - The listings against each type of application
    - I thought the complete document was logical, easy to follow and provided a good guide to planning applications for applicant, agent or councillor. It covered al bases well.
    - Happy with all the recommendations.
    - The colour coded table layout helps to easily identify the requirements for the different types of applications
    - The list of required information on more complicated applications.
    - The overall layout was well structured making it easier to identify what surveys/assessments are required for different types of development.
  - Answers to the question – Please outline any areas with the document which you feel are unclear, or could be improved and why? attracted a great deal of feedback and those comments plus the additional comments contributors made are set out with a response to each comment in **Table 1** attached.
12. The overall themes that emerge is the change in the level of information agents will have to produce and more importantly highlight to their clients and charge for. Clearly agents would



prefer to submit less, both from an effort point of view in turning out applications quickly, but also keeping their fee proposals low to gain the business. In this respect many agents will have to plan better and the guide allows them to do this and justify to their client why they have to commission certain reports, and also creates a level playing field insofar and everybody is required to submit the same information.

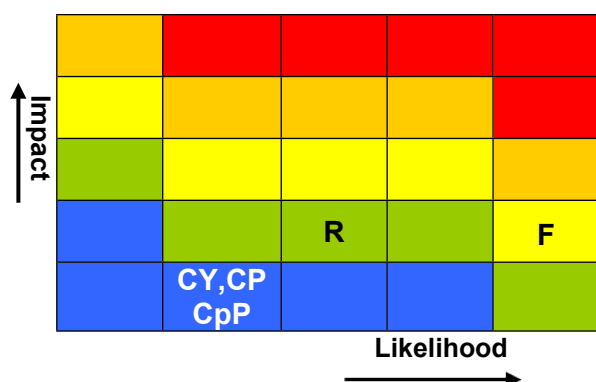
13. One area of concern raised is the Biodiversity Checklist, which is a prompt to highlight to the applicant, early on, that a survey for a certain species, may be required depending on the nature of the development proposed. The mandatory bit is the submission of the completed form. This will raise the issue of ecology, both preserving it and enhancing it rather than it being an afterthought when the officer asks for a survey at week 5 of an application. The emerging Biodiversity net gain requirements will require all involved in the construction industry to raise their game and will bring with it so much more work than the Biodiversity Checklist requires.
14. Given the feedback on the length and depth of the document a new Validation Checklist has been included post consultation. This form acts a tick list or as a double check for the applicant/agent to ensure all the necessary documents have been submitted. It is recognised that the requirements are detailed and much more extensive than existed prior, as such the Checklist Form allows comments to be made and submitted with an application to set out why a particular document may have not been submitted. It is recognised that there will be circumstances where the requirement do not fit or are out of proportion and the Checklist allows these situations to be explained. These comments will be assessed by our team. These matters should ideally be discussed with an officer at the pre-application stage.
15. An important point was raised about whether this is a submission check or a quality check. It is fundamentally a submission check. The quality is assessed by the officer and expert consultees.
16. Within the submissions was one particularly negative response, however the issues seems to be with the planning system as a whole, largely something SSDC is not responsible for, but it should be stressed this document aims to make the situation better and clearer for everyone involved. Unlike others, this contributor did not leave their details so a conversation could be continued to explain more about the process and rationale behind the document.
17. Overall the feedback is largely positive and thanks go to those who did contribute. A number of tweaks and changes have been made following the feedback as set out in **Table 1**.
18. As previously explained this guide should be updated and (re)adopted bi-annually. Given the ever changing nature of the planning system, the emergence of our own Local Plan, the work of our Communities of Practice and projects looking at supporting growth in Somerset it is highly likely additional requirements will need to be added and tweaks made to reflect new or revised website content. As such, and given the period of time that had elapsed since the last adopted Validation Guide, it is intended that a review take place every 6 months to ensure it remains 'live'.

## **Financial Implications**

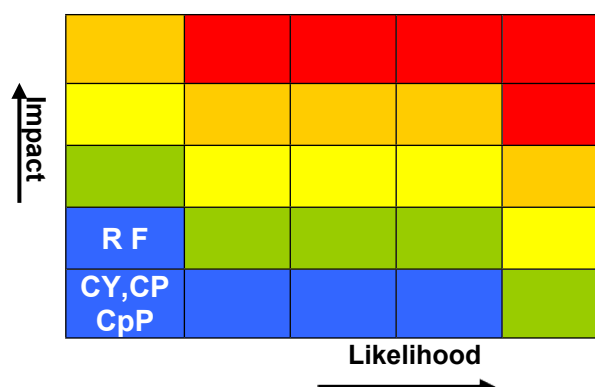
19. There are no direct financial implications, other than to improve the quality of incoming applications which will in turn mean it costs the authority less to process applications through the validation stage. There is no risk to the Council of having a properly consulted upon, adopted Validation Guide. Should a customer question the requirements there is a process to appeal not having their application validated under Section 78 of the Town and Country Planning Act 1990 (as amended).

## **Risk Matrix**

**Risk Profile before officer recommendations**



**Risk Profile after officer recommendations**



## Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

## Council Plan Implications

20. The Validation Guide is a key part of the planning process which underpins many of the Council Plan themes.

## Carbon Emissions and Climate Change Implications

21. The Validation Guide in itself has no direct implications, other than encouraging digital submissions and including requirements for documents than support sustainable development.

## Equality and Diversity Implications

22. The requirement for a Validation Guide is set out in The Town and Country Planning - Development Management Procedure, as such this is an embedded part of the planning process and is not considered to raise any particular equality and diversity implications.

## Privacy Impact Assessment

23. Information submitted within an application is typically available in the public domain, save for redaction of personal information such as personal telephone numbers and email plus signatures. Any specific financial or personal information submitted to support an application is marked as private and not released into the public domain. Well practiced protocols used at this time will continue to be implemented and would not be affected by the adoption of this Validation Guide.

## Background Papers

24. The 2007 Validation Guide and the proposed 2020 Validation Guide are attached as Background papers.

**Table 1** – summary of comments received and an officer response.

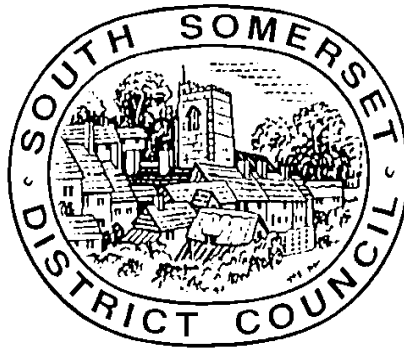
<b>1</b>	<b>A clear contents page would be useful.</b>
	<i>Response: This is one view but is felt the contents is concise and clear.</i>
<b>2</b>	<b>Validation requirement between councils makes the process confusing and costly for applicants and agents generally believe most of their comments are not listed to.</b>
	<i>Response: Agreed that agents submitting to different Council's must be confusing however the local list allows Council's to bespoke their requirements to account for local conditions and circumstances, for example those with coastlines, particular environmental requirements or airports for example. All feedback, as evidence here will be considered and a response given as to why a change is or is not recommended.</i>
<b>3</b>	<b>A query regarding the criteria within the biodiversity checklist.</b>
	<i>Response: The requirement is to complete a biodiversity checklist. The content and detail of the checklist is an already identified issue that is being looked into with our Ecologist.</i>
<b>4</b>	<b>Not reasonable to request window details as part of an application particularly on LB consents.</b>
	<i>Response: This is a view that will be put to members to decide if a change is required, often the devil is in the detail.</i>
<b>5</b>	<b>Querying the approach to communications regarding with invalid applications.</b>
	<i>Response: The applicant/agent will receive a letter informing them the reasons why an application is invalid. The contributor is outlining a couple of instances where that communication didn't happen due to human error.</i>
<b>6</b>	<b>Suggested table to outline requirements for travel plans and viability assessments.</b>
	<i>Response: Viability assessments are not asked for up-front and we are not inclined to change that position. An assessment is often submitted at the applicant's instigation to prove the application is unviable. We don't ask applicant's to prove the development is viable so requiring assessments in that scenario will add cost and time. Travel Plans will be covered by Transport Assessment requirement, but that section in the guide could be clearer as to the need for a Full Travel Plan, or Travel Plan Statement or Measures-only Travel Statement as set out by LP policy TA4.</i>
<b>7</b>	<b>The document title is misleading if it is to be formally adopted statutory list which will be used to validate applications.</b>
	<i>Response: The document is definitely proposed as the Council's formally adopted statutory list and the front cover has been changed to reflect SSDC's 'requirements'.</i>
<b>8</b>	<b>We have significant concerns regarding the push for the submission of pre-apps and discussion around application requirements during the pre-app process only. Currently, we struggle to recommend the submission of pre-application advice due to the significant delays in receiving a response, lack of a detailed response, non-existent responses and responses with a disclaimer that renders them useless. If pre-apps are to be relied upon for guidance on application requirements then they must be a pre-app protocol for the speed, reliability and quality of the pre-app advice. Therefore, the validation guide should allow for these discussions to happen outside of the pre-app process, we suggest the following amendment 'Where this symbol is visible the applicant may ascertain whether that particular plan/document/report is necessary to support the application <u>by contacting the administration team or by discussing the matter with the case officer during pre-application discussions.</u>' and a protocol for pre-apps put in place.</b>
	<i>Response: The push towards pre-application submissions is important to improve the quality of submissions. It can help knit parts of the process together. However the point made is noted and the suggested rewording would not pose any undue concerns should members wish to proceed with it. The pre-application process is also currently being reviewed and part of this will be to re-prioritise it within officer workloads.</i>

<b>9</b>	<b>The mandatory requirement for the Neighbourhood Consultation Form on all applications is inappropriate excessive. In some circumstances neighbour consultation is appropriate (i.e. retrospective applications, existing neighbour disputes etc, householder applications etc) therefore, there shouldn't be a blanket requirement for this.</b>
	<i>Response: The guide enhances community engagement by asking applicants/agents to liaise with neighbours before submitting the application. This means fears, concerns and queries can be ironed out and any tweaks made to overcome a neighbour objection can be made prior to submitting the application, this reduced delay throughout the process, avoiding amendment that could have been foreseen if the agent/applicant had knocked on a few doors early in the design process. I can understand an agent saying this but better communication from agents to neighbours is necessary.</i>
<b>10</b>	<b>Biodiversity Checklist – a mandatory blanket requirement for this is inappropriate for FUL, COU, HH, and OUT applications. The majority of these applications do not always require the need for an ecological assessment thus the requirement of this form may cause unnecessary confusion, delays and expense to applicants. Furthermore, do SSDC require this form to be completed by a qualified ecologist? Does this mean that SCC Ecology will be consulted on all future applications?</b>
	<i>Response: The situation regarding ecology is more wide ranging than ever before. Environmental awareness is very high and habitat loss need to be addressed. A 10% biodiversity net gain requirement will be a policy requirement in the coming months. The requirement here is to prompt the agent/application to complete a simple form. A yes answer to any of the layman type questions triggers the requirement for a survey so an ecologist is not required at that stage. Significant delays are experienced when applications that obviously should have a survey are submitted without them. Some clarification and reassurance can be given to address the contributors concerns.</i>
<b>11</b>	<b>Statement of Heritage Significance – Is this to be a separate standalone document to a Design and Access Statement? Is there a need for this when this should already be covered in a Design and Access Statement, in some cases? The requirement for this on every listed building application feels excessive for applications such as re-thatching, repairs etc on a like for like basis.</b>
	<i>Response: Our Conservation Specialist points to the NPPF and the requirement for any works to a listed building to be justified. The depth and detail of a SHS will of course depend on the works proposed. The requirement to take such matters into consideration will increase the preservation and enhancement of our heritage assets.</i>
<b>12</b>	<b>Photographs – the requirement for photos to be submitted for every application, even for a COL for a proposed use, change of use (no building works) etc is excessive and unnecessary and it shouldn't be a blanket requirement. Furthermore, planning officers should visit each site and not rely on photos sent in by the applicant.</b>
	<i>Response: Photos in the COVID period have been extremely useful. Whilst officers will undertake a site visit at some point a photos submitted with the application can help initial familiarisation and issue identification. It is also assumed the agent visits the site at the early stages and so photos should not be too much of an ask.</i>
<b>13</b>	<b>Elevation Plans – 'C. Show proposed building materials, style and finish of the building and windows and doors D. Show any other buildings that are attached to the elevation and where possible the main features of that adjoining building (e.g. details of doors, windows on the same elevation of an adjoining terraced or semi-detached dwelling) and a street scene where appropriate.' - Materials/finishes are not always known/decided upon at the beginning of the application stage. Furthermore, it would be unreasonable to invalidate or refuse an application on grounds that could be satisfactorily addressed by a planning condition.</b>
	<i>Response: Details of materials should be provided so the consultees and decision-maker knows what they are considering. These can be high level, such as reconstructed stone, concrete double roman roof tiles and timber windows (colour and manufacturer to be agreed via condition).</i>
<b>14</b>	<b>Floor Plans – 'B. Explain the proposal and usage in detail' and 'F. Show roof plan, if not shown on the site plan and is relevant to the proposal'</b>

	<b>Not sure what is required by point 'B'. Point 'F' – Not sure how this can be achieved on a floor plan? Also, there is a requirement for a separate roof plan(s) to be submitted so this is unnecessary duplication.</b>
	<i>Response: 'Usage' annotations allow detail to be added and the roof plan is optional if not shown on the site plan.</i>
<b>15</b>	<b>Householder Applications – Biodiversity Checklist (Mandatory) – refer to comments above. Unnecessary on the majority of HH applications.</b>
	<i>Response: See response above.</i>
<b>16</b>	<b>Householder Applications - Heritage Statement (Possible requirement) – 'Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument or having archaeological implications' – Isn't this a new name for a D&amp;A Statement? The Government removed the need for this type of document/D&amp;A Statements therefore, this should not be included under the HH application requirements.</b>
	<i>Response: Accepted, remove heritage statement requirement for HOU's.</i>
<b>17</b>	<b>Householder Applications - Archaeological Assessment (Possible requirement) – SSDC mapping is poor and does not show this information. Furthermore, the Local Plan maps are not clear and mostly unreadable when zoomed in. How is an applicant to find out this information?</b>
	<i>Response: The Local Plan map is sufficiently clear to prompt further questioning. It's also the type of issue that a pre-app submission would highlight.</i>
<b>18</b>	<b>COU Applications - Mandatory Requirement of Biodiversity Checklist and ecology Report - Why? Not all COU applications require physical works to a building. Therefore, this should be a 'possible requirement' so that applications for a use class changes only do not require this information.</b>
	<i>Response: Accepted, change to possible requirement depending on works.</i>
<b>19</b>	<b>FUL, OUT &amp; REM Apps – Major &amp; Non-Major - Mandatory Requirement of Biodiversity Checklist and ecology Report – Refer to comments above. It should be a 'possible requirement'. Not all FUL applications are on greenfield land, sites, where REM applications are being applied for, may have already been identified at the OUT stage as having no ecology issues, alterations to a flat or shopfront does not require an ecological assessment.</b>
	<i>Response: Ecology can change on a site over time, the requirement is to complete the form and this will inform whether a survey is required. It's difficult to write a clear rule for so many eventualities.</i>
<b>20</b>	<b>FUL, OUT &amp; REM Apps – Major &amp; Non-Major - Foul Drainage and Surface Water Strategy/SUDs (Mandatory) - A mandatory drainage scheme for the majority of applications is absurd. This level of detail often cannot be provided at outline stage for example. If this is to be retained the wording needs to be changed in many of the categories to refer to indicative or conceptual drainage strategy only. The list as it stands goes against the very use of planning conditions and it is unreasonable to invalidate or refuse an application on grounds that could be satisfactorily addressed by a planning condition. Furthermore, an application for alterations to an existing building, shop fronts etc, why does this need a drainage strategy?</b>
	<i>Response: The requirement will be nuanced to differentiate residential schemes, outlines and conceptual drainage schemes. However, drainage is an issue that needs to be addressed by the decision-maker and just imposing a condition isn't always the answer.</i>
<b>21</b>	<b>Advert Consent – Elevation Drawings (existing and proposed) (Mandatory) – 'Show the materials to be used, fixings, colours, height above the ground and, where it would project from a building, the extent of the projection. Show the signs, size and illumination. The type of each sign for which application is being made, e.g. fascia, projecting box, pole-mounted free-standing, should be shown, together with the dimensions of each sign. If any of the signs are to be illuminated please describe the type of illumination, e.g. internal, external, floodlight, etc., and whether the illumination will be static, flashing, or have moving parts.' - There is no need to have this level of detail on the elevational drawings as this will be duplication of the information that is required on the 1/10 or 1/20 plans of the individual signs and information required in the application form.</b>

	<i>Response: So long as the detail is given on one plan to the other or across both then it will be accepted.</i>
<b>22</b>	<b>Certificate of Lawfulness Applications (Existing and Proposed) - Mandatory requirement for Planning Statements to be submitted – This is considered to be unnecessary in most cases, discretion should be used as to when one is required. Furthermore, a covering letter should suffice in some cases.</b>
	<i>Response: The need for the applicant to set out their case for assessment and public examination is important.</i>
<b>23</b>	<b>S73/S19 Applications - Location plan (Mandatory) – The redline cannot be changed under a S73/S19 application. Therefore, SSDC is already in possession of this plan from the original application. S73/S19 Applications - Block plan (Mandatory) - Why? Not all S73/S19 applications are for building works that seek permission to alter the approved plans. S73/S19 Applications - Planning Statement (Mandatory) - This is considered to be unnecessary in most cases, discretion should be used as to when one is required. Furthermore, a covering letter should suffice in some cases.</b>
	<i>Response: A location plan and block plan are not large asks to re-establish the extent of the site. A Planning Statement helps the decision-maker and the public understand the nature of the variations which can be very confusing at times, akin to spot the difference.</i>
<b>24</b>	<b>There are no validation requirements included for Permission in Principle or Technical Details applications.</b>
	<i>Response: These are submitted very rarely and will be addressed in future updates of the document.</i>
<b>25</b>	<b>The document is so lengthy nobody will read it.</b>
	<i>Response: The document reflects the growing complexity and legal ramifications of planning proposals. A comment not reflected by the other responders.</i>
<b>26</b>	<b>Having never submitted as application this guide would enable me to feel more confident in preparing and providing the correct documents.</b>
	<i>Response: A positive view that highlights the need to be clear and unambiguous.</i>
<b>27</b>	<b>Section drawings should not be requested for householder applications when the ground level and floor levels do not change, it adds unnecessary cost for the applicant.</b>
	<i>Response: The section drawing shows everyone who views the drawing that the proposed levels are changed or unchanged. The architect may know there is no level change but the parish council or neighbour may not know that unless the plans illustrate it.</i>
<b>28</b>	<b>Is this a submission check or a quality check?</b>
	<i>Response: This is an important point as the two are not mutually exclusive. Validation is fundamentally a submission check. So plans will be checked to ensure they meet the requirements in terms of scale, coverage but the design will not be assessed for quality.</i>
<b>29</b>	<b>The applicant should state all community engagement.</b>
	<i>Response: I think the emphasis from the contributor was concerning Town/Parish Council pre-consultation. The Validation Guide does not require evidence of this but does require a compliance statement for 'made' Neighbourhood Plans. Consultation with Town/Parish Council's will form part of the Pre-Application process which is currently being reviewed.</i>
<b>30</b>	<b>This process will overload the front end of the process</b>
	<i>This is an understandable point given the current requirements, but too many applications are being delayed and compromised because the necessary information is not submitted up front. Also by not addressing issues suitably up-front means fundamental errors are made with design, layouts and approach which can be wasted cost for the developer as well. The document provides certainty as to the requirements and flags up issues far sooner in the process.</i>

# Planning Advice Note on the Validation of Planning and Listed Building Applications.



Making a difference where it counts

Draft document by South Somerset  
District Council

## Introduction and Justification

### Introduction

This Planning guidance document has been prepared to direct developers, agents and other applicants applying for planning permission to the information required by the Authority to properly validate and determine a planning application. Its aim is to provide guidance and certainty to developers as to the level of information that the Authority expects to accompany an application for planning permission, so to eliminate unnecessary delay that may be caused by insufficient information. The document has been compiled in association with other authorities that form part of the South West Development Control Best Practice Group so as to ensure a consistent approach is taken throughout the region.

South Somerset is looking to adopt this guidance in June 2006. The guidance, once adopted, will be a formal direction to applicants under the Town and Country Planning (Applications) Regulations 1988. Under this direction, the Local Planning Authority will not register an application as valid, and therefore refuse to determine an application, unless the information required by this document is provided. Should an application be treated as invalid under Article 5(4) of the Town and Country Planning (General Development Procedure Order) 1995 (GDPO), the Planning Authority is expected to provide sound reasons for doing so, and this document provides a basis for this reasoning.

The guidance is consistent with the Governments objectives to provide a quicker, more efficient planning system. Currently, planning authorities may register an application invalid if it is felt the application can not be reasonably determined without additional information. However, there is often an inconsistent approach to this, providing uncertainties, delays and failure to meet targets set by government. The guidance offers a benchmark against which applications will be accepted, ensuring that all the necessary information is submitted upfront, so that delays caused by the requirement of additional information can be avoided.

The purpose of this guidance is not to discourage applicants from submitting applications by asking for seemingly endless levels of information, but to outline just what is required so that the application may be properly determined in accordance with relevant legislation and within the accepted time limits. Everybody can become frustrated with the delays occurring within the planning system, and this document is an attempt at reducing these.



## Justification for guidance

Current Government guidance on preparing and publishing guidance is based on the framework based on the *JA Pye Ltd and Others v Oxford City Council, Court of Appeal 2002* judgement which is set out in Planning Policy Statement 12: Local Development Frameworks. Consequently, this guidance has been produced in accordance with this advice and is consistent with the adopted Local Plan policies SHDC 1 and SHDC 3, and more notably the planning principles laid out in paragraphs 2.13 – 2.15. It has also undergone a process of Sustainability Appraisal to ensure that the principles of sustainable development are an inherent part of the document, and as such, is at the heart of all development proposals and decision making in respect to all new development.

## Pre-application discussions

South Somerset District Council encourage pre-application discussions for all types of application to guide applicants through the process and to ensure that applicants are aware of the required information. This is particularly useful for larger and more complex schemes and can help applicants by identifying the information and details that should be submitted as part of an application. Pre-application discussions can help minimise delays later in the processing of any application such as identifying whether other consents may be required and identify whether any additional information will be required.

## Validation Process

Validation of applications for planning permission should essentially be an administrative process to check that the right documents and fee (where applicable) have been submitted. However, clear inaccuracies (for example where plans are not to scale or an incorrect fee provided) may result in an application being made invalid.

As described above, the list for validating applications I set out by national statutory requirements and then South Somerset District Councils own information requirements are drawn from a nationally defined list.

If an applicant does not submit an application in accordance with the statutory requirements and locally adopted requirements then South Somerset District Council will be entitled to declare the application invalid, and so decline to validate it.

South Somerset District Council 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, applicants then have 21 days to provide any additional information. Where an application is not accompanied by information required by South Somerset District Council applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases South Somerset District Council will not declare applications invalid unless they are satisfied that they can give reasons and provide them to the applicant.

In most cases the information requirements will be clearly set out. However there may be circumstances where applicants do not agree with the requirement for information or plans set out by South Somerset District Council and wish to challenge the decision not to validate an application. In such cases, applicants have the right to 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.

## Processing of Planning Applications

South Somerset District Council are required to complete quarterly returns to Communities and Local Government (these figures are more commonly known as PS1 and PS2 returns). These returns help the Government to assess whether South Somerset District Council has achieved targets they have been set by Government. For example, for the period of April 2007 to March 2008, Best Value Performance Indicator 109 stipulates that local planning authorities should determine 60% of major applications within 13 weeks, 65% of minor applications within 8 weeks and 80% of “other” applications within 8 weeks.

In order to ensure that this information is completed on a consistent basis the following should be noted:

Applications should be marked with date of receipt.

The time period from application to decision begins the day after a valid application and the correct fee (where a fee is required) have been received.

The day a valid application is received counts as day zero and is the date referred to above.

If an apparently valid application is later found to be invalid following registration, the original start date for processing the application should be disregarded. The time from application to decision should start again on the date the application is made valid. This is the only circumstance in which the start date should be amended. This only applies if the original application is invalid and does not apply if the authority requires additional information to determine the application.

When determining applications the processing period (8 weeks or 13 weeks) must not be stopped.

Time spent in abeyance (for example pending the signing of a section 106 agreement) should be included in the total time taken and the processing period must not be suspended awaiting amended plans nor started upon receipt of amended plans.

The processing period ends on the date a decision notice is despatched. The clock must not be stopped once a decision has been made or once a decision has been entered onto the Planning Register.

To help meet Government targets South Somerset will aim to determine whether minor/other applications are valid within 3 working days from the date of receipt and for “small scale major” applications within 5 working days and large scale majors should be validated within 10 working days. A letter should be sent to the applicant confirming the validity of the application and confirming the start date of the statutory period for determination and the date from when an appeal can be made. Where South Somerset District Council consider an application to be

invalid, the notification letter will include a statement of the steps and outstanding information required from the applicant to achieve validation – this will be based on national and locally adopted lists.

## Compulsory Requirements

### 1 The completed application form

Planning applications: 5 sets of forms, plans and supporting documentation (different amount for majors? Some LPA's want 10)

Listed Building Applications: 3 sets of forms, plans and supporting documentation, except where the application relates to a grade I or II\* building, in which case four sets.

Adverts: 5 sets of forms, plans and supporting documentation

Trees: 1 copy of form, plan and supporting documentation

Certificate of lawful use or development: 1 copy of form, plans and supporting documentation

### 2 Planning application fees: (where a fee is necessary)

For Planning fee advice contact Planning Admin on 01935 462462 or by emailing [planningadmin@southsomerset.gov.uk](mailto:planningadmin@southsomerset.gov.uk)

### 3 Ownership certificates (including Agricultural Holdings Certificate)

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with section 5 of the GDPO, the LPA must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications except for approval of reserved matters, discharge or variation of conditions, tree preservation orders and express consent to display an advertisement must include the appropriate certificate of ownership. An ownership certificate must be completed stating the ownership of the property. Certificates A, B, C and D are listed. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

The agricultural certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, or express consent to display an advertisement.

### 5 Part 1 Notice

A notice to owners of the application site must be used if Certificate B has been completed and may be required if Certificate C has been completed. A copy should be served on each of the individuals identified in the relevant certificate. 3 Cert A: When applicant is the sole owner; Cert B: When the applicant knows owner; Certs. C and D: When not all or any of the owners of the site are known.

### 6 Location plan

All applications must include copies of a location plan based on an up-to-date map at a scale of 1:1250 or 1:2500 and should include a North point. In exceptional circumstances plans of other scales may also be required. Plans should where ever possible show at least two named roads and surrounding

buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear. The application site must be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings. A blue line must be drawn around any other land owned by the applicant, close to or adjoining the application site.

#### 7 Site layout plan/block plan

Copies of the site layout plan/Block Plan should be submitted. This should be drawn at a scale of at 1:500 or 1:200 and should accurately show:

- a) The direction of North;
- b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c) All the buildings, roads and footpaths on land adjoining the site including access arrangements;
- d) The species, position and spread of all trees within the site; and
- e) The extent and type of any hard surfacing, structural landscape provision; and boundary treatment including walls or fencing where this proposed.

For larger scale developments site survey plans should also be submitted.

#### 8 Drawings (including floor plans)

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable). Where an existing building is being altered or extended, both existing and proposed plans should be provided.

#### 9 Elevations

These should be drawn to a scale of 1:50 (listed buildings) or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property. Where an existing building is being altered or extended, both existing and proposed plans should be provided.

Note: All elevations must be provided for proposed boundary fences, gates and walls.

#### 10 Section drawing

Plans drawn at a scale of 1:50 or 1:100 showing a cross section(s) through the proposed building(s) should be submitted. In all cases where a proposal involves

a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels. On sloping sites, full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings. The drawings may take the form of contours, spot levels or cross or long sections as appropriate. All levels must relate to some specified datum that will not change during building works.

#### 11 Environmental statement.

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No.293) require a developer to prepare an Environmental Statement (required for Schedule 1 projects and for some Schedule 2 projects) to enable the LPA to give proper consideration to the likely environmental effects of a proposed development. The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

#### 12. Flooding

As a result of the introduction of Planning Policy Statement 25: Development and Flood Risk (PPS25) the Government has introduced a Flood Risk Assessment (FRA) regime which from the 1st May 2007 requires Local Planning Authorities (LPA's) to consult the Environment Agency (EA) on specific types of applications for development within Flood Risk Zones 2 and 3

Most applications within Flood Zones 2 and 3 should be accompanied by an FRA regardless of whether or not the EA require to be consulted. It should be noted that the EA will automatically object to planning applications on which they have been consulted if there is no FRA.

Find out if your property is in a Flood Zone by going to the Environment Agency's website: [www. www.environment-agency.gov.uk/subjects/flood](http://www.environment-agency.gov.uk/subjects/flood)

## Design and Access Statement

New legislation introduced by the Government on 10.08.06 requires a Design & Access Statement to be submitted with all planning applications (other than the specified types of application as indicated below).

Statements will be required in support of all applications, other than engineering or mining operations, development within the curtilage of a dwellinghouse (unless in a Conservation Area or other Designated Area) and changes of use.

Article 4C of the General Development Procedure Order (as amended) sets out the the detailed requirements of such a statement. Broadly, the purpose of a Design and Access Statement is to explain how the applicant has considered the proposal and understands what is appropriate and feasible for the site in its local context. It must explain the principles that will be used to guide future details of the scheme. The level of detail required in a Design and Access Statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly. Statements must be proportionate to the complexity of the application, but need not be long.

The design and access principles that must be considered are:

The amount of development proposed (number of units if residential, otherwise the amount of floorspace for each proposed use).

The layout – the way in which buildings, routes and open spaces (both public and private) are provided.

The scale – the height, width and length of a building in relation to its surroundings.

Landscaping – the treatment of private and public spaces through hard and soft landscaping measures and how it will be maintained.

The appearance of the development – the external built form of the development, its architecture, materials etc.

Access - relates only to “access to the development” and not to internal aspects of individual buildings. Statements must explain how access arrangements will ensure that all users will have equal and convenient access to buildings, spaces and public transport.

With outline applications, as a minimum the Design and Access Statement should always contain the following information:

1. Use - the use or uses proposed for the development and any distinct development zones within the sites identified.
2. Amount of development - the amount of development proposed for each use (i.e. number of dwellings etc.)
3. Indicative layout - an indicative layout with separate development zones proposed within the site boundary where appropriate.



4. Scale parameters - an indication of the upper and lower limits for height, width and length of each building within the site boundary. These could be annotated on the indicative layout or else in writing.

5. Indicative access points - an area or areas in which the access point or points to the site will be situated. This should be shown on the indicative layout plan.

The Commission for Architecture and the Built Environment (CABE) has published a helpful document titled “Design and Access Statements – How to write, read and use them”. This can be found on their web site [www.cabe.org.uk](http://www.cabe.org.uk).

- Access statement

Applicants will be required to make provision for access, parking and sanitary conveniences for people with disabilities in applications concerning buildings accessible to the public. This includes offices, shops, factories, schools and other public access areas. Attention is drawn to the legislation to provide access for the disabled and the relevant part of the building regulations.

- Affordable housing statement

Where the application breaks the affordable housing thresholds contained in the Local Plan policies, a statement will be required concerning both the affordable housing and any market housing e.g. the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. Further advice is available in Circular 6/98: Planning and Affordable Housing.

- Agricultural appraisal

Proposals for agricultural or forestry workers dwellings in the countryside must be accompanied by an independent assessment of the need prepared by a suitably qualified professional. Further advice can be found in PPS7: Sustainable Development in Rural Areas, Annex A.

- Air quality impact assessment

Generally an air quality impact assessment will be required where:

- Development is likely to cause an increase in vehicle trip generation in the local area and traffic volumes by 5% or more on individual roads with more than 10,000 vehicles per day,
- Development may result in increased congestion and lower vehicle speeds in areas of public exposure, and
- Development is for industrial activities, or the extension of such activities with potentially significant air emissions.

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate

mitigation measures as necessary. Further advice is available in PPS 23: Planning and Pollution Control.

- Bat survey

Proposals that affect potential bat roosting sites are required to be accompanied by a bat survey, and mitigation measures. Relevant proposals include those that relate the

Change of use or demolition of traditional barns, outbuildings, stables, stores, dairies etc which have not been previously converted;

Demolition of dwelling houses;

Conversion of lofts in building predating 1946

Any alteration to underground cellars, bunkers, culverts, tunnels etc

Further advice on Bat Surveys is available on the Council's website

([www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)) or from the Council's Ecologist within the Conservation Section

- Design statement

Applicable for all applications where design is an issue (in accordance with advice in PPS 1), including materials to be used.

The purpose of a Design Statement is to demonstrate how a proposal has been designed and how it represents good design in response to the requirements of current Planning Policy Statements. PPS1 aspires to have all development contribute to making places better for people, appropriate in its context, making the most of opportunities for improving the character and quality of the area and the way it functions. The format and level of detail required will depend upon the scale and likely impact of the proposed development but the process in essence is as applicable to proposals for a single house as to a major retail development.

A design statement should

Explain the design principles and design concept on which the proposal is based.

Outline how these are reflected in the layout, density, scale, visual appearance and landscape of the proposals

Explain how the design relates to the site and the wider area (through a full site and area appraisal where appropriate), how it would integrate into the existing urban form and to the local natural and built environment

Explain how the development will meet the LA's urban design objectives (and other pl policies)

Include illustrated by photos of site and surroundings, plans and elevations other illustrations perspectives to amplify

Include a summary where this will assist public consultation subject to scale of proposals

Full guidance on design statements is contained in publications from CABI By Design

- Energy statement

The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards. Further advice is available in PPS22: Renewable Energy.

- Farm diversification plan

A Farm Diversification Plan should be submitted to demonstrate how the alternative uses would supplement farm income and thus help sustain an agricultural enterprise. Further guidance is available in PPS7: Sustainable Development in Rural Areas.

- Flood risk assessment/drainage strategy

Planning Policy Statement 25: 'Development and Flood Risk' provides comprehensive guidance for both LPA's and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere. Depending on the location, scale and nature of a development a flood risk assessment may well be required. All Major Applications submitted to South Somerset District Council will require a flood risk assessment. This should consider the risk of flooding to the development proposed over its expected lifetime and its effect on flood risk elsewhere. Assessments may require detailed hydrological investigations to determine the risks at particular sites and to inform the process of detailed design and the selection of mitigation measures. Assessment will also be required of the run off from the site before and after development. A flood risk/run-off assessment, carried out by a suitably competent person, is an essential element to the assessment for acceptability in planning terms. For major developments sustainable drainage systems should form part of the application, for further guidance see Leaflet '*Sustainable Drainage Systems*'. Developers are advised to contact the Environment Agency at an early stage in order to identify any issues in respect of flooding.

- Heritage Statements

Heritage Statements are required for all applications for listed building consent.

Planning Policy Guidance Note 15, paragraph 3.4, states that applicants for listed building consent must be able to justify their proposals and '*will need to show why works which would affect the character of a listed building are desirable or necessary. They should provide the Local Planning Authority with full information to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building or its setting*'. Such a statement to justify proposals is known as a Heritage Statement.

What is a Heritage Statement?

A heritage statement is a written (and illustrated as necessary) statement which examines the impact proposals may have on the special character of the listed building or structure, its features, fixtures and fittings, its setting and the setting of

adjacent listed buildings. It is not an explanation as to why you wish to carry out the proposals although it may explain why the works are desirable.

Conservation is the practice of managing change in ways that will best sustain the values of a building as a cultural entity. To do this effectively requires an understanding of the building, its history, evolution and special features. It is a requirement of the LBC process that proposals for change must be supported by an understanding of the building and the effect changes to it will have. The nature of the proposals and the sensitivity of the building will dictate the level of detail that will be required for a heritage statement.

As a guide a Heritage Statement will need to answer the following questions

What are your proposals?

Why do you want to do this?

What is the historic interest and significance for the building of the elements that would be affected by the proposals?

What is the age, condition and quality of the elements that would be affected by the proposals?

In your proposals what will be demolished or removed?

Why is this appropriate for the building?

What measures will be included to mitigate the effect of these works?

What new additions are you proposing and why is the design and quality of these appropriate to the building?

What benefits for the building will result?

Are the materials and methods to be employed in the works in accordance with good conservation practice?

At its most complex the production of the heritage statement will need to include historical research, architectural and landscape history, measured surveys, structural analysis, archaeological analysis of the fabric to reveal the evolution of the building and an evaluation of the relative significance of its various elements. At a lesser level historical analysis of the building sufficient to understand its evolution, its construction and the age and origin of its different elements will be required together with an evaluation of the historic interest of the elements to be altered or removed.

- Historical and Archaeological Assessment.

Supporting information will include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, and historic battle fields. If an application affects such a site an applicant will need to commission an assessment of existing information and submit the results as part of the application in accordance with advice in Planning Policy Guidance Note 15, paragraphs 3.16 to 3.19. In cases where the development could have an adverse effect on ancient monuments and/or sites of archaeological importance applicants will be required to undertake and submit an archaeological assessment in accordance with Planning Policy Guidance Note 16, paragraphs 18 to 25. In Areas of High Archaeological Potential and elsewhere where there is reason to believe archaeological remains exist this may

require limited excavation. Further advice is available from the Heritage Section of the Somerset County Council.

#### Land contamination survey

Brownfield sites, and some Greenfield sites, have the potential to be contaminated and therefore may pose a risk to current or future site occupiers, buildings on the site and to the environment. A contaminated land assessment may therefore be required. The level of information required as part of a land contamination assessment will vary depending on the known and/or suspected levels of contamination, for example: Where contamination is suspected a desktop study will be required, involving an examination of available information, a walkover survey and assessment of the risks to human health and the environment. The need for further investigation may then be determined.

Where contamination is known to exist, in addition to a desktop study, a site investigation survey will be required incorporating a site-specific human health and environmental risk assessment with a written remediation scheme to manage identified risks. The developer shall submit a completion report validating the remediation carried out.

If the proposed development is situated within 250 metres of a former landfill site there will be a requirement for specific consideration of issues with ground gas.

Comprehensive information and guidance on how to undertake a contaminated land assessment and the information that must be submitted is available in Annex 2 (Development on Land Affected by Contamination) of PPS 23: Planning and Pollution Control.

- Landscape assessment

A landscape assessment should be submitted with the application, which provides a description of the landscape context; an analysis of the site within its landscape context; and the predicted impact of the application proposal upon local landscape character, and the extent of its visibility. The applicant will be required to assess the significance of these impacts, and put forward landscape mitigation proposals to counter impacts identified. The assessment should include both written and photographic material, and be undertaken as per the guidelines for landscape and visual impact assessment (*LI and IEA, 1995*) and landscape character assessment (*Countryside Agency 2002*).

- Landscape management plan

On major development sites, a management plan shall be submitted, to provide management prescriptions for all landscape elements and open spaces identified on the landscape master plan, including works to existing vegetation and landscape features, to ensure that the long term care and development of the site is consistent with the master plan vision. The plan is to include standard specifications that will apply to all the work, and benchmark standards that will determine suitability for adoption. The plan will be expected to cover initial

maintenance to adoption, thereafter with ongoing prescriptions for management over 25 years.

- Landscape masterplan

On major development sites, a landscape masterplan shall be submitted, which will set a framework for development, and indicate all existing landscape features that are to be retained; structural landscape provision; proposed landscape features; urban spaces; and formal and informal open space. 'Open space' here includes space falling within the definitions of that term in the Town and Country Planning Act 1990 or PPG17.

- Landscape design (soft finishes)

Applications shall be accompanied by a detailed soft landscape scheme for the development, based upon the approved masterplan for the site. Each plan is to indicate;

new planting, seeding, soft surfacing works;

treatment of existing landscape features, e.g.; trees, hedges, ponds etc. arising from a condition survey, and ;

ground levels

and include a specification for the above works.

- Landscape design (hard finishes)

Applications shall be accompanied by a detailed soft landscape scheme for the development, based upon the approved masterplan for the site. Each plan is to indicate;

ground modeling works and hard landscape features;

fencing and enclosure;

general levels and surface drainage arrangements; and

street furniture

and include a specification for the above works.

- Details of any Lighting Scheme including a light pollution assessment

This should include technical specification designed to ensure nuisance from lighting is minimised/prevented. There is numerous UK and international guidance on lighting in particular by the CIE (International Commission on Illumination) and the Institution of Lighting Engineers. It is the Government's intention that Planning Policy Statement 23 will include an annexe on artificial light.

- Mineral working and restoration

MPG 2 Applications, Permissions and Conditions sets out detailed requirements for mineral working applications. In many cases, and specifically where development is likely to have significant effects, an Environmental Assessment will be required. In other cases, the complexity of detail required will depend on the circumstances of the particular case, but generally comprehensive information will be required which should be discussed and agreed during pre-application discussions. In particular, sufficient information will be required to

ensure that working will be carried out to modern working, restoration, aftercare and environmental standards.

- Noise impact assessment

By nature of location or use, a development may cause unreasonable harm to existing land uses, health, the natural environment or amenity through excessive noise. Where such potential impacts are identified which would give rise to conflict between land uses, a noise impact assessment prepared by a suitably qualified acoustician will be required. Further guidance is provided in PPG 24: Planning and Noise.

- Photographs and Photomontages

These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene.

Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.

- Planning obligation(s)/Draft Heads of Terms

This should include brief draft heads of terms for a section 106 agreement or unilateral undertaking. Applicants should clarify the LPA's requirements in pre-application discussions and confirm any planning obligations that they agree to provide in brief heads of terms. Further advice is available in Circular 1/97: Planning Obligations.

- Regeneration statements

In the case of an application that proposes to change the use of the land or building, including both complete and partial changes of use. A supporting statement should be submitted to describe employment impact from the proposed development, including:

- details of existing and proposed job numbers as full-time equivalents;
- the relative existing and proposed employment floor space totals;
- any community benefits;
- the loss of any employment land;
- the condition of the existing use of the site;
- how long the land has been marketed for;
- the costs of retaining it in employment use; and
- reference to any regeneration strategies that might lie behind or be supported by the proposal.

- Retail Impact assessments

When a development could harm other interests of acknowledged importance especially the vitality and viability of the town centre or local shopping centre a retail impact assessment will be required. Government guidance is found in PPS 6: Planning for Town Centres. The assessment should include the need for development, which it is of an appropriate scale, there are no sites close to a centre for the development, there are no unacceptable impacts on existing centres and locations are accessible.



- Refuse disposal details

In many applications information of how refuse is to be disposed of will need to be submitted with the application. Where bin stores are required, details of the location, elevations and materials to be used in the construction of a bin store suitable for the housing of wheeled or euro bins shall be submitted to and approved by the LPA. These shall be submitted as part of the original application.

- Sound insulation requirements

Advice should be sought from the Council's Environmental Protection Unit for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the building regulations or a Building Notice for the erection of most types of buildings, and material alterations to existing buildings. Works will need to be inspected on site during the construction process.

- Structural survey

A structural survey of a property may be required, for example, when considering listed building applications, the demolition of unlisted buildings that make a positive contribution to the conservation area, or for applications for conversion of barns etc. to new uses.

- Sunlight/Daylighting Assessment

Applicable for all applications where there is a potential adverse impact upon the current levels of sunlight/daylighting enjoyed by adjoining properties and building(s) – further guidance is provided in the Building Research Establishment's (BRE) guidelines on daylighting assessments.

- Supporting Planning Statement

Information will include how the proposed development accords with policies in the development plan, Supplementary Planning Documents or development briefs. It should also include details of consultations with LPA and wider community/statutory consultees undertaken prior to submission.

- Sustainability Statement

A sustainability statement should outline the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.

- Transport assessment

A transport assessment should reflect the scale of development and the extent of the transport implications of the development proposal. The scope of the assessment will require agreement with the Highway Authority prior to submission. For proposals impacting or likely to impact on the trunk road network, the Highways Agency will also be required to require a comprehensive transport assessment this will be required and need to include the following information:

- |                                 |                         |
|---------------------------------|-------------------------|
| - Non-technical summary         | - Proposed modal split  |
| - Proposed development          | - Assessment years      |
| - Existing transport conditions | - Effect of travel plan |



- Traffic impact compared to existing site use    - Servicing
- Assessment of accident records
- Impact upon pedestrians, cyclists and people with disabilities
- Parking (car, cycles)
- Accessibility impact, for further guidance see RPG 10 – Annex A, '*Accessibility and Parking Standards*'
- Proposed measures to address/reduce traffic impact and improve accessibility by alternatives to the private car

- Travel Plan

A draft travel plan should outline a package of measures tailored to the needs of the individual business premises aimed at promoting more sustainable travel choices and reducing reliance on the car. The Travel Plan strategy should be designed to reduce the impact of traffic especially for the journey to and from work. It may form part of a wider company transport plan that can include a range of issues including commuting, business travel, fleet management and other commercial activities. Further advice is available in PPG13: Transport (2001), *Using the planning process to secure travel Plans: Best practice guide* ODPM and DfT, 2002, and from the County Council's Principal Travel Plan Co-ordinator on 01823 355598 [Clamberton@somerset.gov.uk](mailto:Clamberton@somerset.gov.uk).

- Treatment of foul sewage assessment

This should include a description of the type, quantities and means of disposal of any trade waste or effluent.

- Tree survey/arboricultural statement

Existing landscaping and trees should be taken into account at the outset of development. Where such features are present on a site, a survey will be required which identifies the species, spread, roots, position of trees, height and spread of existing and proposed trees, and, existing and proposed service provision or alterations that may affect trees and other features.

The location of any trees within adjacent properties that may be affected by the application should also be shown.

A statement should be submitted indicating how the presence of the trees has been incorporated into the design, and what measures are to be adopted during construction works to protect those trees shown to be retained on the submitted drawings will also be necessary. Further guidance is also provided in BS5837: 2005 'a guide for trees in relation to construction'.

- Utilities Statement

This should include how an application connects to existing utility infrastructure systems.

- Ventilation/extraction

For example; for hot food take-a-ways, restaurant uses and launderettes etc. This will include a written specification and elevations of the proposed ventilation and extraction system.

#### Wildlife habitat survey

A wildlife habitat survey will be required where a site is known or suspected to have wildlife interest. Where this occurs a survey of habitats of the site will be required at a time of year that allows the main features of the wildlife interest to be identified. The survey should be carried out using standard Phase 1 type methodology (handbook for phase 1 habitat survey, Nature Conservancy Council, 1990) to determine the presence of Biodiversity Action Plan (both UK and Somerset) habitats and species. In particular sites should be assessed for badgers, bats, reptiles and amphibians, and breeding birds. Should habitats or species of significance or special importance be identified from the survey, further ecological assessment will be required to determine the impact of development on the wildlife feature of interest and propose mitigation to minimise the impact. This will include proposals for long-term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in PPS9 and its accompanying Good Practice Guide. Further advice is available from the Council's Ecologist in the Conservation Section.

#### General notes

The scale must be shown on each plan and drawing. We are only able to accept plans that are drawn to a conventional stated scale. It must be possible for anyone to take measurements directly from the plans using a scale ruler (whether or not dimensions are stated). Drawings that state "Not to Scale" and "Do not scale" will not be accepted.

Applications are open to public inspection and plans should clearly show the proposed works so they can be easily understood.

It is important that plans are accurate so that Officers and Members of the Council and the public are not misled.

Consideration of applications is likely to be delayed if requests for clarification have to be made.

It is also helpful to include in a covering letter, details of the background of the site, the submitted proposal, and key considerations.

If you need assistance in submitting an application or on planning matters please contact the Planning Department:

The Planning Department  
South Somerset District Council  
Brympton Way  
Yeovil  
Somerset  
BA20 2HT

Tel: 01935 462462  
Fax: 01935 462299  
Email: [planningadmin@southsomerset.gov.uk](mailto:planningadmin@southsomerset.gov.uk)  
Website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

Below are details of the information that will need to be supplied to enable South Somerset District Council to validate your application, If you have any queries regarding the required information please do contact the Planning Department.

**Householder application for planning permission for works or extension to a dwelling**

**NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
  - Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995

- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

LOCAL REQUIREMENT - may include some or all of the following:

- Biodiversity Survey and Report
- Daylight/sunlight assessment
- Flood risk assessment (e.g. for applications in Environment Agency Flood Zone relating to basements or rear extensions)
- Noise impact assessment
- Other plans (3 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Parking and Access Arrangements
- Photographs/photomontages
- Planning Statement
- Tree survey/Arboricultural implications

### **Householder Application for planning permission for works or extension to a dwelling and Conservation Area consent for demolition in a Conservation Area**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
  - Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990

- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Article and this Regulation

LOCAL REQUIREMENTS - may include some or all of the following:

- Biodiversity Survey and Report
- Daylight/sunlight assessment
- Flood risk assessment (e.g. for applications in Environment Agency Flood Zone relating to basements or rear extensions)
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Noise impact assessment
- Other plans (3 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Parking and Access Arrangements
- Photographs/photomontages showing the whole building and its setting and/or the particular section of the building affected by the proposals
- Planning Statement
- Structural Survey of the building
- Tree survey/Arboricultural implications

### **Householder Application for planning permission for works or extension to a dwelling and Listed Building consent**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans (e.g. at a scale of 1:50 or 1:100)

- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Article and this Regulation

LOCAL REQUIREMENTS - may include some or all of the following:

- Biodiversity Survey and Report
- Daylight/sunlight assessment
- Flood risk assessment (e.g. for applications in Environment Agency Flood Zone relating to basements or rear extensions)
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Noise impact assessment
- Other plans (3 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Parking and Access Arrangements
- Photographs/photomontages showing the whole building and its setting and/or the particular section of the building affected by the proposals
- Planning Statement
- Structural Survey of the building
- Tree survey/Arboricultural implications

### **Application for planning permission**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries

- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

LOCAL REQUIREMENTS - may include some or all of the following:

- Affordable housing statement
- Air quality
- Biodiversity survey and report
- Conservation Area appraisal
- Daylight/sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment
- Other plans (3 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment

- (Draft) travel plan
- Tree survey/Arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management plan (including relevant refuse disposal details)

### **Application for outline planning permission with some matters reserved**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Affordable housing statement
- Air quality
- Daylight/sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment



- Noise impact assessment
- Open space assessment
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Protected species survey and report
- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- (Draft) travel plan
- Tree survey/arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

### **Application for outline planning permission with all matters reserved**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

**LOCAL REQUIREMENTS** - may include some or all of the following:

- Affordable housing statement
- Air quality
- Daylight/sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Protected species survey and report
- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- (Draft) travel plan
- Tree survey/Arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

### **Application for planning permission and Conservation Area consent for demolition**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:

- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Article and this Regulation

LOCAL REQUIREMENTS - may include some or all of the following:

- Affordable housing statement
- Air quality
- Biodiversity Survey and Report
- Conservation Area appraisal
- Daylight/Sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement

- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- (Draft) travel plan
- Tree survey/Arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

### **Application for planning permission and Listed Building consent**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
  - Plans to a scale of not less than 1:20 to show all new doors, windows, shop-fronts, panelling, fireplaces, plaster moulding and other decorative details
  - Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 and by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Article and this Regulation

## LOCAL REQUIREMENTS

may include some or all of the following:

- Affordable housing statement
- Air quality
- Biodiversity Survey and Report
- Daylight/sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- (Draft) travel plan
- Tree survey/Arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

## **Application for planning permission and Advertisement consent**

## NATIONAL REQUIREMENTS

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale, identifies the proposed position of the advertisement and shows the direction of North (5 copies to be supplied unless the application is submitted electronically)

- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans (e.g. at a scale of 1:50 or 1:100)
- Advertisement drawing(s) (e.g. at a scale of 1:50 or 1:100) (showing advertisement size, siting, materials and colours to be used, height above ground, extent of projection and details of the method and colour(s) of illumination [if applicable])
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

LOCAL REQUIREMENTS - may include some or all of the following:

- Affordable housing statement
- Air quality
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment

- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs and photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- (Draft) travel plan
- Tree survey/Arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

### **Conservation Area consent for demolition in a Conservation Area**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
  - The completed Ownership Certificate (A, B, C or D – as applicable) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Regulation

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Biodiversity Survey and Report
- Conservation Area appraisal

- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages showing the whole building and its setting and/or the particular section of the building affected by the proposals
- Planning Statement
- Structural Survey of the building
- Tree survey/Arboricultural implications

### **Listed Building consent for alterations, extension or demolition of a listed building**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
  - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Plans to a scale of not less than 1:20 to show all new doors, windows, shop-fronts, panelling, fireplaces, plaster moulding and other decorative details
- Roof plans (e.g. at a scale of 1:50 or 1:100)
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990
- Design and access statement
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Regulation

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Biodiversity Survey and Report
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)



- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages showing the whole building and its setting and/or the particular section of the building affected by the proposals
- Planning Statement
- Structural Survey of the building
- Tree survey/Arboricultural implications

### **Application for Advertisement consent**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- 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 (3 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (3 copies to be supplied unless the application is submitted electronically) including:
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
  - Advertisement drawing(s) (e.g. at a scale of 1:50 or 1:100) (showing advertisement size, siting, materials and colours to be used, height above ground, extent of projection and details of the method and colour(s) of illumination [if applicable])
- The appropriate fee

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Lighting assessment (where illuminated advertisements are proposed)
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs and photomontages
- Planning Statement

### **Listed Building consent for alteration, extension or demolition of a listed building and advertisement consent**

#### **NATIONAL REQUIREMENTS**

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- 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 (3 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically) including:
    - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
    - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
    - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
    - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
  - Plans to a scale of not less than 1:20 to show all new doors, windows, shop-fronts, panelling, fireplaces, plaster moulding and other decorative details
  - Roof plans (e.g. at a scale of 1:50 or 1:100)
  - Advertisement drawing(s) (e.g. at a scale of 1:50 or 1:100) (showing advertisement size, siting, materials and colours to be used, height above ground, extent of projection and details of the method and colour(s) of illumination [if applicable])
  - The completed Ownership Certificate (A, B, C or D – as applicable) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990
  - Design and access statement
  - In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Regulation

LOCAL REQUIREMENTS - may include some or all of the following:

- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Lighting assessment (where illuminated advertisements are proposed)
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs and photomontages showing the whole building and its setting and/or the particular section of the building affected by the proposals
- Planning Statement
- Structural Survey of the building
- Tree survey/Arboricultural implications

**Application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition**

#### NATIONAL REQUIREMENTS

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan identifying the land to which the application relates drawn to an identified scale and showing the direction of north (5 copies to be supplied unless the application is submitted electronically)
- Such evidence verifying the information included in the application as can be provided
- Such other information as is considered to be relevant to the application
- The appropriate fee

#### LOCAL REQUIREMENTS - may include some or all of the following:

- Plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres):
- Existing elevations (e.g. at a scale of 1:50 or 1:100)
- Existing floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing site survey plan (e.g. at a scale of 1:50 or 1:100)
- Lawful Development Certificate supporting information (e.g. sworn affidavit(s) from people with personal knowledge of the existing use)
- Photographs/Photomontages
- Planning Statement

#### **Application for a Lawful Development Certificate for a proposed use or development**

#### NATIONAL REQUIREMENTS

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan identifying the land to which the application relates drawn to an identified scale and showing the direction of north (5 copies to be supplied unless the application is submitted electronically)
- Such evidence verifying the information included in the application as can be provided
- Such other information as is considered to be relevant to the application
- The appropriate fee

#### LOCAL REQUIREMENTS - may include some or all of the following:

- Plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres):
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Site survey plan (e.g. at a scale of 1:50 or 1:100)
- Planning Statement

### **Application for prior notification of proposed agricultural development – proposed building**

#### **NATIONAL REQUIREMENTS**

- A completed form or written description of the proposed development and the materials to be used
- A plan indicating the site
- The appropriate fee

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres):
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Photographs/photomontages
- Planning Statement

### **Application for prior notification of proposed agricultural development**

#### **NATIONAL REQUIREMENTS**

- A completed form or written description of the proposed development and the materials to be used
- A plan indicating the site
- The appropriate fee

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Planning statement

### **Useful supporting information – application for prior notification of proposed agricultural development – proposed excavation/deposit of waste material from the farm**

#### **NATIONAL REQUIREMENTS**

- A completed form or written description of the proposed development and the materials to be used
- A plan indicating the site
- The appropriate fee

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Planning statement

## **Useful supporting information – application for prior notification of proposed agricultural development**

### **NATIONAL REQUIREMENTS**

- A completed form or written description of the proposed development and the materials to be used
- A plan indicating the site
- The appropriate fee

### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Planning statement

## **Useful supporting information – application for prior notification of proposed development in respect of permitted development by electronic communications code operators**

### **NATIONAL REQUIREMENTS**

- A completed form or written description of the proposed development
- A plan indicating the proposed location
- The appropriate fee
- Evidence that the developer has given notice of the proposed development in accordance with A.3(1) of Part 24 of Schedule 2 to the General Permitted Development Order 1995
- Where the proposed development consists of the installation of a mast within three kilometres of the perimeter of an aerodrome evidence that the developer has notified the Civil Aviation Authority, the Secretary of State for Defence or the Aerodrome operator in accordance with A.3(2) of Part 24 of Schedule 2 to the General Permitted Development Order 1995

### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Acoustic report where relevant
- Any other relevant additional information
- Area of search
- Details of alternative sites rejected with a justification for rejecting them: This should include existing masts, structures and other buildings within the search area
- Explanation if no alternatives considered
- Map showing the relationship of the application site to schools and other telecommunication equipment in the vicinity
- Planning Statement
- Signed declaration that the equipment and installation fully complies with the ICNIRP requirements
- Statement of community involvement
- Supplementary
- Technical information including the frequency, modulation characteristics, power output and the height of the proposed antenna

- Technical justification — details about the purpose of the site and why the particular development is required
- Visual impact assessment where relevant

### **Application for Hedgerow Removal Notice**

#### **NATIONAL REQUIREMENTS**

- A completed form or the form set out in Schedule 4 to the Hedgerow Regulations 1997
- A plan which clearly shows the location and length of the hedgerow(s) to be removed (if possible, please provide a plan to a scale of 1:2500. A different scale can be used so long as it shows clearly the location and length of the hedgerow or hedgerows that you wish to remove)
- Evidence of the date of planting

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Arboricultural implications
- Ecological survey

### **Application for prior notification – proposed demolition**

#### **NATIONAL REQUIREMENTS**

- A completed form or written description of the proposed development
- A statement that the applicant has displayed a site notice in accordance with A.2(b)(iii) of Part 31 of Schedule 2 to the General Permitted Development Order 1995
- The appropriate fee

#### **LOCAL REQUIREMENTS - may include some or all of the following:**

- Biodiversity Survey and Report
- Photographs/photomontages
- Planning Statement
- Structural survey
- Tree survey/Arboricultural implications

### **Application for Approval of Reserved Matters following outline approval**

#### **NATIONAL REQUIREMENTS**

- Completed form or application in writing containing sufficient information to enable the authority to identify the outline planning permission in respect of which it is made
- Such particulars as are necessary to deal with the matters reserved in the outline planning permission
- Such plans and drawings as are necessary to deal with the matters reserved in the outline planning permission including:

- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans (e.g. at a scale of 1:50 or 1:100)
- Three copies of the application and three copies of the plans and drawings submitted with it (unless the local planning authority indicate that a lesser number is required or the application is submitted electronically)
- The appropriate fee

LOCAL REQUIREMENTS - may include some or all of the following:

- Affordable housing statement
- Air quality
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Design and Access statement
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement
- Lighting assessment
- Noise impact assessment
- Open space assessment
- Other plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres)
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Regeneration statement
- Statement of Community Involvement
- Structural Survey
- Transport assessment
- (Draft) travel plan
- Tree survey/arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

**Application for removal or variation of a condition following grant of planning permission (Section 73 of the Town and Country Planning Act 1990)**

**NATIONAL REQUIREMENTS**

- Completed form
- The completed Ownership Certificate (A, B, C or D – as applicable) as required under Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and access statement, if required
- The appropriate fee

**LOCAL REQUIREMENTS - may include some or all of the following:**

- Plans (5 copies to be supplied unless the application is submitted electronically. All plans and drawings should include: paper size, key dimensions and scale bar indicating a minimum of 0-10 metres):
- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Affordable housing statement
- Air quality
- Biodiversity survey and report
- Daylight/Sunlight assessment
- Design and Access statement
- Environmental Impact Assessment
- Evidence to accompany applications for town centre uses
- Existing and proposed car parking and access arrangements
- Flood risk assessment
- Foul sewerage assessment
- Heritage Statement (including historical, archaeological features and Scheduled Ancient Monuments)
- Impact assessment
- Land contamination assessment
- Landfill statement



- Lighting assessment
- Noise impact assessment
- Open space assessment
- Photographs/photomontages
- Planning obligations/draft Head(s) of Terms
- Planning Statement
- Regeneration statement
- Statement of Community Involvement
- Transport assessment
- (Draft) travel plan
- Tree survey/arboricultural implications
- Utilities statement
- Ventilation/extraction statement
- Site waste management statement (including relevant refuse disposal details)

## **Useful supporting information – application for approval of details reserved by condition**

There are NO NATIONAL REQUIREMENTS for applications for the approval of details reserved by condition except that they should be made in writing. However, you may submit the following:

- Completed form (5 copies to be supplied unless the application is submitted electronically)
- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (5 copies to be supplied unless the application is submitted electronically)
- A copy of other plans and drawings or information necessary to describe the subject of the application (5 copies to be supplied unless the application is submitted electronically)

LOCAL REQUIREMENTS - may include some or all of the following:

- Photographs/photomontages
- Planning Statement

Application for tree works: works to trees subject to a Tree Preservation Order (TPO) or notification of proposed works to trees in Conservation Areas (CA)

Please use this list to ensure that the form has been completed correctly and that all relevant information is submitted.

For works to trees protected by a Tree Preservation Order, failure to supply sufficiently precise and detailed information may result in your application being rejected or delay in dealing with it. In particular, you **MUST** provide the following:

- completed and dated application form, with all [mandatory] questions answered;
- sketch plan showing the location of all tree(s);
- a full and clear specification of the works to be carried out;
- statement of reasons for the proposed work; and
- evidence in support of statement of reasons. In particular, you should provide:
- report by a tree professional (eg arboriculturist or horticultural adviser) if your reasons relate to the health and/or safety of the tree(s)
- report by an engineer or surveyor, together with one from a tree professional (arboriculturist) if you are alleging subsidence damage.

For works to trees in conservation areas, it is important to supply precise and detailed information on your proposal. You may, therefore, wish to provide the following:

- completed and dated form, with all questions answered;
- plan showing the precise location of all tree(s); and
- a full and clear specification of the works to be carried out.

Whether the trees are protected by a TPO or in a conservation area, please indicate which of the following types of additional information you are submitting:

- photographs.

- report by a tree professional (arboriculturist) or other.
- details of any assistance or advice sought from a Local Planning Authority officer prior to submitting this form.

# **Planning Application Validation Requirements**

***A guide to getting it right first time***

**South Somerset District Council**

**May 2020**

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## Introduction

**Thank you for taking the time to read South Somerset's document on Validation requirements.**

This Validation document has been produced to inform applicants/agents of the type of documents and level of information required to validate a planning application or other similar consents. There are National Requirements and South Somerset District Council (SSDC) has local requirements. SSDC's validation document reflects both the National Guidance on the validation of applications and the local requirements to meet adopted local plan policies. To avoid confusion, this document will merge local and National requirements to enable use of this document as your one-stop shop, with the aim that your application can be registered as valid for determination by the Council first time round. This reduces time and costs for us and means we can start progressing your application without delay.

This Checklist is intended to provide applicants/agents with clear advice as to the planning information that is considered necessary to allow Case Officers and Statutory and Non-Statutory consultees to properly consider proposals being put forward and to ensure a streamlined submission process.

Where a document or plan is listed for a particular type of application or consent, such an application may not be validated without this information. Everything that is required from applicants will be justified by policy or legislation so you know why we are asking for certain information. Links to other bodies and documents that will help you get your submission right can be found under the Glossary at the end of this document.

This document provides specific requirements for all types of applications and these are listed in the Contents page. Applicants/agents should ensure that their application submission includes all of the information required for the specific type of application that is being submitted. This document has been designed for use both electronically and in hard copy; when used electronically you can click on links to navigate to specific items/web pages.

Detailed information about the planning process can be found via [here](#)

Before submitting your application SSDC requests that you consider seeking [pre-application advice](#). It can be very helpful for you to seek our advice about your planning proposals before submitting your actual application. This can help to overcome potential difficulties and make sure your application addresses all the important planning considerations. It is an opportunity to better understand the way in which an application will be judged against the policies in the development plan and other material considerations.



Where this symbol is visible the applicant may ascertain whether that particular plan/document/report is necessary to support the application by contacting the administration team or discussing the matter with the case officer during pre-application discussions. In the absence of such, the LPA will decide at the validation stage whether to invalidate the application if the stated requirement has not been met. You are also directed to the 'Validation Checklist Form' section on page 7.

SSDC will soon adopt a Negotiation Strategy which sets out how live applications will be progressed in terms of amendments.

## Adoption / Review

The local validation checklist should be reviewed and republished bi-annually as required under The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3, Article 11 (3) (d).



## What is Validation?

Validation is the process of checking that all relevant documentation and fee (where applicable) has been provided. If an applicant/agent submits an application without the necessary documentation, or with clear inaccuracies, we will declare the application invalid (with no further action taken) until the required information is provided.

Some of the requirements are National Requirements and some are Local Requirements. For simplicity, no differentiation is made in this document between the two types of requirement.

## The Extent of Information Requested

The extent of information requested for validation has been the subject of consultation and will be sought on the basis of what is considered to be reasonable and proportionate having regard to the scale and nature of the proposed development and material considerations - as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3 Article 11 (3) (c).

## Plans

**Location Plan** (*what's a location plan? - see example below*)

A site location plan shows the proposal in its surrounding context and must:

- A. Be as up-to-date as possible
- B. Be at an identified measurable scale of 1:1250, 1:2500 and include a scale bar
- C. Be clearly marked with the direction of North
- D. Show the full site, all site boundaries, adjoining properties (be numbered or named) and identify sufficient roads and/or buildings to enable identification of the land to which the application relates
- E. Show the application site boundaries and all land necessary to carry out the proposed development i.e. land required for access to the site from the road, **outlined in red**
- F. Show any other land within the applicant's ownership or control that is close to or adjacent to the site **outlined in blue**
- G. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- H. Ideally be drawn/created on paper size no larger than A3 (this helps our notification processes and is easier to read online)
- I. Indicate original paper size (A4, A3 etc.) on drawings for printing
- J. Be uploaded/printed in colour

More information relating to location plans can be seen [here](#)

Location plans can be purchased [online](#)

**Block / Site Plan (existing and proposed)** (*what's a block/site plan? - see example below*)

A block / site plan shows the development in more detail and must:

- A. Be as up-to-date as possible
- B. Be at an identified measurable scale of 1:500, 1:200, 1:100 and include a scale bar
- C. Be clearly marked with the direction of North
- D. Clearly show the proposed development
- E. Include all site boundaries, existing buildings, roads, tracks, footpaths, public rights of way, walls, banks and historic features, ponds, watercourses and proposed boundary treatments/walls/fencing (including measures for removal and/or retention):
  - i. On the site
  - ii. On land adjoining the site
- F. Clearly show any buildings to be demolished (this can be especially useful in establishing CIL liability)

- G. Include access arrangements (width, visibility splays (existing and proposed), surfacing, drainage, positioning of gates, etc.), existing and proposed parking provision (with individual spaces/garages delineated/annotated to the appropriate dimensions in accordance with the Somerset Parking Strategy), and the provision of on-site turning facilities where applicable
  - H. Clearly show the position of all trees and all hedges and those that could influence or be affected by the development; with proposals for removal and/or retention clearly indicated (including boundary hedges)
    - i. On the site
    - ii. On land adjoining the site
  - I. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council.
  - J. Ideally be drawn/created on paper size no larger than A3 (this helps our notification processes and is easier to read online)
  - K. Indicate original paper size (A4, A3 etc.) on drawings for printing
  - L. Be uploaded/printed in colour
- More information relating to block/site plans can be seen [here](#)  
 Block/site plans can be purchased [online](#)

**PLEASE NOTE:** A Block/Site Plan is likely to contain highways/ parking details. SSDC has produced [helpful guidance](#) to applicants so the right information is included on plan.

#### **Elevation Drawings (existing and proposed)** *(what's a elevation drawing? - see example below)*

An elevation is a view of a building seen from one side, a flat representation of one façade and must:

- A. Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar. Larger scale drawings may be required for Listed Buildings
- B. Show all elevations in full unless otherwise agreed
- C. Show proposed building materials, style and finish of the building and windows and doors
- D. Show any other buildings that are attached to the elevation and where possible the main features of that adjoining building (e.g. details of doors, windows on the same elevation of an adjoining terraced or semi-detached dwelling) and a street scene where appropriate.
- E. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- F. Ideally be drawn/created on paper size no larger than A3 (this helps our notification processes and is easier to read online)
- G. Indicate original paper size (A4, A3 etc.) on drawings for printing
- H. Be uploaded/printed in colour where needed
- I. Include the particulars specified or referred to in the application form e.g. material etc.

#### **Floor Plans (existing and proposed)** *(what's a floor plan? - see example below)*

A floor plan is a view from above showing the layout of rooms, key dimensions and levels, and may also use symbols to show materials and locations of fittings and appliances and must:

- A. Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar
- B. Explain the proposal and usage in detail
- C. Show the entire floor area for any existing building as well as the proposed development
- D. Show new buildings in context with adjacent buildings
- E. Show any buildings or walls to be demolished
- F. Show roof plan, if not shown on the site plan and is relevant to the proposal
- G. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- H. Ideally be drawn/created on paper size no larger than A3 (this helps our notification processes and is easier to read online)
- I. Indicate original paper size (A4, A3 etc.) on drawings for printing
- J. Be uploaded/printed in colour where needed



### Roof Plans (existing and proposed) *(what's a roof plan? - see example below)*

A roof plan is used to show the shape of the roof. Show the position of all ridges, valleys, dormer windows, roof lights and other features, such as chimneys or raised parapets. Details such as the roofing material and their location are typically specified on the roof plan.

- A. Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar
- B. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- C. Ideally be drawn/created on paper size no larger than A3 (this helps our notification processes and is easier to read online)
- D. Indicate original paper size (A4, A3 etc.) on drawings for printing
- E. Be uploaded/printed in colour where needed

### Section Plans / Levels (existing and proposed) *(what's a section/levels plan? - see example below)*

A section plan shows a view of a structure as though it had been sliced in half vertically, this can be useful as it gives a view through the spaces and surrounding structures that can reveal the relationships between the different levels and parts of the buildings that might not be apparent on other plans. Required for detached buildings, showing finished floor levels above a fixed datum point e.g. a manhole cover and extensions within flood zones 2 and 3. Required for excavation works incl. garden terracing or where retaining walls are needed.

- A. Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar
- B. Show a cross section(s) through the proposed building(s) or structure
- C. Provide details of existing and proposed levels with reference to an off-site fixed datum point and include any retaining walls existing or proposed where there is a change in ground levels or building/floor levels across the site, or between a site and neighbouring land and show the proposals in relation to adjoining buildings
- D. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- E. Ideally be drawn/created on paper size no larger than A3 (this helps our notification processes and is easier to read online)
- F. Indicate original paper size (A4, A3 etc.) on drawings for printing
- G. Be uploaded/printed in colour where needed

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#### Examples

Typical examples of all types of plan/drawing are viewable [here](#)

**For information:** copyrighted plans cannot be accepted unless with accompanying authorisation.

## Submitting an Application

***South Somerset District Council strongly encourages digital submission of all planning application material.***

This reduces administrative process time meaning we can progress your application more quickly.

Planning application can be submitted electronically via the [Planning Portal](#). The Planning Portal was established in 2002 to allow planning applications in England and Wales to be processed and passed to the local authority electronically. It is not administered by SSDC.

Paper submissions are strongly discouraged and will not be prioritised. It is highly likely extensions of time will routinely be requested for these applications due to the extra administrative time they take to process. NB: Cheques – applications accompanied by cheques will not be progressed until the cheque has been banked and has cleared. This can take up to 5 days.

## Extra information requested after validation

The list of requirements is not exhaustive and we can still request further, or more detailed, information after validation to resolve any particular issues that arise. Any additional information not required by the Validation Checklist but which we need to determine the application will be requested during the course of the application and should be provided as soon as possible. SSDC will soon adopt a Negotiation Strategy which sets out how live applications will be progressed in terms of amendments.

## Validation disputes

If an applicant/agent disagrees with the reasons for invalidating a planning application the rationale for this disagreement should be first made in writing. A Case/Specialist Officer will review the matter and if following any negotiations there is still no agreement as to a way forward, the applicant may send a final notice to the authority setting out their reasons for refusing to supply the information under The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3 Article 12. The applicant must have submitted all the other information needed to validate the application together with the fee. The authority will then either confirm the information is no longer required and issue a validation notice or disagree and issue a non-validation notice against which the applicant may then appeal under Section 78 of the Town and Country Planning Act 1990 (as amended).

## Pre-Application Advice

### **South Somerset District Council encourages pre-application submissions.**

In accordance with SSDC's proactive approach, all applicants/agents are strongly advised to seek pre-application advice before submitting an application, to ascertain the likelihood of a successful outcome. This will help to highlight any potential issues at an early stage in the planning process and ensure that the necessary documentation is submitted. This is considered essential for major applications. For further information please view [Pre-Application Advice](#)

## Statement of Community Involvement (SCI)

### ***South Somerset District Council strongly encourages engagement with local communities prior to application submissions.***

South Somerset's [SCI](#) sets out what we expect from developers proposing development and underpins SSDC's commitment to engage developers with local communities and what level of consultation local communities and individuals can expect thereafter. All local planning authorities are required under section 18(1) of the Planning and Compulsory Purchase Act 2004 to prepare and maintain a SCI.

## Neighbour Consultation Requirement

A significant number of applications attract objections that could have been resolved prior to submission had the applicant or agent discussed proposals with neighbours or interested parties like Parish Councils; this is in addition to seeking pre-application advice from SSDC. Objections delay the processing of applications and can create cost for the applicant and SSDC in processing amended plans. As such it will be a validation requirement to set out what consultation an applicant/ agent has undertaken, what issues were raised and how these have been dealt with in the submission, or why they haven't resulted in any changes. The form towards the end of this document shall be completed for relevant applications.









## Validation Checklist Form








This form acts a tick list or as a double check for the applicant/agent to ensure all the necessary documents have been submitted. It is recognised that the requirements are detailed and much more extensive than existed prior, as such the Checklist Form allows comments to be made and submitted with an application to set out why a particular document may have not been submitted. It is recognised that there will be circumstances where the requirement do not fit or are out of proportion and the Checklist allows these situations to be explained. These comments will be assessed by our team. These matters should ideally be discussed with an officer at the pre-application stage.

The full set of Checklist Forms can be viewed [here](#).

## Householder planning application (registered as a minor application)








The Householder Application for Works or Extension to an existing Dwelling should be used for proposals to alter/extend a single dwelling or two or more dwellings, including works within the curtilage (boundary/garden) of a house or the formation of an access in association with a house.

Document Description:	Req'd	What / When is required:	Policy / Legislation:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal Fee Calculator</a> . The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Forms		Required where the proposed development will involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space). Forms available <a href="#">here</a> , The Council's CIL guidance can be found <a href="#">here</a> .	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. A Block/Site Plan is most likely to contain highways and parking details. SSDC has produced <a href="#">helpful guidance</a> to applicants so the right information is included on plan.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		See 'Plans' section.	Local Plan Policy EQ2
Floor Plans (existing and proposed)		See 'Plans' section.	Local Plan Policy EQ2
Roof Plan (existing and proposed)		See 'Plans' section.	Local Plan Policy EQ2
Section Plans / Levels (existing and proposed)		See 'Plans' section Required for detached buildings, showing finished floor levels above a fixed datum point e.g. a manhole cover and extensions within flood zones 2 and 3. Required for excavation works incl. garden terracing or where retaining walls are needed.	Local Plan Policy EQ2








Document Description:	Req'd	What / When is required:	Policy / Legislation:
Biodiversity Checklist/Ecology Report		Required if works are proposed which may affect protected species or habitats. It will be a requirement to complete a <a href="#">Biodiversity Checklist</a> and include within your application. If you answer 'yes' to any question you <u>must</u> include the requisite ecology report unless otherwise agreed.	Local Plan Policy EQ4
Flood Risk Assessment (FRA)		Required for development in Flood Zone 2 and 3 or works within 8m of a main river. Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice, <a href="#">here</a> A householder and Other Minor Extensions FRA Information Sheet and Form is available <a href="#">here</a>	NPPF paragraphs 155-165
Archaeological Assessment		Required for developments in areas of high archaeological potential.	NPPF paragraph 189
Design and Access Statement		Required for Listed Buildings or if in a Conservation Area, and should include a Heritage Asset Statement. <a href="#">What is a Design and Access Statement?</a>	The Town and Country Planning (Development Management Procedure) (England) Order 2015 PPG Design paragraphs 029 - 034
Tree Survey and Protection Measures		Required for proposals where there are trees within or adjoining the site. A Tree Survey, Arboricultural Method Statement and Tree Protection Plan should be prepared by a suitably qualified and experienced arboricultural consultant in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. Helpful guidance is available at <a href="http://www.trees.org.uk">www.trees.org.uk</a>	Local Plan Policies EQ4 and EQ5 BS. 5837 (2012)
Photographs		Please supply photographs of the existing property to which the extension is proposed. Please stand well back from the location of the development and include context and reference points in the photos, guidance is available <a href="#">here</a> .	
Neighbour Consultation Form		Detailed on page 7 of this document.	

## Change of Use (could be registered as a minor, major or other application)





If you are intending to change the use of all or part of your property/land, you may need to obtain planning permission. The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as use classes. The full application for Planning Permission form should be used for change of use applications.

Document Description:	Req'd	What / When is required:	Policy / Legislation:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> <a href="#">Fee Calculator</a> . The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Form		Required for applications where the proposed development will create one or more new dwellings, or involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space) of out of town retail. Forms available <a href="#">here</a> , The Council's CIL guidance can be found <a href="#">here</a> .	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. A Block/Site Plan is most likely to contain highways and parking details. SSDC has produced <a href="#">helpful guidance</a> to applicants so the right information is included on plan.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Floor Plans (existing and proposed)		See 'Plans' section.	Local Plan Policy EQ2
Roof Plan (existing and proposed)		See 'Plans' section.	Local Plan Policy EQ2
Ecology Report		Not required for projects that don't include physical works.  If physical works are proposed it will be a requirement to complete a <a href="#">Biodiversity Checklist</a> and include within your application. If you answer 'yes' to any question you <u>must</u> include the requisite ecology report unless otherwise agreed.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)  Local Plan Policy EQ4

## Change of Use (continued – page 2)

Document Description:	Req'd	What / When is required:	Policy / Legislation:
Flood Risk Assessment (FRA)		Required for : <ul style="list-style-type: none"> <li>Essential infrastructure / Highly vulnerable / More vulnerable uses within Flood Zone 2 and 3</li> </ul> Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice, <a href="#">here</a>	NPPF paragraph 1155-165 PPG Flood Zone and Flood Risk Tables
Heritage Statement		Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.	Local Plan Policy EQ3 NPPF paragraph 189
Draft S106 / Heads of Terms		Required for schemes involving: <ul style="list-style-type: none"> <li>Affordable housing</li> <li>The provision of on-site open space and play equipment</li> <li>Highway Infrastructure and Travel Planning</li> <li>Matters which cannot be covered by planning conditions or CIL</li> </ul>	Local Plan Policies SS6, HG3, TA3, TA4, TA5, HW1
Noise / Vibration Assessments		Required for developments generating potentially significant levels of noise / vibration, for development in close proximity to sensitive receptors, or developments within close proximity to existing significant levels of noise / vibration.	Local Plan Policy EQ7
Agricultural Appraisal		Required for countryside development including use for agriculture or as a rural worker's dwelling.	Local Plan Policy HG9 NPPF paragraph 79
Transport Assessment / Statement		Required for development that is likely to: <ul style="list-style-type: none"> <li>Result in a material increase or change in the traffic</li> <li>Impact on other modes of transport</li> </ul> Draft Travel Plan in accordance with Policy TA4	Local Plan Policies TA1, TA3, TA4, TA5
Landscape Plan / Strategy		Required except where Change of Use has no landscape impact.	Local Plan Policy EQ2

## Change of Use (continued – page 3)






Document Description:	Req'd	What / When is required:	Policy / Legislation:
Retail Impact Assessment		Required for applications for over 2,500m² of floor space for retail, leisure or office development.	Local Plan Policy EP12 NPPF paragraphs 85-90
Planning Statement		Required (can be combined with a Design and Access Statement) <a href="#">Statement of Community Involvement</a> - Compliance statement required to show engagement with local community prior to submission.  Affordable Housing Statement - Required for residential development of 10 or more units and must include number and tenure/size mix of affordable units.	NPPF paragraphs 10 and 14  Adopted Statement of Community Involvement  Local Plan Policy HG3
Photographs		Please supply photographs of the site. Please stand well back from the location of the development and include context and reference points in the photos.	
Neighbour Consultation Form		Detailed on page 7 of this document.	



## Full or Outline planning application for Minor development (registered as a minor application)









(less than 10 dwellings of 1000sqm of new office, retail, manufacturing or other floorspace)

Full applications are for many types of application including the erection of new dwellings, agricultural buildings or development involving commercial and industrial properties. Outline applications are used when the principle of a development needs to be established.







Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> <a href="#">Fee Calculator</a> The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Form		Required for applications for full permission where the proposed development will create one or more new dwellings, or involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space) of out of town retail. CIL Additional Information Form is not required for Outline applications. Forms available <a href="#">here</a> , The Council's CIL guidance can be found <a href="#">here</a> .	CIL Regulations (2010), as amended
Page 152 Occupation Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. A Block/Site Plan is most likely to contain highways and parking details. SSDC has produced <a href="#">helpful guidance</a> to applicants so the right information is included on plan.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		See 'Plans' section. Required for changes to elevations. Drawn to a scale of 1:50 or 1:100 and include a scale bar Show the proposed works in relation to what is already there, where possible, the proposed building materials and the style, materials and finish of windows and doors. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.	Local Plan Policy EQ2












## Full or Outline planning application for Minor development (continued – page 2)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Floor Plans (existing and proposed)		Required for changes to floor plans. See 'Plans' section.	Local Plan Policy EQ2
Roof Plan (existing and proposed)		Required, except if matters are reserved. See 'Plans' section.	Local Plan Policy EQ2
Section Plans / Levels (existing and proposed)		Required, except if matters are reserved. See 'Plans' section.	Local Plan Policy EQ2
Ecology Report		Required if works are proposed which may affect protected species or habitats. It will be a requirement to complete a <a href="#">Biodiversity Checklist</a> and include within your application. If you answer 'yes' to any question you <u>must</u> include the requisite ecology report unless otherwise agreed. This should include evidence to support Habitats Regulations Assessment where appropriate.	Local Plan Policy EQ4
Flood Risk Assessment (FRA)		Required for: Development over 1 hectare in Flood Zone 1 and all development in Flood Zone 2 and 3 Works within 8m of a main river Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.	NPPF paragraph 155 - 165 PPG Flood Zone and Flood Risk Tables
Drainage Plan and Strategy		This should be indicative/conceptual for outline residential and commercial schemes. This should be detailed for full submissions. The plans should detail the surface water drainage strategy and should include reference to Sustainable Urban Drainage principles.	NPPF paragraph 155 - 165
Heritage Statement		Required for works within a Conservation Area or AONB, works adjacent or to a Listed Building, Scheduled Ancient Monument or having archaeological implications.	Local Plan Policy HG3 NPPF paragraph 189
Archaeological Assessment		Required for developments in areas of high archaeological potential.	NPPF paragraph 189

## Full or Outline planning application for Minor development (continued – page 3)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Design and Access Statement		Required for development within a Conservation Area comprising: One or more dwellings Increase in floor space of 100m <sup>2</sup> or more What is a <a href="#">design and access statement?</a>	The Town and Country Planning (Development Management Procedure) (England) Order 2015 PPG Design paragraphs 029 - 034
Tree and Hedgerow Survey/Report and Protection Measures		Required for proposals where there are trees within or adjoining the site. A Tree Survey, Arboricultural Method Statement and Tree Protection Plan should be prepared by a suitably qualified and experienced arboricultural consultant in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. Helpful guidance is available at <a href="http://www.trees.org.uk">www.trees.org.uk</a>	Local Plan Policy EQ4 and EQ5 BS. 5837 (2012)
Landscaping Plan		Strongly advised for residential and commercial developments.	Local Plan Policy EQ5
Structural Survey and Conversion Method Statement		Required for development involving the conversion of an existing rural building outside of the settlement boundaries where there exists doubt as to the structural integrity of the building. Applicants should refer to SSDC's Conversion of Barns and Other Historic Buildings guidance where appropriate.	To ascertain the tests for 'conversion' Local Plan Policies SD1, SS2
Land Contamination Report		Required for application sites where there has been a previous or suspected contaminative use at the site AND: <ul style="list-style-type: none"> <li>Operational development is proposed where there would be disturbance to the ground or groundwater regime AND/OR</li> <li>A vulnerable use is proposed where human health may be impacted</li> </ul>	Local Plan Policy EQ7
Draft S106 / Heads of Terms		Required for schemes involving: <ul style="list-style-type: none"> <li>Affordable housing</li> <li>The provision of on-site open space and play equipment</li> <li>Highway Infrastructure and Travel Planning</li> <li>Matters which cannot be covered by planning conditions or CIL</li> </ul>	Local Plan Policies SS6, HG3, TA3, TA4, TA5, HW1

## Full or Outline planning application for Minor development (continued – page 4)








Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Noise / Vibration Assessment		Required for developments generating potentially significant levels of noise / vibration, for development in close proximity to sensitive receptors, or developments within close proximity to existing significant levels of noise / vibration.	Local Plan Policy EQ7
Agricultural Appraisal		Required for countryside development including new agricultural buildings or rural worker's dwelling.	Local Plan Policy HG9 NPPF paragraph 79
Transport Assessment / Statement		Required for development that is likely to: <ul style="list-style-type: none"> <li>Result in a material increase or change in the traffic</li> <li>Affect a classified road or proposed highway</li> <li>Involve the laying out or construction of a highway or access</li> <li>Impact on other modes of transport</li> </ul> Draft Travel Plan in accordance with Policy TA4	Local Plan Policies TA1, TA3, TA4, TA5
Landscape and Visual Impact Assessment		Required for developments that have the potential to result in a significant visual impact which may include (but is not limited to): <ul style="list-style-type: none"> <li>Solar and wind energy projects</li> <li>Development in or on the edge of the open countryside or AONB</li> </ul>	Local Plan Policy EQ2
Neighbourhood Plan Compliance Statement		Required for developments in areas covered by a 'made' plan, see the <a href="#">NP webpage</a> for an up-to-date list. Proposals should be assessed against each policy.	NPPF paragraph 2
National Design Guide Compliance Statement		For residential schemes compliance with the <a href="#">10 Characteristics of Well Designed Places</a> should be demonstrated. Proposals should be assessed against each characteristic.	NPPF paragraph 8
Planning Statement		Required (can be combined with a Design and Access Statement) <a href="#">Statement of Community Involvement</a> - Compliance statement required to show engagement with local community prior to submission:	PPG Design paragraphs 029 - 034 Adopted Statement of Community Involvement Local Plan Policy HG3
Photographs		Please supply photographs of the site. Please stand well back from the location of the development and include context and reference points and the Streetscene in the photos.	
Neighbour Consultation Form		Detailed on page 7 of this document.	

\*\*Evidence of compulsory pre-application consultation for some wind turbine development is required, ask the LPA for more details.







## Full or Outline planning application for Major development (registered as a major application)

Full applications are for many types of application including the erection of new dwellings, agricultural buildings or development involving commercial and industrial properties. Outline applications are used when the principle of a development needs to be established. The following types of application are classed as 'major':








- Residential applications for 10 or more dwellings
- Outline residential applications on a site of 0.5 hectares or more.
- Commercial development site of 1 hectare or more or involving floor space of 1000m<sup>2</sup> or more

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> <a href="#">Fee Calculator</a> The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Form		Required for applications for full permission where the proposed development will create one or more new dwellings, or involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space) of out of town retail. CIL Additional Information Form is not required for Outline applications. Forms available <a href="#">here</a> , The Council's CIL guidance can be found <a href="#">here</a> .	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. A Block/Site Plan is most likely to contain highways and parking details. SSDC has produced <a href="#">helpful guidance</a> to applicants so the right information is included on plan.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		Required, except if matters are reserved. See 'Plans' section.	Local Plan Policy EQ2
Floor Plans (existing and proposed)		Required, except if matters are reserved. See 'Plans' section.	Local Plan Policy EQ2
Roof Plan (existing and proposed)		Required, except if matters are reserved. See 'Plans' section.	Local Plan Policy EQ2










## Full or Outline planning application for Major development (continued – page 2)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Section Plans / Levels (existing and proposed)		Required, except if matters are reserved. See 'Plans' section.	Local Plan Policy EQ2
Ecology Report		Required if likely to affect protected species or habitats, except if there is no impact to be determined on a site by site basis. It will be a requirement to complete a <a href="#">Biodiversity Checklist</a> and include within your application. If you answer 'yes' to any question you <u>must</u> include the requisite ecology report unless otherwise agreed.  This should include evidence to support Habitats Regulations Assessment where appropriate. An Environmental Impact Assessment (EIA) may be required.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)  Local Plan Policy EQ4
Flood Risk Assessment (FRA)		Required for : Development over 1 hectare in Flood Zone 1 and all development in Flood Zone 2 and 3 Works within 8m of a main river Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.	NPPF paragraphs 155-165  PPG Flood Zone and Flood Risk Tables
Drainage Plan and Strategy		This should be indicative/conceptual for outline residential and commercial schemes. This should be detailed for full submissions. The plans should detail the surface water drainage strategy and should include reference to Sustainable Urban Drainage principles. More details can be found <a href="#">here</a> .	NPPF paragraph 155 - 165
Heritage Statement		Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument or having archaeological implications.	Local Plan Policy EQ3  NPPF paragraph 189
Archaeological Assessment		Required for developments in areas of high archaeological potential.	NPPF paragraph 189

## Full or Outline planning application for Major development (continued – page 3)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Design and Access Statement		Required unless the development is for an engineering operation only.  What is a <a href="#">design and access statement?</a>	The Town and Country Planning (Development Management Procedure) (England) Order 2015  PPG Design paragraphs 029 - 034
Tree and Hedgerow Survey/Report and Protection Measures		Required for proposals where there are trees within or adjoining the site. A Tree Survey, Arboricultural Method Statement and Tree Protection Plan should be prepared by a suitably qualified and experienced arboricultural consultant in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. Helpful guidance is available at <a href="http://www.trees.org.uk">www.trees.org.uk</a>	Local Plan Policy EQ4 and EQ5 BS. 5837 (2012)
Structural Survey and Conversion Method Statement		Required for development involving the conversion of an existing rural building outside of the settlement boundaries where there exists doubt as to the structural integrity of the building. Applicants should refer to SDC's Conversion of Agricultural / Rural Buildings guidance.	To ascertain the tests for 'conversion' Local Plan Policies SD1, SS2
Land Contamination Report		Required for application sites where there has been a previous or suspected contaminative use at the site AND: <ul style="list-style-type: none"> <li>Operational development is proposed where there would be disturbance to the ground or groundwater regime AND/OR</li> </ul> A vulnerable use is proposed where human health may be impacted	Local Plan Policy EQ7
Draft S106 / Heads of Terms		Required for schemes involving: <ul style="list-style-type: none"> <li>Affordable housing</li> <li>The provision of on-site open space (formerly RLT2 contributions)</li> <li>Matters which cannot be covered by planning conditions e.g. infrastructure improvements not covered by CIL</li> </ul>	Local Plan Policies SS6, HG3, TA3, TA4, TA5, HW1
Noise / Vibration Assessment		Required for developments generating potentially significant levels of noise / vibration, for development in close proximity to sensitive receptors, or developments within close proximity to existing significant levels of noise / vibration.	Local Plan Policy EQ7
Agricultural Appraisal		Required for countryside development including new agricultural buildings or rural worker's dwelling.	Local Plan Policy HG9 NPPF paragraph 79









## Full or Outline planning application for Major development (continued – page 4)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Transport Assessment / Statement		Required for development that is likely to: <ul style="list-style-type: none"> <li>Result in a material increase or change in the traffic</li> <li>Affect a classified road or proposed highway</li> <li>Involve the laying out or construction of a highway or access</li> <li>Impact on other modes of transport</li> </ul> Draft Travel Plan in accordance with Policy TA4	Local Plan Policies TA1, TA3, TA4, TA5
Landscape and Visual Impact Assessment		Required for developments that have the potential to result in a significant visual impact which may include (but is not limited to): <ul style="list-style-type: none"> <li>Solar and wind energy projects</li> <li>Development in the open countryside or AONB</li> </ul>	Local Plan Policy EQ2
Landscape Plan / Strategy		Required except where landscaping is a Reserved Matter.	Local Plan Policies EQ2, EQ4, EQ5, EQ6
Retail Impact Assessment		Required for applications for over 2,500m <sup>2</sup> of floor space for retail, leisure or office development.	Local Plan Policy EP12 NPPF paragraphs 85-90
Neighbourhood Plan Compliance Statement		Required for developments in areas covered by a 'made' plan, see the <a href="#">NP webpage</a> for an up-to-date list. Proposals should be assessed against each policy.	NPPF paragraph 2
National Design Guide Compliance Statement		For residential schemes compliance with the <a href="#">10 Characteristics of Well Designed Places</a> should be demonstrated. Proposals should be assessed against each characteristic.	NPPF paragraph 8
Planning Statement		Required (can be combined with a Design and Access Statement) <a href="#">Statement of Community Involvement</a> - Compliance statement required to show engagement with local community prior to submission: Affordable Housing Statement - Required for residential development of 10 or more units and must include number and tenure/size mix of affordable units.	Adopted Statement of Community Involvement  Local Plan Policy HG3
Photographs		Please supply photographs of the site. Please stand well back from the location of the development and include context and reference points and the Streetscene in the photos.	
Neighbour Consultation Form		Detailed on page 7 of this document. **Evidence of compulsory pre-application consultation for some wind turbine development is required, ask the LPA for more details.	










## Reserved Matters Application (could be registered as a major or other application)

Reserved matters applications should be used after an Outline planning application has been approved. A Reserved Matters application deals with some or all of the outstanding details of the Outline application proposal, including appearance, means of access, landscaping, layout and scale.







Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> <a href="#">Fee Calculator</a> The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Form		Required for applications where the proposed development will create one or more new dwellings, or involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space) of out of town retail, unless the Outline permission was granted before 03 April 2017. Forms available <a href="#">here</a> , The Council's CIL guidance can be found <a href="#">here</a> .	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. A Block/Site Plan is most likely to contain highways and parking details. SSDC has produced <a href="#">helpful guidance</a> to applicants so the right information is included on plan.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		Required for changes to elevations, except if approved within the Outline permission. See 'Plans' section.	Local Plan Policy EQ2
Floor Plans (existing and proposed)		Required for changes to floor plans, except if approved within the Outline permission. See 'Plans' section.	Local Plan Policy EQ2
Roof Plan (existing and proposed)		Required, except if addressed at Outline stage. See 'Plans' section.	Local Plan Policy EQ2
Section Plans / Levels (existing and proposed)		Required, except if addressed at Outline stage. See 'Plans' section.	Local Plan Policy EQ2










## Reserved Matters Application (continued – page 2)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Ecology Report		An update report will be required or if there is no impact - to be determined on a site by site basis. This should include evidence to support Habitats Regulations Assessment where appropriate.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) Local Plan Policy EQ4
Flood Risk Assessment (FRA)		Required, except if addressed at Outline stage: Development over 1 hectare in Flood Zone 1 and all development in Flood Zone 2 and 3 Works within 8m of a main river Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.	NPPF paragraphs 155-165 PPG Flood Zone and Flood Risk Tables
Drainage Plan and Strategy		The plan should detail the surface water drainage strategy and should include Sustainable Urban Drainage principles. More details can be found <a href="#">here</a> .	NPPF paragraph 155 - 165
Heritage Statement		Required, except if addressed at Outline stage. For works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument or having archaeological implications.	Local Plan Policy EQ3 NPPF paragraph 189
Archaeological Assessment		Required, except if addressed at Outline stage. For developments in areas of high archaeological potential.	NPPF paragraph 189
Design and Access Statement		Required, except if the development is for engineering operations only or if considered at Outline stage. What is a <a href="#">design and access statement</a> ?	The Town and Country Planning (Development Management Procedure) (England) Order 2015 PPG Design paragraphs 029 - 034
Tree and Hedgerow Survey/Report and Protection Measures		Required for proposals where there are trees within or adjoining the site. A Tree Survey, Arboricultural Method Statement and Tree Protection Plan should be prepared by a suitably qualified and experienced arboricultural consultant in accordance with BS 5837:2012 Trees in relation to design, demolition and construction.  Helpful guidance is available at <a href="http://www.trees.org.uk">www.trees.org.uk</a>	Local Plan Policy EQ4 and EQ5  BS. 5837 (2012)

## Reserved Matters Application (continued – page 3)






Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Landscaping Plan		Strongly advised for residential and commercial developments.	Local Plan Policy EQ5
Structural Survey and Conversion Method Statement		Required, except if addressed at Outline stage. For development involving the conversion of an existing rural building outside of the settlement boundaries where there exists doubt as to the structural integrity of the building. Applicants should refer to SSDC's Conversion of Agricultural/Rural Buildings guidance.	To ascertain the tests for 'conversion' Local Plan Policies SD1, SS2
Land Contamination Report		Required, except if addressed at Outline stage. For application sites where there has been a previous or suspected contaminative use at the site AND: Operational development is proposed where there would be disturbance to the ground or groundwater regime AND/OR A vulnerable use is proposed where human health may be impacted	Local Plan Policy EQ7
Noise / Vibration Assessment		Required, except if addressed at Outline stage. For developments generating potentially significant levels of noise / vibration, for development in close proximity to sensitive receptors, or developments within close proximity to existing significant levels of noise / vibration.	Local Plan Policy EQ7
Transport Assessment / Statement		Required, except if addressed at Outline stage. For development that is likely to: <ul style="list-style-type: none"> <li>Result in a material increase or change in the traffic</li> <li>Affect a classified road or proposed highway</li> <li>Involve the laying out or construction of a highway or access</li> <li>Impact on other modes of transport</li> </ul> Draft Travel Plan in accordance with Policy TA4 if not agreed at outline.	Local Plan Policies TA1, TA3, TA4, TA5
Landscape and Visual Impact Assessment		Required, except if addressed at Outline stage. For developments that have the potential to result in a significant visual impact which may include (but is not limited to): <ul style="list-style-type: none"> <li>Solar and wind energy projects</li> <li>Development in the open countryside or AONB</li> </ul>	Local Plan Policy EQ2

## Reserved Matters Application (continued – page 4)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Landscape Plan / Strategy		Required, except if addressed at Outline stage.	Local Plan Policies EQ2, EQ4, EQ5, EQ6
Retail Impact Assessment		Required, except if addressed at Outline stage. For applications for over 2,500m <sup>2</sup> of floor space for retail, leisure or office development.	Local Plan Policy EP12 NPPF paragraphs 85-90
Neighbourhood Plan Compliance Statement		Required for developments in areas covered by a 'made' plan, see the <a href="#">NP webpage</a> for an up-to-date list. Proposals should be assessed against each policy.	NPPF paragraph 2
National Design Guide Compliance Statement		For residential schemes compliance with the <a href="#">10 Characteristics of Well Designed Places</a> should be demonstrated. Proposals should be assessed against each characteristic.	NPPF paragraph 8
Planning Statement		Required (can be combined with a Design and Access Statement) <a href="#">Statement of Community Involvement</a> - Compliance statement required to show engagement with local community prior to submission:  Affordable Housing Statement - Required for residential development of 10 or more units and must include number and tenure/size mix of affordable units.	Adopted Statement of Community Involvement  Local Plan Policy HG3
Photographs		Please supply photographs of the site. Please stand well back from the location of the development and include context and reference points and the Streetscene in the photos.	
Neighbour Consultation Form		Detailed on page 7 of this document.	







## Application for Advertisement Consent

Advertisement consent applications should be used for proposals to display an advertisement or sign which requires consent.








Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> <a href="#">Fee Calculator</a>	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. Show the proposed advertisement dimensions and position on the land or building in question	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		Drawn to a scale of 1:20 or 1:50 and include a scale bar  Show the materials to be used, fixings, colours, height above the ground and, where it would project from a building, the extent of the projection.  Show the signs, size and illumination. The type of each sign for which application is being made, e.g. fascia, projecting box, pole-mounted free-standing, should be shown, together with the dimensions of each sign. If any of the signs are to be illuminated please describe the type of illumination, e.g. internal, external, floodlight, etc., and whether the illumination will be static, flashing, or have moving parts.	Local Plan Policy EQ2
Photos and Photomontages		Required - Photos of the existing premises and Streetscene/context. Optional - Some sign companies can also provide photomontages which do assist	Local Plan Policy EQ2

## Listed Building Consent

Listed building consent applications are used if your property is listed for having special architectural or historic interest and you wish to make alterations, external or internal, to the building. (Listed building consent applications can accompany a householder or full application if planning permission is also required.)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form and Validation Checklist Form		From <a href="#">Planning Portal</a> NB – There is no separate form for listed building consent. There is no fee for Listed Building Consent. The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Forms		Required for applications where the accompanying householder or full planning application will create one or more new dwellings, or involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space) of rout of town retail floorspace (not required for the Listed Building Consent application itself).	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		See 'Plans' section. Needed if external alterations proposed. Drawn to a scale of 1:20, 1:50 or 1:100 and include a scale bar Show the proposed works in relation to what is already there, where possible, the proposed building materials and the style, materials and finish of windows and doors. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.	Local Plan Policies EQ2 and EQ3
Floor Plans (existing and proposed)		See 'Plans' section. Needed if internal alterations proposed. Drawn to a scale of 1:50 or 1:100 and include a scale bar Where existing buildings or walls are to be demolished these should be clearly shown. Show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).	Local Plan Policies EQ2 and EQ3





## Listed Building Consent (continued – page 2)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Roof Plan (existing and proposed)		See 'Plans' section. Needed if external alterations are required. Drawn to a scale of 1:50 or 1:100 and include a scale bar	Local Plan Policies EQ2 and EQ3
Section Plans / Levels (existing and proposed)		Required, this will be determined on a case by case basis. Drawn to a scale of 1:50 or 1:100 and include a scale bar Show a cross section(s) through the proposed building(s) AND Plans to a scale of not less than 1:20 to show all new details proposed e.g. doors, shop-fronts, panelling, fireplaces, plaster moulding and other decorative details For windows 1:20 and 1:1 sections of reveals and glazing bars	Local Plan Policies EQ2 and EQ3
Statement of Heritage Significance		The National Planning Policy Framework Chapter 16 'Conserving and enhancing the historic environment' requires the applicant to assess the impact that development will have on a heritage asset. Advice from Historic England can be found here: <a href="#">Assessing Significance</a> and <a href="#">Historic England Advice Note 12</a>	Local Plan Policy EQ3 NPPF paragraph 185/189
Design and Access Statement		What is a <a href="#">design and access statement</a> ?	The Town and Country Planning (Development Management Procedure) (England) Order 2015 PPG Design paragraphs 029 - 034
Structural Survey and Conversion Method Statement		Required for development involving structural works to a Listed Building. Applicants should refer to SSDC's The Conversion of Barns and Other Historic Buildings guidance as appropriate, <a href="#">here</a>	Local Plan Policies EQ2 and EQ3
Ecology Report		If your Listed Building Consent application is submitted without an accompanying planning application it will be a requirement to complete a <a href="#">Biodiversity Checklist</a> and include within your application. If you answer 'yes' to any question you <u>must</u> include the requisite ecology report unless otherwise agreed. This should include evidence to support Habitats Regulations Assessment where appropriate.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)  Local Plan Policy EQ4
Photographs		Photographs help us significantly, please stand back from the location of the works, whether internal or external, and please annotate.	




## Certificate of Lawfulness of Existing Use or Development

Certificate of Lawfulness of Existing Use or Development are used to confirm that any existing use/operation/activity in breach of a condition or limitation on a planning permission that has already taken place is lawful on the date specified in the application. It is defined as being lawful if enforcement action cannot be taken against it. This may be because it had, or did not need planning permission, or it may be the case that the use or operation took place so long ago that the time for enforcement action has expired.

Mandatory requirements for Certificate of Lawfulness of existing use or development applications can be found in [Town and Country Planning Act 1990 section 191](#)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> (if applicable) <a href="#">Fee Calculator</a> The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings		See 'Plans' section. Required for changes to elevations. Drawn to a scale of 1:50 or 1:100 and include a scale bar Show the proposed works in relation to what is already there, where possible, the proposed building materials and the style, materials and finish of windows and doors. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.	Town and Country Planning Act 1990 s.191

## Certificate of Lawfulness of Existing Use or Development (continued – page 2)






Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Floor Plans		See 'Plans' section. Required for changes to floor plans. Drawn to a scale of 1:50 or 1:100 and include a scale bar Where existing buildings or walls are to be demolished these should be clearly shown. Show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).	Town and Country Planning Act 1990 s.191
Planning Statement		Applicant's should be setting out their case clearly: Describe the use, operations or other matter Give the reasons for determining the use, operations or other matter to be lawful Provide evidence e.g. sworn affidavit(s) from people with personal knowledge of the existing use; dated photographs; utility bills etc.	Town and Country Planning Act 1990 s.191
Photographs		Please supply photographs of the site. Please stand well back from the location of the development and include context and reference points and the Streetscene in the photos.	







## Certificate of Lawfulness of Proposed Use or Development

Certificate of Lawfulness of Proposed Use/Development/Works or Activity are used to confirm that what you are proposing would be lawful i.e. it would not require express planning permission. For example you may need to establish that what you have proposed does not constitute development, is 'permitted development', or already has planning permission.

Mandatory requirements for Certificate of Lawfulness of proposed use or development applications can be found in [Town and Country Planning Act 1990 section 192](#)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> (if applicable) <a href="#">Fee Calculator</a> The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Form		Required for applications for full permission where the proposed development will create one or more new dwellings, or involve the creation of 100m <sup>2</sup> or more floor space (including converted floor space) of out of town retail. Forms available <a href="#">here</a> , The Council's CIL guidance can be found <a href="#">here</a> .	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		See 'Plans' section. Required for changes to elevations. <ul style="list-style-type: none"> <li>• Drawn to a scale of 1:50 or 1:100 and include a scale bar</li> <li>• Show the proposed works in relation to what is already there, where possible, the proposed building materials and the style, materials and finish of windows and doors.</li> </ul> Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.	Town and Country Planning Act 1990 s.192







## Certificate of Lawfulness of Proposed Use or Development (continued – page 2)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Floor Plans (existing and proposed)		See 'Plans' section. Required for changes to floor plans. Drawn to a scale of 1:50 or 1:100 and include a scale bar Where existing buildings or walls are to be demolished these should be clearly shown. Show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).	Town and Country Planning Act 1990 s.192
Section Plans / Levels (existing and proposed)		See 'Plans' section. Required, this will be determined on a case by case basis. Drawn to a scale of 1:50 or 1:100 and include a scale bar Show a cross section(s) through the proposed building(s).	Town and Country Planning Act 1990 s.192
Planning Statement		Applicant's should be setting out their case clearly: Describe the use, operations or other matter Give the reasons for determining the use, operations or other matter to be lawful	Town and Country Planning Act 1990 s.192
Photographs		Please supply photographs of the site. Please stand well back from the location of the development and include context and reference points and the Streetscene in the photos.	

## Tree in a Conservation Area /Tree Preservation Order Works or Hedgerow Removal Applications






Trees and woodlands that are considered important to amenity, and can be protected by a tree preservation order. You can request a tree to be considered for protection, or if a tree is already protected, you must have consent to carry out works to the tree.

The Application for Hedgerow Removal Notice form should be used by anyone proposing to remove a hedgerow, or part of a hedgerow, covered by the Hedgerows Regulations 1997. The regulations are designed to protect important hedgerows in England and Wales.






Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> If you wish to apply to remove a hedge, please complete the <a href="#">Hedgerow Removal Notice</a> There is no fee The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 Hedgerows Regulations 1997
Location Plan (existing)		A plan at a scale to aid the identification of the site (advised 1:1250 or 1:2500) showing the direction of North. The inclusion of adjacent roads and/or buildings can also help. The tree(s) / hedgerow(s) in question should be clearly <b>marked in red</b>	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		A scaled plan (ideally 1:500 or 1:200) showing the direction of North The tree(s) / hedgerow(s) in question should be clearly marked	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Tree Survey / Report		Required for works to trees covered by a TPO if: It is diseased or you have fears that it might break or fall (you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert). Alleged damage to property (written technical evidence from an appropriate expert, including description of damage and possible solutions)	Local Plan Policy EQ4 and EQ5
Statement of Works		This should provide a detailed description of works and the reason(s) for the works/removal. If felling a TPO details of replacement planting is required (location, species, size, root type and volume and time of proposed planting). If proposing a crown reduction please clarify the extent of the intended pruning works in metres as measured from the outer branch tips (both height and radius).	Local Plan Policy EQ4 and EQ5 Hedgerows Regulations 1997
Photographs		Supporting photographs are helpful and can speed up the decision-making process.	

## Removal or Variation of Condition (Section 73/19 application) (could be registered as a minor, major or other application)










This application can be used if, under a previous planning permission, a condition was imposed that you wish to be amended or removed entirely.

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Application Form, Fee and Validation Checklist Form		From <a href="#">Planning Portal</a> (if S73) <a href="#">Fee Calculator</a> The checklist is available <a href="#">here</a> to double check all the correct document have been included and to provide commentary as to why certain things may have been left out.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
CIL Additional Information Form		Required for development relating to residential, retail warehouses, supermarket or hotel use that will change the floor space from that which was permitted by the permission that the S73 application relates to.	CIL Regulations (2010), as amended
Location Plan (existing)		See 'Plans' section.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Block / Site Plan (existing and proposed)		See 'Plans' section. A Block/Site Plan is most likely to contain highways and parking details. SSDC has produced <a href="#">helpful guidance</a> to applicants so the right information is included on plan.	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Elevation Drawings (existing and proposed)		See 'Plans' section.  Required, this will be determined on a case by case basis if changes to elevations are proposed. Drawn to a scale of 1:50 or 1:100 and include a scale bar Show the proposed works in relation to what is already there, where possible, the proposed building materials and the style, materials and finish of windows and doors. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.	Local Plan Policy EQ2









## Removal or Variation of Condition (Section 73/19 application) (continued – page 2)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Floor Plans (existing and proposed)		See 'Plans' section.  Required, this will be determined on a case by case basis if changes to floor plans are proposed. Drawn to a scale of 1:50 or 1:100 and include a scale bar Where existing buildings or walls are to be demolished these should be clearly shown. Show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).	Local Plan Policy EQ2
Roof Plan (existing and proposed)		See 'Plans' section.  Required, this will be determined on a case by case basis if changes to floor plans are proposed. Drawn to a scale of 1:50 or 1:100 and include a scale bar	Local Plan Policy EQ2
Section Plans / Levels (existing and proposed)		See 'Plans' section.  Required, this will be determined on a case by case basis if changes affect sections / levels. Drawn to a scale of 1:50 or 1:100 and include a scale bar Show a cross section(s) through the proposed building(s).	Local Plan Policy EQ2
Ecology Report		Required for changes to planning condition(s) in relation to this issue. This should include evidence to support Habitats Regulations Assessment where appropriate. Where the removal or variation has additional ecological implications an ecology report may be required. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ4
Flood Risk Assessment (FRA) & Drainage Plan		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	NPPF paragraphs 155-165 PPG Flood Zone and Flood Risk Tables

## Removal or Variation of Condition (Section 73/19 application) (continued – page 3)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Archaeological Assessment		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	NPPF paragraph 189
Tree Survey / Report		Required for changes to planning condition(s) in relation to this issue. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ2 and EQ5 BS. 5837 (2012)
Structural Survey & Conversion Method Statement		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	To ascertain the tests for 'conversion' Local Plan Policies SD1, SS2
Land Contamination Report		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ7
Noise / Vibration Assessment		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ7 NPPF paragraph 123
Agricultural Appraisal		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy HG9
Transport Assessment / Statement		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policies TA1, TA3, TA4, TA5
Heritage Statement		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ3 NPPF paragraph 189
Landscape and Visual Assessment		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ2

## Removal or Variation of Condition (Section 73/19 application) (continued – page 4)

Document or plan description:	Req'd	What / When is required:	Policy / Legislative:
Landscape Plan / Strategy		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy EQ2
Affordable Housing Statement		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the S73 application relates to, an updated assessment or addendum may be sufficient.	Local Plan Policy HG3
Planning Statement		Required. This should detail why the application for removal/variation of the condition is being sought.	Town and Country Planning Act 1990 s.73
Updated D&A if s19		Required to set out details of change and justification	The Town and Country Planning (Development Management Procedure) (England) Order 2015 PPG Design paragraphs 029 - 034
Updated/New Neighbourhood Plan Compliance Statement		Required for developments in areas covered by a 'made' plan, see the <a href="#">NP webpage</a> for an up-to-date list. Proposals should be assessed against each policy.	NPPF paragraph 2
Updated/New National Design Guide Compliance Statement		For residential schemes compliance with the <a href="#">10 Characteristics of Well Designed Places</a> should be demonstrated. Proposals should be assessed against each characteristic.	NPPF paragraph 8
Schedule of Plans		Please include a list of plans, that when modified, replaced and added to by reason of the S73/S19 will reflect the 'approved plans' relevant to the proposal.	In the interests of clarity.
Neighbour Consultation Form		Detailed on page 7 of this document. Recommended for S73 applications where the matter to be revised has been subject to previous objection/concern from neighbours.	



## Other Application Types

### Prior Approvals

Prior approval (see categories in the table below) means that a developer has to seek approval from the local planning authority (SSDC) that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts in Schedule 2 of the General Permitted Development Order. SSDC cannot consider any other matters when determining a prior approval application.

Prior approval is required for some change of use permitted development rights. Certain other types of permitted development including the erection of new agricultural buildings, demolition and the installation of telecommunications equipment also require prior approval. The matters which must be considered by the local planning authority in each type of development are set out in the relevant parts of Schedule 2 to the General Permitted Development Order.

The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established.

Prior Approval for a Proposed Larger Home Extension	Prior Approval Agricultural Building to Office / Shops / Hotel
Prior Approval Office Use to Dwellings	Prior Approval Retail Use / Mixed Retail and Residential Use to Dwellings
Prior Approval Agricultural to State-Funded School or Registered Nursery	Prior Approval Agricultural Building to Dwelling
Prior Approval to a State-Funded School or Registered Nursery	Agricultural Prior Notification
Prior Approval Installation / Alteration / Replacement of Solar Photovoltaics (PV) (Non Domestic)	Prior Approval Amusement Arcades / Centres / Casinos, (Sui Generis Uses) to Dwellings
Prior Approval Storage or Distribution Buildings to Dwellings	Prior Approval Light Industrial Building to Dwellings
Prior Approval Shops, Financial and Professional Services, Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurants and Cafés	Prior Approval Shops and Financial and Professional Services, Betting Offices, Pay Day Loan Shops (Sui Generis Uses) to Assembly and Leisure Uses
Prior Approval Erection or Construction of Collection Facility within the Curtilage of a Shop	Prior Approval for Temporary Use of Buildings or Land for the Purpose of Commercial Film-Making
Prior Approval for Demolition of Buildings	Prior Approval for Certain Communication Apparatus

**PLEASE INCLUDE PHOTOGRAPHS OF THE SITE.** Please stand well back from the location of the development and include context and reference points and the Streetscene in the photos.

#### Please note:

- Validation requirements for Prior Approval Notifications are largely set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 Part 3 W, although some are set out in other parts of the order.
- Residential development carried out using permitted development rights can be liable to pay a Community Infrastructure Levy charge.

Our preferred route for the submission of applications for Prior Approval is via the [Planning Portal](#).

### Hazardous Substance Consents

As per the requirements of the National Planning Practice Guidance. Forms can be found via [The Planning Control of Major-Accident Hazards Regulations 1999 \(as amended\)](#)



## Applications in respect of Crown Land

As per the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3 (8).

## Non-Material Amendments

Discretionary changes may be made to an approved application that are deemed not material, guidance is available [here](#).

Validation requirements are as per the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3 (10)

- [Application form](#)
- Fee – [What is the fee?](#)
- Location Plan and drawings or information necessary to describe the subject of the application; this may include revised elevations, roof and floor plans.

## Discharge of Conditions

Works or development may be approved with conditions that require the further agreement of details by SSDC prior to a start being allowable on site.

It is worth planning ahead as some conditions may require further survey work, drawings and consultation to be undertaken. SSDC encourages discussions regarding conditions to help applicants/developers prepare their site for development.

A covering letter is acceptable in place of an [application form](#) for this type of application together with the necessary details. As per the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 5 (27).

If sending the information by letter please set out clearly condition by condition the information we require plus references to any attached plans or technical documents. Extracts from manufacturer's brochures or photos to support your submission will be acceptable on occasion; in some circumstances we will require physical samples. This can be ascertained by emailing your case officer or [planning@southsomerset.gov.uk](mailto:planning@southsomerset.gov.uk) in advance of making your submission.

Discharge of Conditions submissions are charged per submission. See [here](#).

## Deed of Variation (of a Planning Obligation - DPO)

A planning obligation (also known as a section 106 agreement) may be varied or altered with the consent of SSDC. This must take the form of a formal application using the form available on this [page](#).

The application must include a clear explanation as to the changes sought and the reasons why.

## Jargon Corner - Glossary (abbreviations / definitions and selected web links)

Whilst we all try our best to avoid the use of jargon it is inevitable unfortunately! Our website [explains the planning process](#) and holds a glossary of terms used within planning spheres to aid your understanding. More information can also be found [here](#).

## Neighbour Consultation Form

Page 7 of this document sets out this requirement. Word versions of this form are available [here](#)

Address of Neighbour/Premises Consulted	Summary of any objections/concerns/issues raised:	Response to those objections/concerns/issues:

# Agenda Item 10

## Planning Enforcement Protocol

*Executive Portfolio Holder:* Tony Lock, Protecting Core Services  
*Directors:* Netta Meadows, Service Delivery  
*Lead Officer:* Simon Fox, Lead Specialist (Planning), Service Delivery  
*Contact Details:* Simon.fox@southsomerset.gov.uk

## Purpose of the Report

1. Members' support is sought to adopt a new Planning Enforcement Protocol to support the investigation of breaches of planning regulations.

## Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 4 June 2020.

## Public Interest

3. An Enforcement Policy or Protocol sets out how the Council will approach the enforcement of breaches of planning control, setting out the principles and standards of service which can be expected by the public. Enforcement is a discretionary power and action is only used when negotiations have failed to resolve the breach, or, the breach is so serious as to warrant immediate action in the public interest to protect the amenity of the environment or safety of the public.

## Recommendation

4. That the District Executive adopt the Planning Enforcement Protocol.

## Background

5. Along with its age and obvious need for a refresh the 2007 Policy sets out a level of service that simply cannot be delivered with the current resources available. At that time a dedicated Planning Enforcement Team existed. Our current enforcement offer is led by one members of staff within the Planning Team, with assistance from one corporate enforcement specialist and several planning case officers. There is a growing expectation to deliver enforcement beyond the current resources allocated to this function. This new document seeks to clearly set out expectations regarding what we can achieve and by when.
6. In parallel to the creation of this document we have been working to design a new Civica process for planning enforcement cases which at the moment are operated wholly through paper files. By the time this report is presented the process will have gone 'live' and the protocol dovetails with the stages we have designed in it. The 'innovation' is to relate to colour coded stages to keep the complainant up to date and so everyone knows what is likely to happen next in terms of compliance.
7. The additional instructions and training to officers around the digital approach and the protocol will be to relaunch the way we approach enforcement by getting to a result/decision much quicker than in the past. Historically the policy was to try and resolve complaints through cooperation and cohesion in written correspondence over extensive time periods but avoiding using the power that exists through legal notices. Our new approach will be to give the person who have "breached" a chance to rectify their breach and if that cooperation is not forthcoming to start moving to the legal stages of a 330 notice and formal enforcement notice much sooner.
8. It is important officers retain independent assessment of the expediency of carrying out action.

9. The enforcement function hereon also relies on important inputs from Locality and Customer Connect, as well as of course from Support Services (Legal). The newly designed website pages will allow online reporting. In time we hope to publish statistics there regarding the number of notices served as a deterrent to future perpetrators.
10. Internal consultation amongst the team indicates it is a welcome document which will have a very positive impact on the enforcement function alongside the digital process.

## Considerations and Feedback

11. After an initial presentation to SLT on 20 April a two-week public consultation period was launched online on 28 April. Email's signposting to the online consultation were sent to all Town/Parish Council's, District Councillors and those applicants/agents who had submitted an application to SSDC over the last 18 month and had provided an email address. The consultation included a survey to complete so focused feedback could be sought. One point of concern was the unknown number of agents who were on furlough during this period.
12. The survey yielded 9 respondents including 1 agent and 4 parish councillors, 1 district councillor and 3 members of the public. The number of contributors is low but the range of points made were extensive.

The key outcomes are analysed as:

- The document left the reader with on average a good understanding of enforcement in the planning system.
  - 85% felt the stages of dealing with a compliant are clear in the document.
  - 85% found the website links useful.
  - Answers to the question – *Please let us know the areas within this document that you feel are the most useful and why?* included:
    - The stages and the powers and toolkit to act
  - Answers to the question – Please outline any areas with the document which you feel are unclear, or could be improved and why? attracted a great deal of feedback and those comments plus the additional comments contributors made are set out with a response to each comment in **Table 1** attached.
13. The overall themes that emerge is the change in format and the colour coding of the stages did on the whole make sense to those who contributed.
  14. One contributor felt the document could be clearer regarding emergency incidents (Element 4 in Table 1). This is clearer on our website and so the protocol has been amended to include that information as well.
  15. The issue of timescales is also raised and is a valid point. The Protocol sets out specific timescales for the first few stages as these can be more predictable, however as a matter reaches formal action then the timescales are often not within the Council's gift and as such cannot be a performance indicator. The efficiency of the system is also predicated on resources available at the time and the number of complaints being dealt with.
  16. It is intended that a review of enforcement procedures take place every 12 months.

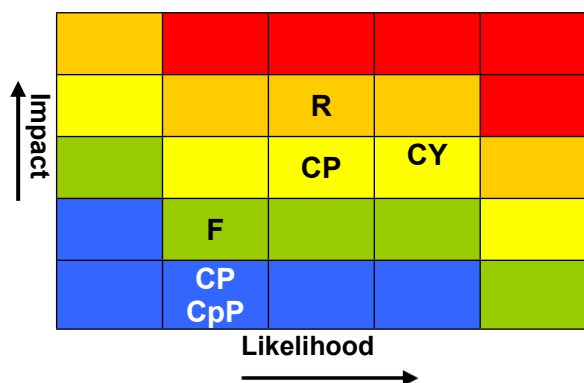
## Financial Implications

17. The essence of the protocol is to make the process more efficient and ensure decisions on complaints are made more quickly. This will means some matters that might have otherwise been resolved by prolonged correspondence and a retrospective application over a very long period of time might now be subject to an enforcement notice. This might otherwise require more resource

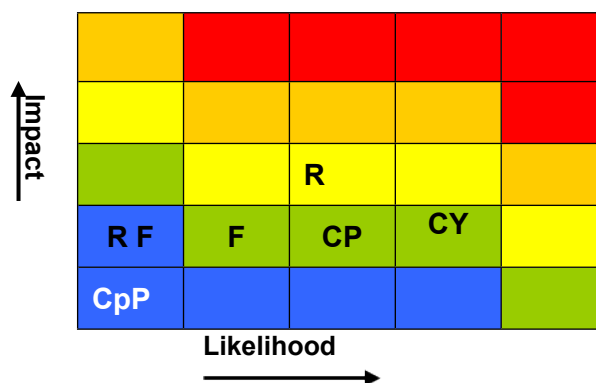
from the legal team but we would wish to put in place templates and training so planning officers can progress simple matters with only a final check being made by legal.

## Risk Matrix

**Risk Profile before officer recommendations**



**Risk Profile after officer recommendations**



## Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

## Council Plan Implications

18. The Validation Guide is a key part of the planning process which underpins many of the Council Plan themes.

## Carbon Emissions and Climate Change Implications

19. The Enforcement Protocol Guide in itself has no direct implications, other than encouraging the submission of complaints.

## Equality and Diversity Implications

20. Enforcement is an embedded part of the planning process and is not considered to raise any particular equality and diversity implications.

## Privacy Impact Assessment

21. The identity of a complainant is typically confidential but can be disclosed under certain circumstances, i.e.: the matter goes to court and witness are called. Well practiced protocols used at this time will continue to be implemented and would not be affected by the adoption of this Enforcement Protocol.

## Background Papers

22. The 2007 Enforcement Policy and the proposed 2020 Enforcement Protocol are attached as Background papers.

**Table 1** – summary of comments received and an officer response.

<b>1</b>	<b>The use of colours for stages confused me. They are not in an intuitive order, Why not use numbers?</b>
	<i>Response: This is a valid opinion, the use of colours links to our new Civica process which we felt gives the complainant and the (alleged) perpetrator a clear way of identifying the stage the Council has reached with the complaint. We are also minded that the protocol is rather wordy and so some colour adds interest and recognition.</i>
<b>2</b>	<b>Further advice needs to be given on those matters which will be taken into account in deciding whether it is expedient to take enforcement action. For example highway safety, visual amenity, noise. It is not appropriate in many cases for officers to visit sites unannounced to deal with enforcement matters. It is placing the officers at risk and could result in the enforcement situation escalating.</b>
	<i>Response: Agreed that approaching site dealing with enforcement complaints is a risk for officers, nobody wants to hear that a neighbour has complained 'anonymously' and caused the Council to visit. Our triaging of complaints will ensure that only valid complaints are investigated and our Locality Team have experience dealing with customers 'in the field' and are being given extra planning enforcement training.</i>
<b>3</b>	<b>Appendix C – Powers of officers to enter land. What does the statement 'Rights to take any other persons as may be necessary for the purposes of the investigation' mean?</b>
	<i>Response: The power extends to council officers so a particular complaint may need another expert from outside the council to provide advice on the impact of works and the necessity for action. Officers will rarely overtly use the power instead seeking consensual entry.</i>
<b>4</b>	<b>How are emergency incidents reported needing instant enforcement?</b>
	<i>Response: Cases that cause immediate, serious or irreversible harm to a listed building, protected tree or conservation area can be called through to our Customer Connect Team via 01935 462462. This is clear on our website but could be better reflected in the protocol.</i>
<b>5</b>	<b>Enforcement on deliberate attempts to mislead at application stage? As there is no obligation for the Council to monitor development, include details of time and order specific activity on Decision notices so community can monitor for you.</b>
	<i>Response: All decision notices set out clearly the triggers for certain works.</i>
<b>6</b>	<b>Publish surveys requested post determination to aid in monitoring compliance</b>
	<i>Response: All surveys are published.</i>
<b>7</b>	<b>Timescale for the replacement of the South Somerset District Councils Regulatory Services Enforcement Policy (2016-2020)?</b>
	<i>Response: The corporate Enforcement Specialist has the updating of this document within his current work plan with the aim of adopting a new version by the end of the year.</i>
<b>8</b>	<b>For the layman a lot of the document is heavy going and maybe could be less wordy however because of the various legal complexities I can understand why this is so. This said it is laid out well and is at least easy to follow if not fully comprehensible.</b>
	<i>Response: We have tried to make it as readable as possible whilst getting key message across in what is a legalistic process.</i>
<b>9</b>	<b>As long as everyone is treated the same, No matter who they are then that's fine. As for the timescale in dealing with an enforcement issue, it will be interesting to see whether you can keep to it. Past experience would say not. And surely you should keep the complainant informed as to what if any action you have taken. This has not been done in the past.</b>
	<i>Response: Part of this comment was not repeated as it contained prejudicial language. Everyone will be treated the same in accordance with the planning policies that exist. Timescale will always be an issue as Enforcement work is very involved; the timescales set out here are achievable with adequate resourcing.</i>
<b>10</b>	<b>I do not understand why, especially in the current climate, it is being rushed through. SSDC's record in planning matters is abysmally slow - the ""consultation"" is just the opposite</b>

	<i>Response: The document has been long in the planning and this coincides with the online process which went live on 15 May 2020.</i>
<b>11</b>	<b>The 'objective' will never be carried out in practice. The Council has a laissez-faire attitude and some developers don't bother to apply for planning permission. The document does not deal with the enforcement of conditions.</b>
	<i>The process we wish to put in place and the realigning of the culture regarding enforcement is part of making enforcement, a discretionary function of the Council, more efficient and effective within the current Council model. The Council is current pursuing several prosecutions and has served many enforcement notices over the last 18 months.</i>
<b>12</b>	<b>Why is an account needed to register a complaint?</b>
	<i>Response: The need for an account to be set up aligns with the corporate approach to accessing Council Services, allows verification and the outcome of a complaint or enquiry to be found via self-service. Setting up an account is simple and accesses a range of services.</i>

# **PLANNING ENFORCEMENT POLICY**





This is a statement of practice used by South Somerset District Council in its enforcement of breaches of planning control, setting out the principles and standards of service which can be expected by the public

The Council aims to resolve breaches of control in an equitable manner and where possible without the need for formal enforcement proceedings

<b>Issue details</b>	
<b>Title:</b>	<b>Planning Enforcement Policy</b>
<b>Issue and version number:</b>	<b>Issue 2 Version 3</b>
<b>Officer Controlling Procedure:</b>	<b>Roger Wotton, Senior Enforcement Planner</b>
<b>Authorisation Level</b>	<b>Scrutiny Committee 08.04.08 Management Board / DX</b>
<b>Issue Date:</b>	<b>05.06.07</b>

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## **Development Control and Enforcement**

- 1) The Development Control Service discharges the Council's statutory duties under the Town & Country Planning Act 1990 (as amended), and subsequent and subordinate legislation.
- 2) The Service plays a key role in managing the competing interests and pressures of its customers, to allow a viable community to thrive in South Somerset.
- 3) The purpose of planning is to control the development and use of land on behalf of the community, and there is often a balance to be struck between protecting our local environment, and allowing sufficient development to both house local people, and enable the economy to prosper and diversify.
- 4) The Enforcement Unit of the Service monitors and investigates development and use of land to control breaches of planning legislation.
- 5) In accordance with government guidance, the Council will, when appropriate, try to resolve the breach of control through negotiation.
- 6) Enforcement is a discretionary power and action is only used when negotiations have failed to resolve the breach, or, the breach is so serious as to warrant immediate action in the public interest to protect the amenity of the environment or safety of the public.
- 7) The Council does not condone the wilful breach of planning legislation and when expedient, will exercise its discretion to take appropriate action. Any unauthorised work is entirely at the owners risk and planning permission may not be necessarily granted.
- 8) Any action will be proportionate to the breach of planning control and in accordance with national and local legislation, policies and guidance.
- 9) Complainants should be aware that, for a variety of reasons, it may not be expedient to take enforcement action in every case.
- 10) Expediency is a test of whether the unauthorised activities are causing unacceptable harm, having regard to the Development Plan Policies and other material planning considerations.

11) The Council will not therefore act to rectify all breaches of planning control. However enforcement action will be taken when there is an unacceptable effect on the built or natural environment, or public safety.

12) Unauthorised development is, initially, only a breach of planning control, however, there are specific breaches which are absolute criminal offences, such as unauthorised work to listed buildings, protected trees, or the display of unauthorised signs, which can bring prosecution in the Magistrates Court with fines up to a maximum of £20,000 upon summary conviction.

13) The procedure and time scales of service delivery in this policy refer to general breaches of planning control, however, the Council may instigate or adopt a different course of action where appropriate.

14) Information and advice about the planning system in general, or individual proposals in specific, are freely available by either contacting the planning office at its Brympton Way offices, or on the Council's web site, [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk).

### **Complaint & Complainant.**

In common with most planning authorities, the term complaint and complainant are used to identify the information that has been provided in communications concerning an alleged breach of planning control.

**Complaint** – is the information describing the nature of the allegation.

**Complainant** – is the person(s) supplying the information.

The use of this terminology should not be confused with a “complaint” to the authority concerning other issues.

### **Advice to Complainant**

Planning law and policies are designed to control development and use of land and buildings in the public interest. They are not meant to protect the private interests of one person against the activities of another.

**EA1)** All complaints should be confirmed in writing, or on forms available on the Council web site or from the planning office. Email correspondence should include the full name and address of the complainant.

**EA2)** Telephone complaints will be noted, but will be given low priority and may not be acted upon.

**EA3)** Anonymous complaints will be noted, but will be given a low priority and may not be acted upon.

**EA4)** The Council does not investigate civil issues such as neighbour or boundary disputes.

**EA5)** The Council has a duty to both the complainant and alleged transgressor and will seek to address any issue in an equitable manner.

**EA6)** Complaints in respect of the general condition, use, parking or obstruction of a highway is not subject to planning control, and the complainant should contact the local highways or police authority.

**EA7)** Legal covenants attached to individual properties are not subject to planning control and are civil issues to be resolved between the relevant parties.

**EA8)** The complainant's identity is confidential unless the complaint forms part of the background papers to a committee report or court action, and is subject to the requirements of the Freedom Information Act 2000.

**EA9)** If a member of the public has particular concern over disclosing their identity, then they should ask their district councillor, parish or town council, to report the issue.

**EA10)** Complainant's should be aware that in many cases, whilst confidentiality is maintained, the source of the complaint will be apparent and they are encouraged in the interest of good relationships to discuss the issue of concern with the relevant person.

**EA11)** The complaint should contain sufficient factual information to enable officers to identify a potential breach of planning control.

**EA12)** Action is unlikely to be taken over trivial or technical breaches that do not cause undue harm to amenity or public safety.

**EA13)** Where any complaint becomes the subject of an inquiry or court action, the Council may, in some cases, request the complainant to provide additional information, or to attend the hearing in support of the Council's case.

### **Council Procedure.**

**EP1)** A written complaint will be acknowledged within 5 working days.

**EP2)** When necessary, a site visit and assessment will take place within 30 days of receipt of the complaint.

**EP3)** Where no breach of control exists, or it is not expedient to take action, the complainant will be advised in writing within 30 days of the date of complaint.

**EP4)** Where a breach of control is substantiated, all interested parties will be advised of an initial period of 30 days, from the date of inspection, in which to resolve the breach by;

- a. removing the unauthorized development,
- b. ceasing the unauthorized use,
- c. complying with the appropriate planning condition,
- d. submitting a retrospective application to regularise the breach of control.

**EP5)** Where action to resolve the breach has not been taken within 60 days of complaint, and when expedient, formal action will be instigated to resolve the breach of control.

**EP6)** Where action is necessary, officers will act within the scheme of delegated authority, unless it is appropriate to report to the relevant committee.

**EP7)** Where a retrospective application has been received, action will usually be deferred to allow its determination, unless the breach is so serious as to warrant immediate formal action.

**EP8)** Where it is considered a retrospective application has little merit, or has been submitted to frustrate or delay the enforcement process, formal action will be instigated prior to the determination of that application.

**EP9)** When expedient, and within 90 days of complaint, the Council's Solicitor will have been instructed to take the appropriate enforcement action to resolve the breach of planning control.

**EP10)** Within 120 days of complaint, the unauthorised development will have been removed or ceased, a retrospective application to regularise the breach will have been under consideration or determined, or the appropriate enforcement notice issued.

**EP11)** When a retrospective application has been refused, enforcement action will be instigated within 30 days of the date of refusal.

**EP12)** In the event of an appeal against any notice, the procedure will be in accordance with the process and time scale set down by the Planning Inspectorate.

**EP13)** To avoid unnecessary communications and in the interest of maximizing officer time to resolve cases, interested parties are encouraged to wait to be advised, as and when appropriate, of the current situation regarding the investigation.



### **Target Schedule**

- 5 Days**        we will have recorded and acknowledged a written complaint
- 30 Days**        we will have, when necessary, visited the site for assessment
- we will have advised there is no breach of control, or,
- that it is not expedient to take action,
- of an initial period in which to resolve a breach of control,
- of the right to submit a retrospective application
- 60 Days**        the breach will have been remedied,
- an application will have been received, or,
- formal action will have commenced
- 90 Days**        we will have instructed the Council's Solicitor to instigate formal action
- 120 Days**        a retrospective application will be pending consideration, or have been
- determined, or;
- an enforcement notice will have been issued
- the breach will no longer exist
- and all parties will have been notified accordingly

## **Prioritisation of Complaints**

Breaches of planning control can have varying degrees of impact and harm to the property or locality and therefore it is necessary to prioritise certain complaints in order to resolve the breach and minimise the effect of that unauthorised development or use of land.

Issues, which will receive priority, include;

- Development causing irreparable harm to the environment or public safety
- Works to a listed building
- Works to a protected tree
- Preparation and service of formal notices.
- Appeal action
- Court action

## **Gypsy and Traveller Sites**

This policy refers to the control of land, owned by Gypsies and Travellers, for the stationing of caravans without planning permission.

The policy is in accordance with Government guidance on the use of enforcement powers for unauthorised development of caravan sites.

Local Planning Authorities have an equal duty and responsibility to Gypsies, Travellers and the settled community.

Gypsies and Travellers have the same rights and responsibilities under the planning system as everyone else, even though other issues may be considered under the application process.

There are no permitted development rights specifically for Gypsies and Travellers under the Town & Country Planning (General Permitted Development) Order 1995.

Action taken prior to the stationing of caravans on the land will not affect the European Convention on Human Rights Article 8.

Human Rights do not grant immunity from planning legislation.

**This policy is included to clearly inform all interested parties of the measures and control available to prevent, or limit, the unauthorised development of land for the stationing of caravans, to minimise the affect of such development, and to allow the consideration of all relevant information in order to reach a balanced decision on any subsequent planning application.**

**EG1)** Where it appears to the Council that an unauthorised use of land for the stationing / siting / storage of caravans, materials, vehicles and items in association with the use of the land for occupation has, or is taking place, the Council will, in accordance with legislation;

- a) Issue a Temporary Stop Notice to prevent such use continuing, or the use escalating;
- b) Issue an Enforcement Notice to prevent such a use continuing or escalating.
- c) Issue a Stop Notice to prevent such a use continuing, or the use escalating;
- d) Seek an Injunction to prevent the use taking place or escalating.
- e) Where a breach of either notice takes place, the Council, will, on legal advice, commence formal proceedings in the Court for non-compliance with the Notice.

### **Human Rights Act 1998.**

The matters to which this Policy relates are considered to involve the following human rights issues and these have been taken into account in general terms in the framing of the approach to enforcement that the Policy provides: -

#### **1. Articles 8: Right to respect for private and family life**

- i) Everyone has the right to respect for his private and family life, his/her home and his/her correspondence.
- ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.

#### **2. The First Protocol Article 1: Protection of property**

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance

with the general interest or to secure the payment of taxes or other contributions or penalties.

Each consideration of an enforcement action will consider in detail the competing rights and interests involved in the issue under consideration. After having had regard to the various issues in the light of the convention rights referred to above, any action will only be taken where it is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

### **Advertisements**

The display of unauthorised signs can have a serious effect upon the visual amenity of both urban and rural areas, and may also affect the safety of highway users by distraction or confusion.

The display of unauthorised signs, is, unlike many breaches of planning control, an absolute criminal offence which may be tried in the courts. Action can be taken against the owner of the land, the occupier of the land, and/or any person who undertakes or maintains the display of the unauthorised sign.

**ES1)** In the interests of public safety and visual amenity, all signs displayed within the boundaries of the highway without the benefit of advertisement consent and written approval of the Highways Authority, will, when appropriate, be removed in accordance with the Council's advertisement protocol.

**ES2)** Where unauthorised signs are displayed outside of the boundaries of the highway, consideration will be given to the necessity of having the sign removed, instigation of prosecution action, or, the offender may be advised of the right to seek consent for the retention of the sign.

**ES3)** The relevant person(s) will be notified in writing of the offence of displaying an unauthorised sign.

**ES4)** As it is an offence to display an unauthorised sign, and where the offender intends to apply for consent to retain the sign, it should be removed pending consideration and determination of that application.

**ES5)** When it is considered the sign should be removed, and following written notification, the site will be inspected to confirm the removal of the unauthorised sign.

Failure to remove the sign may result in formal action to remove the sign and / or commencement of prosecution action.

**ES6)** The enforcement unit will act in cooperation with the Council's Streetscene Unit for the removal of all unauthorised signs displayed within the boundaries of the highway, and in accordance with the Council's Advertisement Protocol adopted in June 2007.

(For Definition of Advertisement, see page 16)

**Further information on the Advertisement Protocol, national legislation and guidance is available on the Council's web site:**

[www.southsomerset.gov.uk/signs](http://www.southsomerset.gov.uk/signs)

### **Listed Buildings**

The Council attaches particular importance to the protection of listed buildings, which include such structures as telephone boxes and milestones, as well as buildings. The protection extends to the complete structure, both internally and externally.

It is an outright offence to carry out any unauthorised works to a listed building and any person found guilty of the offence may, upon conviction be liable to a substantial fine.

There is no time limit upon the Council to pursue listed building enforcement action.

**EB1)** It is the responsibility of all relevant persons to ensure they have the appropriate consent to carry out any work to a listed structure, prior to the commencement of that work.

**EB2)** Where unauthorised works have taken place, consideration will be given to the issue of a listed building enforcement notice to remedy the harm to the listed structure.

**EB3)** Where any unauthorised work has taken place, consideration will, when appropriate, be given to the instigation of prosecution action in the courts.

**EB4)** Prior to the implementation of court proceedings, the relevant persons will be interviewed under caution and in accordance with the requirements of the Police & Criminal Evidence Act 1984.

**EB5)** Those persons who may be prosecuted are the property owner(s), the person(s) authorising the work, and / or the person(s) carrying out the unauthorised work.

**EB6)** In addition to any prosecution action, the relevant person(s) may also be subject to remedial work to undo the harm to the listed structure as in EB2 above.

(For Definition of Listed Building, see page 17)

## **Trees**

Trees contribute to the visual amenity and character of an area and may be protected to ensure their survival. A tree may have an individual protection order placed upon it, or be part of a group order. In addition, trees in a conservation area benefit from the same protection without being individually identified.

The importance of protecting trees is recognised in planning legislation by making any unauthorised work to a protected tree, a criminal offence which may be tried in the Courts. Unauthorised work includes the topping, lopping, or felling of a tree.

**ET1)** It is the responsibility of all relevant persons to ensure they have the appropriate consent to carry out any work to a protected tree prior to that work taking place.

**ET2)** Where any unauthorised work has taken place, consideration will be taken to the instigation of prosecution action in the courts.

**ET3)** Prior to the implementation of court proceedings, the relevant persons will be interviewed under caution and in accordance with the requirements of the Police & Criminal Evidence Act 1984.

**ET4)** Those persons who may be prosecuted are the landowner, the person(s) authorising the work, and / or the person(s) carrying out the unauthorised work.

**ET5)** In addition to any prosecution action, the relevant person(s) may be required to plant a replacement tree in the same location.

## **Partnership.**

The enforcement unit will notify, consult and act in cooperation with all other services and regulatory agencies as necessary and relevant to the issue in question. Such agencies include;

All services of South Somerset District Council  
All services of County and District Councils  
Education Agencies  
Environment Agencies  
Police and Emergency Services  
Town and parish councils when appropriate

## **Abuse of Officers**

The Council will not tolerate bullying, verbal, or physical abuse of its officers in the execution of their lawful duties.

The Council will consider action against all persons causing offence or injury to its officers, or damage to property, which may include civil legal action and/or notification to the police for criminal action.

## **Legislation**

### **The main legislation is;**

The Town & Country Planning Act 1990 (as modified).

Additional and subordinate legislation includes;

The Town & Country (Tree Preservation) Order 1969.

Local Government (Miscellaneous Provisions) Act 1982

The Town & Country (Use Classes) Order 1987

Planning (Listed Buildings & Conservation Areas) Act 1990.

The Planning & Compensation Act 1991

The Environment Act 1995

The Town & Country Planning (General Permitted Development) Order 1995

The Hedgerow Regulations 1997

The Planning & Compulsory Purchase Act 2004

Clean Neighbourhood & Environment Act 2005

Town & Country Planning (Control of Advertisements)(England) Regulations 2007

### **Government Guidance;**

Planning Policy Guidance Note PPG 18, Enforcing Planning Control, December 1991

Circular 10/97 Enforcing Planning Control, July 1997

### **Procedural Legislation;**

Police & Criminal Evidence Act 1984

Criminal Procedure & Investigations Act 1996

Human Rights Act 1998

Freedom of Information Act 2000

Regulation of Investigatory Powers Act 2000

## **Policies**

Somerset & Exmoor National Park Joint Structure Plan Review 1991 – 2011

South Somerset Local Plan 2006

Regional Spatial Strategy

## **Definitions & Terminology**

### **Breach of Planning Control:**

- a) is considered to be the carrying out of development without the required planning permission, OR
- b) is failing to comply with any condition or limitation subject to which planning permission has been granted.
- c) is failing to comply with any Order or Notice served pursuant to statutory enforcement powers.

### **Development:**

means the carrying out of building, engineering, mining or other operations in, on, over, or under the land, or the making of any material change in the use of any buildings or other land.

### **Advertisements:**

means any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used, or designed or adapted for use, and anything else principally used, or designed or adapted principally for use, for the display of advertisements.



**Conservation Area:**

is an area designated by South Somerset District Council as an area of special architectural or historic interest, the character or appearance of which it is desirable, to preserve or enhance. Conservation Area Status confers additional control over trees and the appearance/demolition of buildings to those outside of a designated area.

**Area of Outstanding Natural Beauty:**

is an area designated by the Countryside Commission as an area of such outstanding natural beauty as to warrant additional protection from inappropriate development that may detract from the appearance and amenity of the area.

**Listed Buildings:**

is a building included on a list by the Secretary of State of buildings worthy of protection and preservation by virtue of their special architectural or historic interest.

**Tree Preservation Order:**

is an order placed upon a tree considered worthy of protection and preservation by virtue of its species, quality and location and its value to the visual amenity of its area. There is a right to apply for consent to carry out necessary works to a tree covered by a preservation order and also to apply for the order to be revoked.

## **DEFINITIONS OF NOTICES**

### **Section 330 Requisition for Information.**

South Somerset District Council may, by notice in writing, require the occupier and/or any other person who may directly or indirectly have an interest in the property, to provide information as to ownership and other relevant details concerning the property. Failure to provide such information within the specified period (not less than 21 days) is an offence triable in the Magistrates Court and for which the maximum fine is currently £1000.

### **Planning Contravention Notice**

This can be served on owners, occupiers, other interested parties, or indeed on those undertaking development on land. It serves to put the recipient on notice that the local authority suspects a breach of planning control has occurred and requires them to submit information on the nature of the activity underway and their interest in the land.

It also allows the local authority to accept an offer from the contravenor to refrain from carrying out operations or activities or to undertake remedial works.

The PCN is thus essentially a means for collecting a catalogue of information from which an accurate “ planning description” of the site and any activity on it can be produced.

There is no right of appeal against a PCN and if the required information is not submitted by the recipient(s) then an offence is committed for which the maximum fine is currently £1,000. If false or misleading information is provided an offence is also committed for which the maximum fine is currently £5,000.

### **Breach of Condition Notice**

Where a condition attached to a planning permission is not complied with, a Breach of Condition Notice (BCN) can be served on the developer or the controller of the land in question. This can require the breach of the condition to be rectified within a period of not less than 28 days. Failure to comply with a BCN within the specified time limit is a level 4 offence which can attract a maximum fine of £2,500.

There is no right of appeal against a BCN.

### **Enforcement Notices**

These can be served on owners, occupiers or other interested parties in respect of land where a breach of planning control has occurred. This would be carrying out development without the required planning permission or failing to comply with any condition or limitation subject to which planning permission has been granted.

Their purpose can be to direct a stop to unauthorised development and or works to reverse, mitigate or remedy the effects of the developments.

There is a right of appeal on specific grounds against an Enforcement Notice.

An Enforcement Notice is of no effect pending the final determination or withdrawal of an appeal. If no appeal is made or one is unsuccessful it becomes an offence to breach an Enforcement Notice following expiry of the compliance period and the person who is then the owner of the land, and any other person who has control or an interest in the land, are liable to be subject to court proceedings

### **Section 215 Notice**

If South Somerset District Council considers the amenity of part of their area is adversely affected by the condition of land in their area, they may serve a notice on the owner and/or occupier of the land.

The notice shall specify such steps necessary for remedying the condition of the land within a given period of time (not less than 28 days).

Failure to comply with the requirements of the notice is a level 3 offence triable in the Magistrates Court.

### **Stop Notice**

South Somerset District Council may, having served an Enforcement Notice requiring a breach of planning control to be remedied, also serve a stop notice if it is considered expedient to require the cessation of an activity which is included in a matter alleged by the notice to constitute the breach of planning control.

This remains effective where the associated Enforcement Notice is under appeal and continues as such unless the Enforcement Notice is withdrawn or the appeal is allowed. In this case both the Stop and Enforcement Notices are quashed.

It is an offence to breach a Stop Notice and on summary conviction liable to a fine not exceeding £20,000.

## **Injunctions**

In contrast with PCN's, BCN's, Enforcement and Stop Notices, Injunctions can be used where no actual breach of planning control has occurred but where there is good reason to think it may.

They can also be used whether or not other powers have been exercised to deal with the more serious breaches of planning control.

Injunctions, which are granted, by the County Court or High Court following applications by the local planning authority, are served against the individual or persons involved and are not a charge on the land affected in the way that BCN's, Enforcement and Stop Notices are.

As the breach of an injunction is a serious offence that can lead to imprisonment, they can be used on a site that is prone to illegal development, or by a particular person whose record shows a propensity to ignore planning controls including Enforcement Notices.

The use of an Injunction for serious breaches of planning control is not something that is lightly undertaken, although they are a very powerful tool. Apart from the complexity inherent in the process, they do take a lot of officer resource to pursue. They are costly and are not granted by the Courts as a matter of course. The Court needs to be satisfied that they are appropriate in the circumstances and are necessary to deal with the harm being caused.

It is generally used only once all other forms of control have been considered, or found to be unsuccessful. However, whilst the issue of an Injunction does not necessarily remedy the immediate breach of control, its use in appropriate cases can be beneficial.

### **Direct Action**

Execution of works required by Enforcement Notice or by Section 215 Notice.

Where any steps required by an Enforcement Notice or by a Section 215 Notice are not taken within the period specified in the notice, the Council is empowered to enter the land and take those steps and to recover from the owner of the land any expenses reasonably incurred in doing so.

Any person who wilfully obstructs a person in exercise of statutory powers shall be guilty of a criminal offence.

### **SERVICE OF NOTICES**

Notices in connection with Enforcement Action need to be served on owners, occupiers and all other interested parties. Therefore it is essential that the identity of those with an interest in the affected site is known to the Council.

Apart from information gathered by the investigative officer there are three additional methods by which information on land interests can be obtained.

- 1) Service of a Planning Contravention Notice (PCN).
- 2) Service of a "Requisition for Information" Local Government (Miscellaneous Provisions) Act 1972 (Section 16) - a formal procedure for securing information about owners of land or other interests in land.

- 3) Service of a “Requisition for information” under Section 330 of the Town and County Planning Act 1990 - this is an alternative formal procedure for securing information about owners of land or other interests in land.

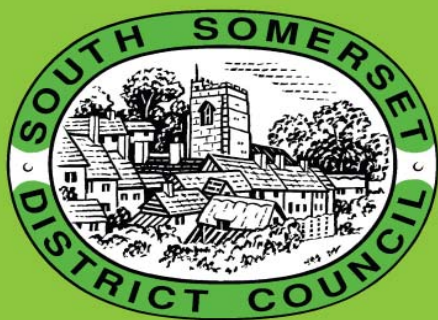
The failure to complete and return the forms within the specified period constitutes an offence and may result in prosecution action by the Council.

Once the information above has been obtained, service of notices can proceed. As it is an offence to breach the requirements of “enforcement actions” it is essential to be able to prove service. To facilitate this the following policy will be followed.

With the exception of Injunctions which will be served by hand, Enforcement and Stop Notices, BCN's, PCN's and “Requisitions for Information” will normally be served by recorded delivery to the address of all interested parties known to the council.

Where companies are involved, copies of the notice will also be served by recorded delivery at the registered office of the company(s) concerned.

Where notices are returned by the mail contractor, the notices will be re-served by hand.



More information is available from  
Development and Building Control  
The Council Offices, Brympton Way,  
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 [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

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# **Planning Enforcement Protocol**

## **South Somerset District Council**

### **Consultation Draft**



**South Somerset**  
District Council

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## **A Introduction**

The planning system in England operates to regulate development and the use of land which is in the public interest. The effective and proper enforcement of planning control is essential to protect the local environment and the interests of the residents, visitors and businesses from the harmful effects of unauthorised development.

This protocol sets out South Somerset District Council's policy (the Local Planning Authority or the "LPA") for the enforcement of planning control within the district and it is regularly reviewed. It should also be read in conjunction with South Somerset District Council's Regulatory Services Enforcement Policy (2016-2020).

We will also have regard to the Royal Town Planning Institute Planning Enforcement Handbook, view able here:

<https://www.rtpi.org.uk/practice/2020/may/planning-enforcement-handbook-for-england/>

## **B What is the remit of planning enforcement?**

The Council, as the LPA, has no obligation to monitor development but it does have a duty to investigate alleged breaches of planning control. A breach of planning control broadly means the carrying out of development (as defined below) without the grant of planning permission from the LPA, or a deemed permission given by a government Order. A breach will also include the carrying out of development without complying with the approved plans, or any conditions attached to a planning permission.

The definition of "development" is found in Section 55 of the Town and Country Planning Act 1990. This is "... a building, engineering, mining or other operation in, on, under or over land..." or a "material change of use."

The LPA has powers to remedy proven breaches by statutory and other means. It is our policy to exercise these powers appropriately and proportionately so that development takes place in accordance with the appropriate legislation or conditions and limitations imposed on any planning permission. The purpose of this policy is to ensure that councillors and officers, external agencies and the general public are aware of the LPA's approach to its enforcement responsibilities within the District of South Somerset.

Unauthorised works to listed buildings, trees covered by Tree Preservation Orders, trees within a Conservation Area and the control of advertisements also come within the scope of planning control, but unlike the breaches identified above, constitute a criminal offence. The LPA also investigates offences under the Hedgerows Regulations 1997 and High Hedge complaints under Part 8 of the Anti-social Behaviour Act 2003.

### **Our Key Objectives of Planning Enforcement**

The main objectives of planning enforcement are to remedy undesirable effects of unauthorised development and to bring unauthorised activity under control to ensure that the credibility of the planning system is not undermined within the district of South Somerset.

We will give perpetrators the opportunity to rectify a breach of planning control, but where cooperation is not forthcoming within the timescales set out by this authority then the authority

will decide whether it is expedient to escalate to formal action.

## **Our approach to Enforcement**

The integrity of the development management process depends on the readiness to take enforcement action, when it is considered expedient to do so. Parliament has given the LPA the primary responsibility for taking whatever enforcement action is necessary within the area for which it is the LPA. (A private citizen cannot initiate planning enforcement action). The enforcement of matters relating to waste management and mineral workings within this district are the responsibility of Somerset County Council.

Whilst nothing in this protocol should be taken as condoning a wilful breach of planning law - the LPA's enforcement powers are discretionary and will only be exercised when it is considered expedient to do so. In considering the issue of expediency, the LPA will have regard to:-

- Whether the breach of planning control unacceptably harms public amenity, or the existing use of land and buildings merit protection in the public interest.
- Ensuring any enforcement action is commensurate with the breach of planning control to which it relates. Enforcement action will not normally be taken to remedy trivial or technical breaches of control which are considered to cause no harm to amenity. For example, work that is slightly larger than permitted development rights allow for.
- Ensuring that, if initial attempts to persuade an owner or occupier of a site to voluntarily remedy the harmful effects of unauthorised development fail, negotiations should not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.

There are statutory time limits for taking enforcement action. This can be either four or ten years although there can be certain circumstances where this is different.

## **What will we investigate?**

- Unauthorised building works, uses of land and buildings
- Breaches of planning permission/approved plans
- Breaches of the Town and Country Planning (General Permitted Development) Order 2015 (the GPDO)
- Unauthorised works to a tree in a conservation area or covered by a Tree Preservation Order (TPO)
- Unauthorised works to a listed building
- Unauthorised advertisement displays and flyposting
- Untidy land

## **What we will not investigate:**

- Disputes between neighbours over non-planning matters
- Matters where other authorities have power to intervene more effectively
- Issues with Covenants and Deeds
- Issues with land ownership/boundaries
- Cases where there may be a technical breach but it is clearly evident it is not expedient to intervene

## **C How do I report a breach of planning control?**

You can report a breach of planning control you are concerned about by visiting the South Somerset District Council's website.

<https://www.southsomerset.gov.uk/services/planning/report-a-planning-breach-and-planning-enforcement/>

Our online reporting tool will take you step by step in providing us with all the information we need to ensure that we can investigate your concerns effectively. Some of the fields are mandatory and without that information you will not be able to submit the form.

Please provide as much information as possible. Remember, all complaints are dealt with in the strictest confidence. However in certain circumstances the source of the complaint maybe be assumed or obvious. It may become necessary at some point for you to provide the Council with evidence, especially where to demonstrate there is harm being caused by the activities you are reporting.

Without this information the Council may not be able to pursue enforcement action because it does not have sufficient evidence.

### **Emergencies**

If suspected unauthorised building work is causing immediate, serious or irreversible harm to a listed building, protected tree or conservation area, you can call the Council on 01935 462462 where a member of the team will ask a series of questions so we may react quickly.

Unfortunately in such circumstances the damage is often instant and the matter turns to one of recording evidence to support a prosecution.

## **D Our service standards and our investigation timescales**

All complaints received will receive a response. Priority will be given to cases where irreversible harm is being caused - i.e. the demolition of a listed building or the felling of a protected tree. Priority will also be given to those where a criminal offence may have been committed.

After visiting the site (where deemed necessary) we will identify the complexity of the breach

or whether it is not expedient to pursue the matter further. Depending on certain circumstances this will affect the timescale of the investigation and what progress will be made.

It is worth stressing that the ability of the Council to remedy any complaint is very much affected by the further actions and attitude of the perpetrator.

Priorities will be identified as “Routine, Urgent and Immediate.”

### **“Routine”**

These will be attributed to the bulk of complaints we receive and will be dealt with as soon as possible having regard to the priority of other enforcement cases. These will likely be householder breaches or where the harm caused is likely to be minimal and or easily reversed.

### **“Urgent”**

This is where the LPA may receive information that works are to commence and it is felt that a pro-active response is required so as to minimise the level of possible harm. It may be that planning permission has yet to be granted or that the works are likely to be contentious from a public point of view and a rapid response is best-suited in the short term.

### **“Immediate”**

This is where there is likely to be irreversible harm being carried out at the time the report is received and that an officer presence at the site is required. Likely scenarios are the felling of protected trees, works or demolition to a listed building, or where it is expedient and in the public interest to issue a Temporary Stop Notice or a Stop Notice.

We have identified a green, amber and red process for the majority complaints and signify the various stages of an investigation. Further into an investigation some cases may become more complex and therefore timeframes may extend for a variety of reasons.

Where cases are not resolved through the normal enforcement process the matter can be referred to either the Magistrates Court or the Crown Court for consideration of prosecution. This is very much a last resort but is necessary where non-compliance occurs.



## Enforcement processes from receipt to conclusion

Stage in the Process	Processes within each Stage				Timescale
<b>BLUE</b>	Receipt and the registration of complaint	Identify non-planning matters and respond accordingly to enquirer	Close down case and archive	Direct to other agencies where necessary	Within 7 working days of receipt
<b>GREEN</b>	Triage and initial assessment	Planning history check and background research	Conduct site visit and gather evidence	Evaluate evidence	Within 35 working days of receipt
<b>AMBER</b>	Decision to close or investigate	Land Registry check and S330/S16 Requisition for Information	Set out formal expectations of the LPA and a timeline	Measure progress or non-compliance. Identify formal action required	We will aim to conclude this stage within 70 working days of receipt. Due to the nature of Enforcement timescales will vary
<b>RED</b>	Reassess ownership, material consideration & background information	Issue of formal notice where expedient	Monitor whether compliance is being achieved	If no appeal monitor for compliance (see Black stage)	We will aim to conclude this stage within 95 working days of receipt. Due to the nature of Enforcement timescales will vary
<b>PURPLE</b>	Appeal and compliance period	Prepare appeal documents, and await outcome of Inspector's decision	Depending on outcome check for compliance. Close if appeal upheld	Gather evidence for preparation of file for prosecution if necessary	Due to the complexities of the appeal process timescales will vary
<b>BLACK</b>	Take case to Magistrates' Court or Crown Court	Await outcome of case - guilty or not guilty	Identify if compliance occurs and consider further prosecution	Consider works in default	Due to the complexities of the legal process timescales will vary

We will provide you with an update of what is happening where ever possible. However in some cases it is not practical to give a running commentary of what is happening for a number of reasons. Whilst we accept that a breach of planning control may be occurring which is causing harm, the Council also have to have regard to the rights of those being complained about as well.

The quickest and best way to bring about a resolution is through negotiation. This sometimes may appear that someone is “getting away” with something or that the Council is not being robust enough in the interim period. Our officers are skilled at trying to bring about the best conclusion to all parties wherever possible. In some cases hasty formal enforcement action can prolong a case by many months due to appeal processes and other challenges.

The action that we take MUST be proportionate to the breach that has occurred. The Council is impartial and will act as such at all times. It will continue to have regard to the public interest and expediency tests at all times.

The Council will only invite retrospective planning applications where there is a reasonable chance that planning permission could be granted, perhaps with the imposition of Conditions. It does not mean that it is a foregone conclusion that permission will be granted.

We reserve the right to await the outcome of the application or any subsequent appeal before taking further action.

By the same token the Council will not invite a planning application where it is likely to be recommended for refusal. This is because it raises false hopes for some and also can prolong the matter unnecessarily.

We will be clear and open with you about progress on cases; however the Council must have regard to data protection legislation and that much of some investigations are strictly confidential. Releasing information that is privileged may compromise an investigation.

The Council is duty bound to investigate allegations about a breach of planning control. However it has discretionary powers as to whether enforcement action should be taken. The Council will explain to you why it is no longer taking further action.

Action can only be taken when it is expedient to do so and is in the public interest. Any form of investigation by a public body is properly regulated by legislation. The Council must have regard to this at all times and will affect how it carries out those investigations and can dictate how long it takes.

## **E The investigation process**

The officer will determine the best way to conduct a site visit. In most cases the visit may be unannounced. However in certain circumstances it may well be by appointment because this ensures that any key persons can be present at the time of the visit and reduces aborted site visits where there is no one at home or those who are at home may not be able to give a meaningful response to the officer. See “Vulnerable Persons” below.

Any such site visit will be conducted properly and in accordance with the officer’s rights of entry.



After the site visit and initial checks are undertaken, the officer will establish whether there has been a breach of planning control. There will be some instances when more than one site visit is needed to establish if there is a breach of planning control.

### **Vulnerable person(s)**

Should a site visit be undertaken and it is found that only vulnerable people are present on the site, the visit will be abandoned and contact will be made with a responsible person to rearrange a suitable time and date. No photographs will be taken that could include vulnerable persons. Children or young persons are considered to be “vulnerable” within the scope of conducting an investigation.

### **Parts of the investigation require us to ask the following:**

#### ***“Are the works “development” as defined in Section 55 of the Town and Country Planning Act 1990?”***

If the answer is “no” then the LPA does not have any power to intervene.

#### ***“Do the works already have planning permission?”***

If the answer is “yes”, then there is no breach of planning control. If the answer is “No”, then is it possible the development is deemed to be ‘permitted development’ under the provisions of the Town and Country Planning (General Permitted Development) Order 2015? If it is found to be “permitted development” then there is no breach of planning control occurring and no further action can be taken by the LPA.

#### ***“Is it immune from enforcement through the passage of time?”***

Some breaches become lawful through the passage of time – i.e. after four years or ten years have passed since the breach was substantially completed.

#### ***“What happens when a breach of planning control is found?”***

The decision as to whether or not to take formal enforcement action is discretionary and depends on the level of planning harm. Any works carried out without the relevant planning permission are done so at the risk of the owner or developer and that enforcement action may be taken against it.

This could require the works to be reversed fully. We have to ask a number of questions before a decision is taken as to whether or not to take formal enforcement action. This stage can take several months especially if the matter is very complex.

#### ***“How long has the breach been happening?”***

Planning legislation says that after set periods of time the breach may be immune from enforcement action. The breach will have become lawful, and/or planning permission is not required. These time limits are:

Four years from the substantial completion of operational development (when the works were

finished).

Four years from when the change of use of a building to a single dwelling began.

Ten years for all other breaches including change of use of land or breaches of conditions (except dwelling houses). It is not an offence to carry out development without first obtaining planning permission UNLESS the works relate to a Listed Building, concern a tree protected by a Tree Preservation Order (TPO) or is within a Conservation Area, or is in contravention of a Temporary Stop Notice, Stop Notice, Enforcement Notice or a Injunction. There is no time limit for immunity in relation to unauthorised works to a listed building, or relevant demolition, under the Listed Buildings and Conservation Areas Act 1990.

***“Has there been a deliberate attempt to conceal unauthorised development?”***

If the period for taking enforcement action has lapsed, the Council may apply to the court for a Planning Enforcement Order (PEO). This must be done within six months of the date the breach has been detected.

***“Would planning permission have been granted?”***

The Council will not issue an Enforcement Notice solely to remedy the absence of a valid planning permission. If a breach of planning control has occurred, the Council may invite a retrospective planning application to regularise the unauthorised development where there is a reasonable prospect that planning permission would be granted, subject to conditions and/or a S106 legal agreement. In most cases, planning law says this planning application must be considered as if the works had not started. Councillors can ask for such a planning application to be considered at an Area Planning Committee. The fact that the works have been carried out without having been obtained is not a consideration when making a decision to approve or refuse.

The Council may resolve the breach informally by negotiation/remedial works or will give the transgressor the opportunity to regularise the breach if planning permission is likely to be granted on application with no restrictive conditions

After consultation with local councilors, we may commence enforcement action where it is expedient to do so and there is no other appropriate alternative. The Lead Specialist of Planning also has powers delegated to him, or her, in which to authorise enforcement action.

***Unauthorised development by small businesses or self-employed people***

Although some breaches of control are clearly deliberate, the LPA may find that an owner or operator of a small business, or a self-employed person, has carried out unauthorised development in good faith, believing that no planning permission is needed for it. The cost of responding to enforcement action may represent a substantial financial burden on such a small business, or self-employed person. LPAs should consider this in deciding how to handle a particular case.

The initial aim should be to explore - in discussion with the owner or operator - whether the business can be allowed to continue operating acceptably on the site at its current level of activity, or perhaps less intensively. The LPA should carefully explain the planning objections to the current operation of the business and, if it is practicable, suggest ways to overcome

them. This may result in the grant of a mutually acceptable conditional planning permission, enabling the owner or operator to continue in business at the site without harm to local amenity. If the site's owner or occupier is at first reluctant to negotiate with the LPA, the service of a "planning contravention notice" may help to convey the LPA's determination not to allow the development to go ahead by default.

If a mutually satisfactory compromise cannot be reached, and formal enforcement action is essential, the LPA should make their intentions clear, at the outset, to the owner or operator of a small business or a self-employed person. Unless it is urgently needed, formal enforcement action should not come as a "bolt from the blue" to a small business or self-employed person. It should be preceded by informal discussion about possible means of minimising harm to local amenity caused by the business activity; and, if formal action will clearly be needed, by discussion of the possible relocation of the business to another site. It is not the LPA's responsibility to take the initiative in finding or providing a suitable alternative site.

If formal enforcement action is likely to compel a small business or self-employed person to relocate their trading activities, the LPA should aim to agree on a timetable for relocation which will minimise disruption to the business and, if possible, avoid any permanent loss of employment as a result of the relocation. Once an enforcement notice has taken effect, LPAs should bear in mind that, where the circumstances justify it, section 173A of the 1990 Act enables them to withdraw the notice; or to waive or relax any requirement in it, including the compliance period. A reasonable compliance period, or an extension of the initial period, may make the difference between enabling a small business or self-employed person to continue operating, or compelling them to cease trading.

The Council remains committed to fostering business enterprise, provided that the necessary development can take place without unacceptable harm to local amenity. The LPA should bear this in mind when considering how best to deal with unauthorised development by small businesses. Nevertheless, effective enforcement action is likely to be the only appropriate remedy if the business activity is causing irreparable harm.

### ***Unauthorised development by private householders***

When we are considering the possibility of enforcement action involving unauthorised development by a private householder, we will bear in mind that independent professional advice to establish if planning permission was needed for the development may sometimes not have been readily available, or indeed affordable. This is particularly true where the householder may have relied on their own interpretation of "permitted development" rights contained within the Town and Country (General Permitted Development) Order 2015 (the "GPDO") as authorisation for the development, but a specified limitation has been exceeded in carrying it out. In these circumstances the tests of expediency must be applied. It must be borne in mind that if you have relied on advice from a professional then the householder would still ultimately be responsible in law. It is imperative to satisfy yourself that planning permission is not needed.

In considering whether it is expedient to take enforcement action against development carried out in excess of the permission granted by the GPDO, we will have full regard to what would have been permitted if the development had been carried out in strict accordance with the relevant provisions. The LPA would not normally take enforcement action in order to remedy only a slight variation in excess of what would have been permitted development.

### ***“Is it a minor or technical breach?”***

The Council will not take formal enforcement action against a trivial or technical breach of planning control that causes little or no harm to the amenity of the local area, or if planning permission is likely to be granted.

### ***“Is it expedient to take formal enforcement action?”***

This is a complex area. We need to balance the harm caused by the unauthorised development against the potential impact on the health, housing needs and welfare of those affected by the proposed action. The views of District Councillors with an interest in the case and Parish Councillors may be sought to ascertain the local harm.

Any action must be proportionate to the breach, be in the public interest, consider any implications of the Human Rights Act 1998 and the Equalities Act 2010, and be appropriate to the stage reached in the planning process. Each case must be considered on its own merits.

If it is not expedient to take enforcement action, this is a decision usually taken by senior officers within the planning department. Often this is in consultation with the Council's Legal Team and with District Councillors' input where appropriate. The investigation will be closed and interested parties informed.

If the complainant is unhappy with the outcome, he/she may complaint to the Council.

The Council has an internal complaints system which comprises two stages. The Stage 1 investigation will normally be conducted by the Lead Specialist who will provide a written response. If you remain dissatisfied with the response you can ask for it to be reviewed by way of a Stage 2 investigation. This is normally carried out by the Director for Service Delivery, and again you will receive a written outcome.

This procedure should be used by any person dissatisfied with any aspect of their dealings with the Council regarding any deviations from the provisions of this Enforcement Protocol. Persons wishing to make a complaint should visit the South Somerset District Council website at:

<https://www.southsomerset.gov.uk/your-council/your-council-plan-and-strategies/complaints-procedure/>

If a person is not satisfied with the Council's response to a written complaint he or she can complain to the Local Government Ombudsman. Details of how to complain to the Local Government Ombudsman can be found on its website [www.lgo.org.uk](http://www.lgo.org.uk) link.

Generally you can only further your complaint by the Ombudsman once you have exhausted the Council's own complaints system.

## **F What happens when a Notice is served?**

The enforcement notice is served on all parties understood to have an interest in the land. This means that it must be served on persons such as the owner(s), the occupier(s), tenant(s), lessees, mortgagee(s) (your mortgage lender), and any other person having an interest in the

land. There is a period of usually 28 days before the notice comes into effect.

The Notice will clearly state what the breach of planning control is and what steps are required to comply with the Notice. Further it will also set out what the times scales are.

The Notice will not come into effect if an appeal is lodged between the date of service and the date stated when the notice would come into effect. If an appeal is lodged, the outcome of the appeal is that it can either be upheld or dismissed. If the appeal is upheld, then the enforcement notice becomes null and void. If the appeal is dismissed, then the enforcement notice will come into effect. The inspector who considers an appeal does have the power to vary the requirements of the enforcement notice.

The compliance period can vary but it is often a period between 3 and 6 months. The time periods may also be phased to make compliance more reasonable. If the notice is complied with, then no further action is taken at that time.

If the enforcement notice is not complied with, then further legal advice would be sought regarding the failure to comply with the Notice. Failure to comply with an enforcement notice could result in court proceedings or direct action taken by the Council.

## **G Lodging an appeal against a Notice**

An Enforcement Notice can be appealed through the independent Planning Inspectorate (PINs), on a number of grounds.

### **Appeals may be dealt with by:**

**“Written representations”** (exchange of written submissions). This is the simplest form of appeal process for all parties, and is the quickest.

**“Informal Hearing”** This is a meeting chaired by a Planning Inspector, where Council officers, the appellant and their agent where necessary, as well as any interested third parties are in attendance. It is an informal meeting but follows a prescribed format. The Inspector will lead the discussions and invite those whom he thinks have relevant representations to make. Press may also be present.

**“Public Inquiry”** This is the most formal of events and is normally for more complex cases where there may be debate about points of law, or where evidence has to be taken on oath. It is very similar to a court case and usually the Council and the appellant will have appointed barristers to represent them. Those giving evidence will normally do so under oath. Again this is chaired by the Inspector and is much more formal.

Each of the above usually will mean that a site visit is carried out by a representative (by either an Appeal Planning Officer or an Inspector) from the Planning Inspectorate. If the Inspector can see the site properly without having to go on to it he or she may do it unaccompanied. He may have done this prior to any Hearing or Inquiry. Where the Inspector has to go on to the land to see the appeal site he will need to be accompanied by the appellant and a representative of the Council. There are strict rules about who can say what at these site visits and the Inspector will remind those persons prior to the visit being carried out.

The effect of the Enforcement Notice is held in abeyance until the Inspector releases his or her decision in writing. It should be noted that once the appeal is lodged with PINS then the timescale is set by them. Depending on the complexity of the appeal it may take many months to resolve. The following link gives the current PINS statistics for dealing with appeals from receipt to closure.

<https://www.gov.uk/guidance/appeals-average-timescales-for-arranging-inquiries-and-hearings>

## **H Prosecution and direct action**

Failing to comply fully with an Enforcement Notice within the relevant timeframe is an offence, liable for prosecution in either the Magistrates' Court or the Crown Court. The Council will normally invite a suspect to an interview under caution, in accordance with PACE guidelines, before proceeding with a prosecution.

There are circumstances in which the Council can prosecute without having to serve an Enforcement Notice. The range of offences includes:

- Non-compliance with an Enforcement Notice (including S215 Notice) or Injunction
- The illegal display of advertisement(s), unauthorised works to a listed building, Damage to trees protected by a TPO or within Conservation Area status

“Relevant Demolition” in a Conservation Area, and, the failing to return a Planning Contravention Notice, Section 16, Section 330 or providing false or misleading information in connection with the same.

Persons suspected of an offence should be placed under caution before any questions are put to them. All Officers investigating a suspected offence will carry out their duties in accordance with PACE guidelines.

### **Direct action**

In some instances, failing to comply with a Notice will give the Council the power to carry out the works and seek to reclaim the costs. This is known as “direct action.” Few cases reach this stage, but the Council will consider taking direct action when appropriate (e.g. with S215 Untidy Land Notices). Any such decision may be referred to the Area Planning Committee, and the proportionality of undertaking such works will be given thorough consideration. The Lead Specialist of Planning may refer a matter involving potential prosecution and/or direct action to the Area Planning Committee.

## **I Trees**

You can report unauthorised works to protected trees via our online service.

Where unauthorised works are alleged to have been carried out to protected trees the following process will be followed:

- An initial desktop assessment will take place by a tree officer to establish if the trees are protected. If it is found that minor works have taken place, then a warning letter will be sent.
- A site visit will take place to assess the work.

- Further investigation will take place usually by the tree officer in conjunction with legal and the enforcement officer. This could include a Land Registry search to further establish who owns the land.
- An invitation for an interview under caution with the alleged transgressor, and any other interested party, will occur.
- A further assessment will take place and the appropriate legal advice sought. This may require preparation of statements for our legal department leading to a decision regarding prosecution in accordance with the Council's Corporate Enforcement Policy.

## **J High Hedges and Hedgerows**

A "high hedge" is defined in the Act as a barrier to light or access as is formed wholly or predominately by a line of two or more evergreen or semi-evergreen trees or shrubs and rises to a height of more than 2 metres above ground level. Cypressess, such as the infamous "Leylandii" are included, as well as other evergreens, such as Yew, Laurel and Privet.

However, the Act will only offer control over hedges that affect domestic properties, which are defined as a dwelling or any associated garden or yard. Individual trees (even those which have multiple trunks) and shrubs will be outside the scope of the legislation.

Once you have tried and exhausted all other avenues for resolving your dispute with your neighbour, you may consider reporting the issue to us. Submitting a complaint to the Council should be a last resort. Before doing so, we highly recommend that you read the [Government's guidance](#).

More information can be found on the Council's website.

<https://www.southsomerset.gov.uk/services/planning/planning-technical-zone/trees-and-hedges/high-hedge-disputes/>

Agricultural hedges can only be removed by first submitting a 'Hedgerow Removal Notice' to the Council. Such hedges are covered by the Hedgerow Regulations 1997. The Council has 42 days after the receipt of a properly constituted Hedgerow Removal Notice to consider the notification and decide whether or not to serve a Hedgerow Retention Notice in response.

If such hedges are removed, it is important to distinguish removal from a severe pruning. Often the digging up of roots by grubbing out would signify removal. Then a complaint can be made. Photographic evidence is important. The process thereafter would follow that for Trees.

## **K Adverts**

The display of unauthorised signs can have a serious effect upon the visual amenity of both urban and rural areas, and may also affect the safety of highway users by distraction or confusion.

The display of unauthorised signs, is, unlike many breaches of planning control, an absolute criminal offence which may be tried in the courts. Action can be taken against the owner of the land, the occupier of the land, and/or any person who undertakes or maintains the display of the unauthorised sign.

Our approach will be influenced by factors such as where the advert has been placed (public or private land); whether it is temporary (for a charity event on an upcoming date); or a permanent business sign.

Where unauthorised signs are displayed outside of the boundaries of the highway, consideration will be given to the necessity of having the sign removed, instigation of prosecution action, or the offender may be advised of the right to seek consent for the retention of the sign.



## **APPENDICES:**

**Appendix A - Our Enforcement Toolkit**

**Appendix B - Legislative Framework and Government Guidance**

**Appendix C – Officers' Powers of Entry**

## **APPENDIX A - Our Enforcement Toolkit**

There are numerous tools that South Somerset District Council can use in which to further their investigations. We will only use them where we are entitled to in law, and will be able to justify the reasons why we have used them.

### **Planning Contravention Notice**

Section 171C and s171D of the Town and Country Planning Act 1990 (as amended)

The Planning Contravention Notice is used to obtain information relating to activities on land, and can only be issued when it appears to the local planning authority that a breach of planning control may have occurred. There are penalties for non-compliance with a Planning Contravention Notice, providing misleading or inaccurate information, or failing to provide a response within 21 days of the notice being issued. It is essentially a questionnaire that is bespoke to the particular investigation. Questions must be specific and relevant to the enquiry.

### **Seeking information about interest in land and ownership**

Section 330 Notice

A Section 330 Notice has a limited use, and is generally used to ascertain information relating to interest and ownership in land. Recipients have 21 days in which to return the information to the Council. Failure to do so is an offence.

Section 16 of the Local Government (Miscellaneous Provisions) Act 1984  
(Section 16 Notice)

This is similar to a Section 330 Notice but can be served on a wider range of persons, including agents. The time requirement for submitting the information is slightly less, at 14 days. Failure to do so is an offence.

### **Alternative methods of enforcement**

Under-enforcement

Section 173 (11) (as amended) of the Town and Country Planning Act 1990

Where an Enforcement Notice is issued in respect of any breach of planning control which could have required buildings or works to be removed or any activity to cease in the extreme, but specifically does not do so, then “under enforcement” occurs. If all the requirements of the Notice have been complied with, then planning permission is deemed to have been granted in respect of those buildings. An example would be an unauthorised building where there is deemed to be overlooking in to another persons property. Instead of total demolition, the Enforcement Notice may require just the windows to be adequately obscured instead.

### **Formal Notices**

#### **Enforcement Notice**

Section 172 of the Town and Country Planning Act 1990

An Enforcement Notice can be used to remedy an injury that has been caused by the breach, to secure compliance with conditions of a planning permission, or to require the use of land to cease and to restore land to the position it was before the breach, within a specified time.

## **Listed Building Enforcement Notice**

### Section 38 - 43 Planning (Listed Buildings and Conservation Areas) Act 1990

A Listed Building Enforcement Notice can be issued where there have been works to a Listed Building without consent or failure to comply with a condition attached to a consent. There are no time limits for issuing a Listed Building Enforcement Notice and irrespective of whether a notice has been issued, the carrying out of work without the necessary listed building consent is an offence under section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Breach of Condition Notice**

### Section 187A of the Town and Country Planning Act 1990

A Breach of Condition Notice may be issued where planning permission has been granted subject to Conditions, and the Conditions have not been complied with. This Notice is an alternative to the Enforcement Notice requiring compliance within the date specified on the notice (usually 28 days), starting from the date the notice was issued. It is important to note that there is no right of appeal against this Notice. This is because when the Condition was originally imposed the applicant had the opportunity to lodge an appeal against it at that time. It is an offence not to comply with the notice.

## **Temporary Stop Notice**

### Section 171e of the Town and Country Planning Act 1990

A Temporary Stop Notice may be issued where there has been a breach of planning control and it is expedient that the activity should stop immediately. The Notice is effective for 28 days from the date of display or as specified in the notice. It is an offence to contravene a Temporary Stop Notice. The requirements of the Notice extend to all persons on the site including contractors. There is provision within the legislation to allow a site to be made safe and secure before the works stop.

## **Stop Notice**

### Section 183 of the Town and Country Planning Act 1990

A Stop Notice can be issued at the time an Enforcement Notice is served or afterwards. The Notice is used to ensure that works cease before the expiry of the compliance period of an Enforcement Notice, and prohibits the carrying out of that activity on the land subject to the Enforcement Notice. It is an immediate offence for anyone to contravene a Stop Notice and the offender may be prosecuted in the Magistrates' Court or in some cases the Crown Court, depending on the seriousness of the offence.

## **Injunctive Proceedings**

### Section 187B of the Town and Country Planning Act 1990

Where the local planning authority considers it expedient to restrain a breach of planning control, it can apply to the High Court or County Court for an injunction. Under section 214A of the 1990 Act, the local planning authority may apply for an injunction to restrain an actual or anticipated offence under section 210 (work on TPO trees) or section 211 (work on trees in a conservation area). An injunction may also be used to enforce listed building control (to cease works to listed buildings). It is an offence to contravene an injunction.

## **Section 178 (1) of the Town and Country Planning Act 1990**

In some circumstances, direct action or default action may be considered. Direct or default action involves the local planning authority undertaking works that are necessary to remedy the breach of planning control, where the recipient of the enforcement notice has not complied

with the requirements of the notice, and all options have been exhausted. This can be an expensive option as the costs would need to be paid for upfront and recovered from the land owner. In cases where this is not possible, the local planning authority has the power to register a charge against the land in breach of the notice and recover the money when the land or property is eventually sold.

### **Land adversely affecting the amenity of an area**

#### Section 215 of the Town and Country Planning Act 1990

The Council may issue a notice requiring steps to be taken to tidy up land when its condition adversely affects the amenity of the area. The Notice will be issued on the owner or occupier of the land requiring the works to be carried out within a specified time period. There is a right of appeal to the Magistrates' Court. If the notice is not complied with, the Council may prosecute the owner for non-compliance, or enter the land to carry out the works in default and recover the costs from the owner. It is an offence to contravene a Section 215 Notice, and the Council has the power under section 219 to carry out the works in default and recover the costs if the Notice is not fully complied with.

### **Formal Caution**

When the Council is minded to prosecute for an offence, but the suspect is willing to admit their guilt and contribute to the Council's Costs, the Council will consider issuing a formal Caution, which will be held on record and produced at sentencing if the suspect is found guilty of any future offences. The Council will still have to have produced a Full File ready for prosecution, before any Caution can be considered.

### **Section 106 Agreements**

#### Section 106 of the Town and Country Planning Act 1990

A "section 106 agreement" is a planning obligation in the form of a legal document (a deed) which makes a development or proposal acceptable in planning terms. The obligation becomes a land charge and can be enforced by way of a private law claim, either in court or by arbitration.

### **Completion Notices**

#### Section 94 of the Town and Country Planning Act 1990

If a development subject to planning permission has been started and not finished, and the time limit for starting the development has lapsed, with completion within a reasonable period unlikely, a completion notice can be served, which has the effect of expiring the planning permission after a specified period, which must not be less than 12 months. Completion notices are rarely used, but consideration will be given if a development appears to have stalled and it is expedient to take action. Completion Notices are required to be confirmed by the Secretary of State and so are relevant only in certain circumstances.

### **Tree Replacement Notices**

#### Section 207 of the Town and Country Planning Act 1990

Notwithstanding the offences in relation to carrying out unauthorised works to trees, if a protected tree is removed uprooted or destroyed, the owner of the land has a duty to replace the tree under section 206 and section 213 of the Act. If satisfactory replacement is not carried out, the Council can serve a formal Notice under section 207 requiring the replacement to be carried out in a specified timeframe. Failure to comply with the Notice will give the Council the powers to carry out the works under section 209 of the Act and recover the costs.

## APPENDIX B - Legislative Framework and Government Guidance

LPA's have powers within the Town and Country Planning Act 1990 (as amended) to investigate alleged breaches of planning control and have powers to remedy proven breaches by statutory and other means.

**The following sets out the legislative framework applicable to breaches of planning control:**

**The LPA's powers in relation to planning enforcement are set out in the following Acts of Parliament, Orders and Regulations:**

The Town and Country Planning Act 1990 (as amended)  
The Planning (Listed Building and Conservation Areas) Act 1990  
The Town and Country Planning (Control of Advertisements) (England) Regulations 2007  
Town and Country Planning (Tree Preservation) Regulations (England) 2012 (as amended)  
The Town and Country Planning (General Permitted Development) Order 2015 (as amended)  
The Town and Country Planning (Use Classes) Order 1987 (as amended)

Advice from Central Government on planning enforcement is set out in the following documents:

**The National Planning Policy Framework** (February 2019) replaced Planning Policy Guidance Note 18 "Enforcing Planning Control" (PPG18, December 1991). Within the National Planning Policy Framework, a single paragraph (207) relates to enforcement, which states:

*"Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so".*

*"The European Convention of Human Rights confers rights that are embodied in the Human Rights Act 1998. It would be unlawful for the Council to act in a way that is incompatible with a Convention right."*

### **Police and Criminal Evidence Act 1984**

PACE is probably the most well-known piece of legislation and typically associated with the Police. However whilst the majority of it is used by the Police when investigating a crime, it still has Codes of Practice relative to public bodies who perform a regulatory function. The most relevant is how suspects are interviewed under caution. In most cases this will be following non-compliance with a formal Notice. It could also be where a protected tree has been felled or works to a listed building have occurred with the appropriate consents.

The Act clearly sets out the rights of suspects being interviewed and the environment in which

they are interviewed. It also sets out rights to legal representation and what happens following an interview.

Most interviews under caution will be by appointment and the suspect will have had the chance to seek legal advice on what to do, and have legal representation at interview. However there may be instances where officers will become aware of an offence whilst speaking with someone, especially if they have arrived at a site to carry out an investigation.

Once the officer identifies that an offence occurs he or she will caution the suspect and will normally have a brief interview on the site. If as in most cases the environment in which to interview is not conducive, then the basic details will be established and then a further interview by appointment will be arranged. This will normally be at Council offices and the interview recorded using digital media.

### **Regulation of Investigatory Powers Act (RIPA)**

The Regulation of Investigatory Powers Act 2000, or 'RIPA' as it is commonly known, governs the use of covert surveillance by public bodies. This includes bugs, video surveillance and interceptions of private communications (e.g. phone calls and emails), and even undercover agents ('covert human intelligence sources').

It's important to note that RIPA does not just cover surveillance by police but also by other law enforcement bodies (e.g. the Serious Fraud Office or the Serious Organised Crime Agency), the security and intelligence services (MI5, MI6 and GCHQ), as well as a large number of other public bodies, including local government.

The Act provides a detailed framework for surveillance activities, although not everything understood as surveillance would be covered by RIPA. As a general rule, RIPA governs active surveillance – actions interfering with individual privacy that would normally be illegal if carried out by a private individual, e.g. installing a listening device in someone's house, but can be lawful because carried out for a legitimate governmental purpose, e.g. detecting crime. It does not extend to other privacy technologies such as databases or CCTV (except, for example, where the CCTV camera was installed in such a way as to monitor a private home).

'Directed' surveillance is surveillance that is conducted as part of a specific investigation and carried out "in such a manner as is likely to result in the obtaining of private information about a person".

'Intrusive' surveillance is directed surveillance that involves either residential premises, a private vehicle, or any kind of surveillance device. So, for example, following a suspect along a street as part of an operation would be directed surveillance. Planting a 'bug' in someone's house, by contrast, would be intrusive surveillance.

It is rarely used by the LPA but is legislation we must have to have regard to.

### **Criminal Procedure and Investigations Act 1996 (CPIA)**

The act pertains to persons charged with a summary offence, indictable offence or one that is triable either way, as well as the criminal investigation into such an offence and as to whether such a person should be charged with the offence or found guilty of it once charged.

It details the procedures for "disclosure" and continued disclosure by the prosecution to the defence any information "which is in the prosecutor's possession, and came into his

possession in connection with the case for the prosecution against the accused.” It also defines a defence statement, defence witnesses and the means by which they should be interviewed, and confidentiality of disclosed information, and other statutory common law rules of a court.

The second part of the act defines a criminal investigation as ‘an investigation conducted by police officers with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it.’ It outlines the codes of practice for any investigation set out by the Secretary of State and the means by which such a code could be revised.

### **Proceeds of Crime Act 2000 (POCA)**

“Proceeds of crime” is the term given to money or assets gained by criminals during the course of their criminal activity. The authorities, including the CPS, have powers to seek to confiscate these assets so that crime does not pay. By taking out the profits that fund crime, we can help disrupt the cycle and prevent further offences.

At first it may not be apparent how “proceeds of crime” can be associated with a breach of planning control or failure to comply with a formal Notice. However where a person commits an offence and the penalty is substantially less than the financial gain made, the LPA can look to ascertaining how much financial gain has been accrued as a result, and make an application to the court to have that ‘gain’ seized. This may be where a person has converted a large building into numerous flats and has been receiving significant amounts of rent whilst the breach of planning occurred. Because some investigations are complicated and compounded with non-compliance or changes in ownership etc., the financial gain may outweigh the penalty.

Further there are cases where the value of a property has been significantly increased where a tree subject to a Tree preservation Order has been felled purely for financial gain. The rules and guidance as to how the LPA can use this piece of legislation are quite clear as and when it can be applied for.

### **Violence or aggressive behaviour towards our officers**

The Council is committed to ensuring that its officers are able to carry out their work safely and without fear and will use legal action to prevent abuse, harassment or assaults on officers. Officers have powers under Section 196a, and 196b of the Town and Country Planning Act 1990 to enter land and buildings either with or without a warrant. Further they may be accompanied by other persons with them where it is deemed necessary. Under Section 196c it is an offence to obstruct an officer in the execution of his or her duty.

Officers may also wear body worn video cameras when conducting a site visit. They will explain to you how the information is held and processed in accordance with the relevant legislation

## **APPENDIX C – Officers’ Powers of Entry**

### **Section 196a of the Town and Country Planning Act 1990 (TCPA)**

Rights to enter land without a warrant at any reasonable hour to ascertain whether there is or has been any breach of planning control on land, or any other land adjacent.

### **Section 196b (TCPA)**

Right to enter with a warrant, for the reasons above.

### **Section 196c (TCPA)**

Right to take any other persons as may be necessary for the purposes of the investigation and offences relating to obstruction of officers.

### **Section 214a , 214b, 214b (TCPA)**

Rights of entry in connection with injunctive proceedings.

### **Section 324 (TCPA)**

To enter any land for the purpose of the preparation, revision adoption or approval of a local development order under Part 2 of the Planning and Compulsory Purchase Act or local development plan.

### **Section 88, 88a, 8bB of the Planning (Listed Building and Conservation Areas) Act 1990**

Powers of entry in relation to heritage and listed building cases.

### **Leaving the land secure**

On leaving the land, the authorised person shall, if the owner is not then present, leave it as effectively secured against trespassers as it was found.



# Agenda Item 11

## Investment Assets Update Report

*Executive Portfolio Holder:* John Clark, Economic Development including Commercial Strategy  
*Director:* Clare Pestell, Commercial Services and Income Generation  
*Service Manager:* Robert Orrett, Commercial Property, Land and Development Manager  
*Contact Details:* Robert.orratt@southsomerset.gov.uk or 01935 462075

### Purpose of the Report

1. To update members on progress with implementing the Commercial Strategy agreed by Council including the commercial investments and management of the existing asset portfolio since the last half yearly update in January 2020.

### Forward Plan

2. This report appeared on the latest District Executive Forward Plan with an anticipated Committee date of 4 June 2020. This returns to the regular six monthly update pattern after one month's deferral of the last report.

### Public Interest

3. The Council's commercial strategy forms an important part of the Council's Corporate Plan ("Council Plan") and its Financial Strategy. Delivery of the Commercial Strategy enables the council to protect services to residents in the light of reduction in funding and to deliver its ambitions for South Somerset, for example the regeneration of town centres and high streets. This report is to update members on progress made to date on the Property Investment component of the Commercial Strategy. The Council agreed to receive update on progress every six months with the previous update being reported in January 2020, following deferral due to the General Election from the scheduled report in December 2019.
4. The report includes updates on the purchasing of new commercial property investments, the financial performance of investments and their contribution to delivery of the objectives of SSDC's Financial Strategy originally agreed in September 2017 and the Commercial Strategy agreed in August 2017, and updated with the review by District Executive and Full Council of the Financial Strategy and Commercial Strategy in September 2019.
5. The aim of this report is to give Members and the public an update on the performance and impact of the property investment to date including its contribution to mitigating the impact of reductions in Government funding and protecting services.
6. Due to the sensitive commercial nature of investment acquisitions, and the need to manage risk and protect the value of the Council's investments over the long term, certain detailed information is included in a confidential appendix and not to be disclosed.

### Recommendations

7. That the District Executive:
  - a. Note the resilience of the property investment portfolio thus far in the context of the COVID-19 pandemic.
  - b. Note progress made to date in acquiring new commercial property investments and the asset management following acquisition.
  - c. Note the return being achieved across the portfolio which is slightly above the Council's target of 7%.
  - d. Note progress being made in securing income from our existing assets and the contribution to the revenue budget towards the revised £3.35m target.
  - e. Note progress being made in disposals and transfers of existing assets, resulting in a reduction of future liabilities associated with these assets.

## **Background**

8. While presenting the "Commercial Services Income Update" report to District Executive in February 2018, members requested regular updates to show progress made in meeting the Commercial Strategy (approved by Council in August 2017). These reports are normally provided at six monthly intervals.
9. This report is a succinct update of high level figures for new investments since November 2019, updated to 1 May 2020. It also updates members on work being carried out to increase income from existing assets and reduce liabilities.
10. The Commercial Property Team has been stable in terms of staffing since the last report.
11. SSDC has a wide and varied range of assets that have been accumulated via various means over the years. The creation of South Somerset Homes (SSH) in 1998 meant that many assets were transferred via a Large Scale Voluntary Transfer (LSVT) to SSH, now Yarlinton, albeit numerous tranches of land were retained for strategic purposes.
12. After the LSVT, SSDC retained a portfolio of assets that mainly comprised of operational offices, listed buildings, industrial units, car parks and an assortment of land, i.e. grass verges, open spaces and "ransom strips". These assets do not generate a substantial annual income and are now in many cases costing SSDC money through increased maintenance and running costs. Some, however, provide opportunities to generate value through development, sale receipts and development to also provide Council Tax, business rates and New Homes Bonus grant funding.
13. As part of the Commercial Strategy, Council approved a commercial approach to Land and Property management in August 2017.

## **COVID-19**

14. The pandemic has impacted on all aspects of society and is affecting economies across the world. The sharp falls in activity and GDP are being reported for the UK and other countries. The medium term effects for the UK economy and its property market are being forecast across a broad range of severity but there is currently more consensus that there will be some medium term impacts on the economy.

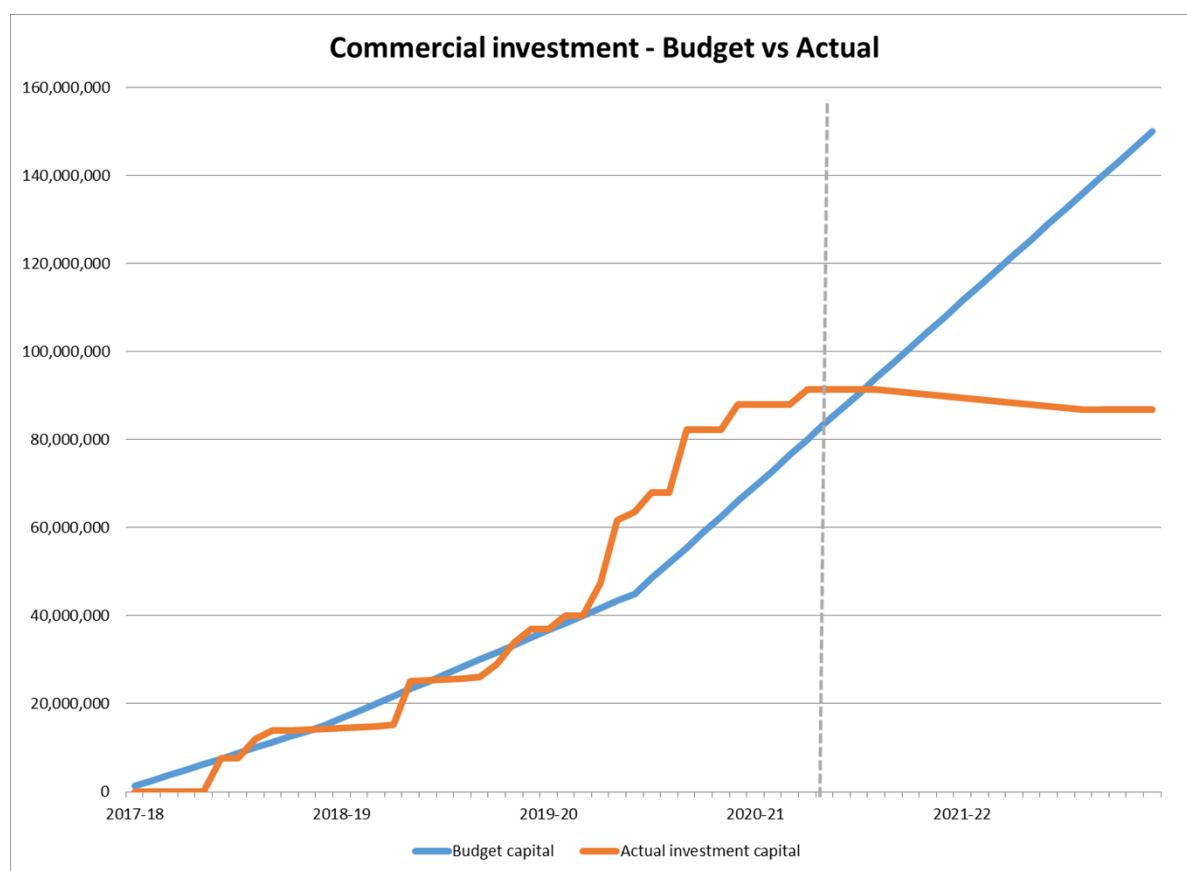
15. Most commercial property leases provide for rent to be paid quarterly in advance in March, June, September and December. The March quarter day is 25<sup>th</sup> March, only two days after the announcement of the lockdown albeit well into a period of awareness of there being some restrictions due. Across the broader market, a number of businesses did not make the payment of their March quarter rent, including a list of well-known retailers. Landlords which specialise in the retail sector have experienced a sharp reduction from the normal level of rent collection they make. Our team has focussed attention on the connection with our tenants. We have sought to show appropriated flexibility as part of a supportive attitude but also to protect the Council's investment.
16. We have collected 87% of rents for the March quarter (at the date of writing), with rental guarantees covering a further 8%, considerably better than much of the industry. We will continue to work closely with our tenants to avoid adding pressure to their business and will help with staged payments where appropriate. For the industry as a whole, we expect the June quarter to be more difficult than March.
17. In terms of property acquisitions, we will be keeping strategy under review as the economic picture becomes clearer. We expect to remain in the market as it resumes some activity. We will look to agree transactions if the pricing is reflective of the situation. We will also apply criteria to recognise that there are property sectors less and more likely to be impacted by recession, depending on the extent of that, and adapt the due diligence having regard to revised risks. We believe it likely there will be some reductions in market rental values, which is an important consideration for the revenue returns the investments are providing. The council's position, like other investors, is significantly protected by the fact that most leases contain upwards only rent review provisions.

## **Commercial Investments**

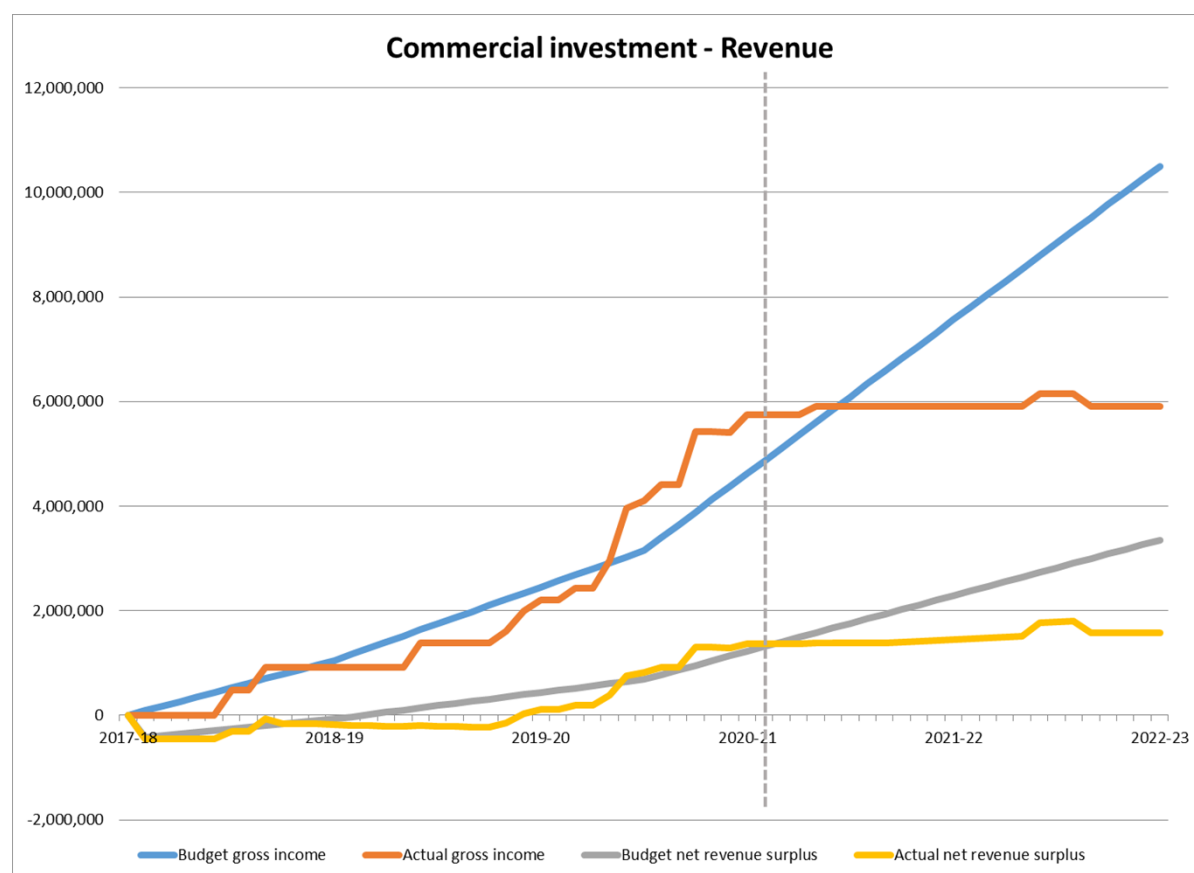
18. In September 2019, the Council approved an increase in the fund from £75m to a new total of £150m to be achieved by March 2022. The revised savings / net income target (after interest, capital repayment and risk reserve) is £3.35m. Saving in this context is delivered by net revenue income.
19. To date, a total of £92.5m has been invested, producing in 2020/21 a gross yield on the investment properties of 7.16%, compared with the target to average 7%. This is a gross target, which does not take into account costs of borrowing, acquisition, risk reserve and staffing. (BESS Taunton and the Marlborough development are excluded from this as their returns operate on a different basis – namely interest on loans and profit on capital.)
20. In assembling this investment portfolio, the Council is not applying all of the revenue generated to support the Council's revenue budget. The Council is fully meeting the requirement to set aside money annually to repay the principal. This is distinct from the approach taken by many commercial property companies and who tend only to pay the interest. However, for the Council this means a decreasing level of debt and an increasing net value of the Asset Portfolio as the debt to value ratio reduces in the Council's favour.
21. In addition, the Council has recognised the risks attached to holding a property investment portfolio and using income for this to support the revenue budget and provision of services. Therefore, the Council is also utilising a proportion of the commercial income to

develop a Commercial Asset Risk reserve to protect the Council and the revenue budget from any potential future volatility, income voids or repair costs.

22. This reserve currently stands at in excess of £6m as previously reported to District Executive. As a result of the Council's prudent approach, whilst the portfolio is generating 7%+ return, the Council is able to utilise the true net return to support the revenue budget.
23. Progress is shown on the graph below for the actual capital invested to date in new commercial assets. This is compared with the initial budget objective to invest £75m by March 2021. The fund was allocated across four financial years and to assist review is shown as a straight line budget progression enabling progress over the time period to be seen as either below or ahead of the objective.
24. Figure 1 shows commercial investment capital – Budget v Actual

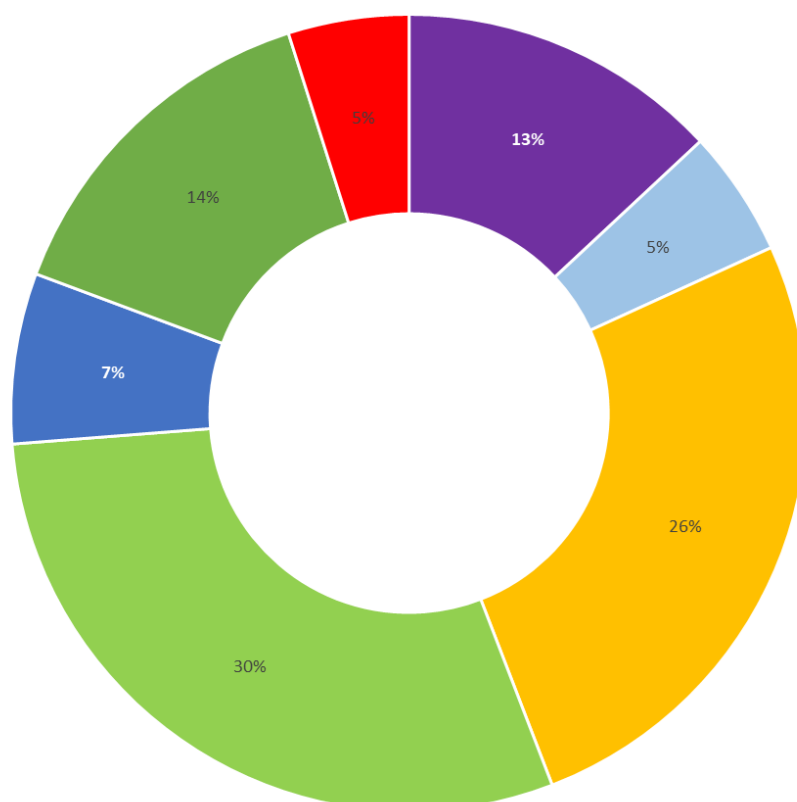


25. Progress in terms of generating additional revenue – gross and net – as a return from the capital invested shown in Figure 2



26. The income used in the graph above uses the contracted income (rent) from commercial property investments where the purchase has been completed.
27. Since the introduction of the Commercial Strategy, SSDC has purchased a number of investment properties. This report summarises the high level figures to demonstrate the annual income achieved via rent or sales. The investments made to date are aiding progress towards this target with commercial income in the Council's revenue budget to protect and support services to the community.
28. The Council currently has eighteen assets in its 'new' portfolio, providing a gross income (before cost of borrowing) of £5.29m per annum using the whole year income for 2020/21 from assets in SSDC ownership as at 1 April 2020. This excludes the expected returns from the Marlborough development project, which are not in the form of annually recurring income, the income from Travelodge in Faringdon which is not due to commence this financial year, and the battery storage facility in Taunton which is now fully energised and income producing, but with income paid in arrears from National Grid. Therefore, our next 6 monthly report will be able to provide more detail on this matter.

29. The current sector split of capital invested in all of these assets, including Marlborough and BESS Taunton is:



■ Retail ■ Retail warehouse ■ Industrial ■ Office ■ Alternatives ■ Energy ■ Resi development

Note: Alternatives – relates to a property used for “other” purposes – at this stage a single property used as a veterinary hospital.

30. Due to the outbreak of COVID-19 there are currently no further acquisitions that have been recommended for approval by the Investment Assessment Group (IAG) to the Chief Executive in consultation with the Leader. Any further acquisitions would be reported in the next or subsequent half-yearly reports.
31. Acquisitions have been funded through a combination of capital receipts, cash resources and borrowing to date. In line with the Council’s treasury management strategy we continue to utilise ‘internal borrowing’ to meet some of the financing requirement for the investments purchased. This approach reduces treasury risk. All borrowing will be asset backed (i.e. if the Council wished to pay off the borrowing it will have an asset to sell to achieve this). The investment is required to produce a rate of return for the Council which meets the Commercial Strategy targets and therefore, covers interest, capital debt repayment and produces additional income to fund the delivery of services.
32. In making investments the Council seeks to meet its corporate ambitions as set out in the Council Plan to maximise the benefits to the communities of South Somerset. The costs and funding of the investment is set out in Confidential Appendix, table 1.

## Market Commentary

33. Market confidence during 2019 was relatively flat. There was some impact from the view that there were rising risks in the global economy. The delay with Brexit also had a dampening effect on the UK economy. Business sentiment in the UK declined in 2019 to a lower level than the early part of 2008, just prior to the Lehman Brothers collapse. Investment property transaction volumes were generally low, but the yields reflected by sales and purchases saw little change across the year. The General Election result and the progress to the point of finally leaving the EU did stimulate activity and short-term confidence. However, there was the view that this was more of a blip than signalling a shift in the market. Yield levels were generally flat compared to 12 months before. The exception to that was high street retail and shopping centres where yield rates moved out equating to falls in value in the range 10-20%.
34. Those transactions that have completed since the lockdown commenced are at values that appear to be unchanged relative to immediate pre-lockdown prices. However, the initial optimism that the sharp reduction in economic activity would be quickly followed by an equivalent recovery has been reducing. There is more recognition of the possibility that the economy will be seriously damaged by the consequences of the pandemic. The Chancellor of the Exchequer commented on May 13 that “We are seeing one [quarter of GDP contraction] here with only a few days of impact from the virus, so it is now ... very likely that the UK economy will face a significant recession this year and we are in the middle of that as we speak”.
35. Sectors of the economy are very differently affected, with the hospitality and hotel sector being the worst and construction and manufacturing the least. All would acknowledge how unpredictable the near-term future is, but it has been possible for researchers to model the impacts on different sectors and consider potential market impacts.
36. There has been press commentary about council property investment which has portrayed risk as if it is a black and white matter where there could be activity areas which do not have risk. This is a serious distortion of the actuality. The Commercial Strategy acknowledged from the outset that there are risks involved in commercial activity. In the property investment area, we have adopted implementation, acquisition and management strategies that assess and mitigate risks. This has to be adapted for the situation we now face, but our analysis does enable us to identify levels of price adjustment needed to reflect the potential impacts from economic slowdown and its effect on businesses and property markets.
37. Property investors are protected during lease terms from falls in market rental values as most commercial leases provide for upwards only rent revisions. Analysis from past serious recessions shows how funds can perform effectively with purchasing during economic downturn.

## **New Assets**

38. Progress has continued to build up the assets within the portfolio with three investment purchases concluded in the half year period from 1 November 2019 to 1 May 2020. Progress in the latter part of the period has paused due to the early impact of the lockdown. In this report there is a brief comment about each asset purchased since the last report. There is also continued individual comment on the two “development”

properties SSDC is investing in as these are more complicated positions and have evolving situations. Investment properties already owned prior to this report are not commented on individually as there has not been material change in these fully let assets.

39. In the calendar year 2019, SSDC has acquired 12 properties totalling £56.3m. Subject to market conditions, this provides an indication of the ability to deliver the remainder of the acquisition programme required to meet the overall investment objective within the period stated in the Financial Strategy.

The investment by sector in the half year has been:

Sector	Investment
Energy	2,480,110
Office	16,078,997
Alternatives	- 443
Industrial	4,076,122
<b>TOTAL</b>	<b>22,755,800</b>

### **Alchemy, Welwyn Garden City**

40. Purchased in December 2019 for £9.72m, a net initial yield of 7.0%. A 40,000 sq ft multi-let grade A office space, tenanted by T-Mobile, Pinnacle Engineering, The Environment Agency and Affinity for Business (who have subsequently been acquired by Castle Water). The property is the prime building in Welwyn Garden City, and is underlet with rents £5 per square foot less than space 4 miles away. We consider the equivalent yield to be 7.48%. The strong tenant line up with a utilities firm, a telecommunications multinational and a Government department to be very strong, even in a recession.

### **Sherwood Road, Bromsgrove**

41. Purchased in December 2019 for £3.7m, a net initial yield of 6.58%. A 36,882 sq ft, four unit trade counter scheme tenanted by Screwfix, Howdens and Toolstation (all considered to be the strongest possible tenant by credit rating agency Dun & Bradstreet). The site is situated in the centre of the principle industrial estate in the town. The yield will revert to circa to 7.17% following the outstanding rent review. The estate has recently been refurbished, with the vendor undertaking a further £200,000 works to the vacant unit to make it lettable. SSDC were not the highest bidder, but our bid won due to our track record of successful acquisition.

### **King William House, Bristol**

42. The most recent acquisition was completed in March 2020 for £5.4m, reflecting a net initial yield of 7.5%. A long leasehold, 28,000 square foot multi-let office building in a prime location in central Bristol. Other property on Queen Square being marketed at 5-5.75%, so this was a good opportunity to get into the very strong Bristol market. We consider that this building is underlet with potential to uplift and improve tenants. There is also potential to undertake light refurbishment to reposition the building.



## **Residential Development, Marlborough**

43. Practical completion for this development of 15 flats and 3 houses was achieved in October 2019. There was a delay with construction progress which the Council had little effective power under the construction contract to resolve. The stage of practical completion needs to be awarded in accordance with proper procedure. It is usual that there are some remaining items (snagging) to be fully completed or resolved.
44. The residential flats and house were put on the market. Continuing significant contractor presence did not enable the scheme to be seen at its best, and until the General Election there was no doubt that the local residential market was subdued. The expectation was that the public reaction to announcing that the Government had “Got Brexit Done” at the end of January 2020 would give a significant boost to the residential market across the first six to nine months of the year.
45. Unfortunately, there was a serious failure in the new hot water installation in one of the upper level flats in January, which caused damage to a number of flats and we decided to temporarily suspend all marketing until repairs were made. The contractors have accepted responsibility for the repairs, and proceeded with an insurance claim. Works had just commenced when the lockdown started. Our contractor furloughed all of its workforce. Therefore, works remain to be done once the contractor has remobilised.
46. At the time of preparing this report, we are in the first week since the Prime Minister announced that Government expects the constructions sector to resume working. Like many other companies, our contractor actually needs to prepare and plan what it can do safely and effectively. We are engaged with them aiming for the earliest progress we can achieve.
47. Management arrangements for the property are in place, keeping landscape and external areas in order and we are regularly checking the property.
48. We will work to resume marketing once the works are complete. Government guidance has also now confirmed that people can move house, which is helpful to the residential market recovering. The residential market only “opened” in the week this report was being finalised. There is no post-lockdown transaction evidence to determine whether there has been a change in market values. At the point shortly before lockdown, our forecast was that there remained the expectation of sufficient profit to fully meet the base level profit return the Council investment had forecast. Development profit is the balance between gross development value and gross development cost. If market values fall following the lockdown and the economic shock, then our profit element will start to be eroded. At present this is unknown.
49. It is likely that sales will take around 12 months to conclude once we can fully market the residential units, due to the impact on the market of COVID-19.

## **Energy Storage Scheme**

50. The Fideoak, Taunton battery storage scheme is owned via a joint venture company, SSDC Opium Power Ltd (SSDC OPL), a joint venture between SSDC and Opium Power

Ltd, which purchased the site in 2018. The site comprises a compound bounded by a security fencing with infrared security cameras. The first phase of the project comprises 25MW battery storage facility for short-term supply of electricity to the local distribution network. Project roll out has been completed followed by work to connect and test the SSDC OPL site linking into electricity utility company equipment into the National Grid (NG) Sub Station.

51. Acceptance testing for the system following this connection was completed in March 2020 and the scheme was energised to the grid. There was some delay to the residual warranty and final commissioning work that could only be completed following this, due to the COVID-19 lockdown and the decisions taken by companies to be able to work on site together based on Government directions. However, the project managers and contractors have established safe methods of working that are enabling the final commissioning phase to complete, albeit slower than usual in order to mitigate risk to workers.
52. The expectation at the time of writing this report is that the very last testing requirement will take place before the end of May 2020 following which the system will be fully operational and earning revenue.
53. Phase 2 for an additional 5 MW is progressing well, in line with both SSDC's Commercial Strategy and Environmental Strategy, to deliver more clean energy and invest in the green energy sector. This smaller but final Phase for the site maximises the licence before that opportunity is lost, and use of site area suitable for Battery Energy Storage at this location. It also makes use of the infrastructure and connections developed for Phase 1 (25 MW) and will deliver more income to SSDC for the future, as well as aiding the balancing of the National Grid with cleaner energy. This will assist with fossil fuel production of energy being phased out more swiftly.
54. The valuation of the site, as at 31 March 2020, for accounts purposes confirmed that the facility and land was valued at more than the project costs expended. It also confirmed that, by maximising the site with an additional 5 MW, this would remain the case and increase appropriately. The investment Market Value, once energisation and trading are established may well mean that the value increases again and we are now on the point of that position. In summary, national data confirms that this project demonstrates 'value for money' when the cost per MW is considered against the national averages for similar installations in the UK to date. In addition, energy storage is recognised as a growing market with an increasing number of commercial companies now looking to follow SSDC's lead, as well as significant interest from other councils.
55. SSDC is the funder of this project by means of a loan to SSDC OPL. Interest costs have been rolling up while the project has not been generating revenue, but the basis of the loan is that once revenues are flowing, generating profit, this is first applied to covering interest payments on the loan, then to repayment of the loan capital.
56. Loan and interest repayments are scheduled to reflect the expected cash flows of the business. In the longer term, once the loan facilities are fully repaid, the Council expects to receive its investment income through dividend distribution of profits. As a result of the way the investment has been structured the delay in energising the site also delays interest being paid back to SSDC; but this is recovered due the agreement requiring SSDC OPL to pay more interest to SSDC.

## **Commercial Investment Acquisitions**

- 57. Activity has been sustained to continue strong progress to meet the Council's objectives for commercial investment. Before the lockdown, we typically considered some 40 investment opportunities each month and have a regularly updated set of criteria for agents identifying target yield, lot size, sector, unexpired term, location and tenant. The property investment market sharply reduced activity once the lockdown was announced although transactions have continued to complete. There is the expectation that market activity will start to increase as the mid-May announcement by the Prime Minister has been followed by guidance on how property inspections may be safely carried out.
- 58. The Commercial Property Team has developed a reputation in the property investment market for acting quickly and professionally. This ensures that SSDC is offered the most attractive opportunities and does not overpay for property.
- 59. SSDC's Commercial strategy also aims to create a risk-mitigated and balanced portfolio and therefore we will continue to be highly selective, in order to meet our strategic objectives.

## **Asset Management Update**

- 60. Since the last District Executive update in January 2020 the asset team have continued reviewing the portfolio and identifying opportunities to explore. This led to the identification of a number of relatively low value, but still worthwhile easements, primarily for services to new dwellings.
- 61. The arrival of COVID-19 in March had a disruptive impact on the team, and the wider property and construction sector. The imposition of social distancing led to fundamental changes in the way property viewings and general person to person interactions could take place. Despite these constraints the team managed to let Unit 2, Goldcroft to a local charity at a market rent. This alone is a great achievement under the current circumstances.
- 62. The small development sites project now has two sites with planning consent secured, and marketing is to begin shortly. Further sites are being added to the development pipeline, and although progress has been slowed by the COVID-19 outbreak, design and feasibility work is still progressing.
- 63. The post COVID-19 local market is likely to be challenging, however the small scale of many of our development sites is likely to make them popular with local builders and investors seeking low risk opportunities.
- 64. Specific asset management transactions are included in the Confidential Appendix.

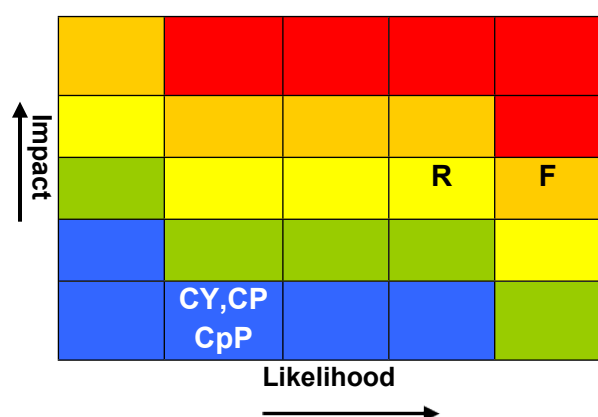
## **Financial Implications**

- 65. The financial implications for the progress with commercial investments and of asset management activity are set out above within the report and also in further detail in the Confidential Appendix.

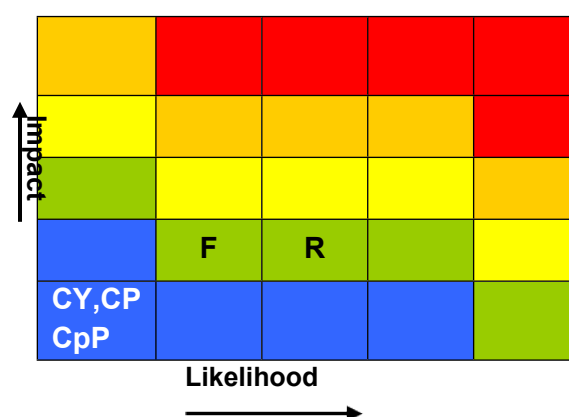
66. SSDC has approved a large sum for commercial investment. The commercial strategy has been operating for 33 months, and excellent progress has been made, ahead of target timeframes.
67. Detailed and robust due diligence has been completed with extensive involvement of SSDC's finance and legal specialists together with external advisors (e.g. valuers, tax specialists, legal advisers, sector specialists) to support the property team in completing robust business cases that underpin recommendations and investment decisions. The decisions made have been through the agreed governance arrangements as approved by SSDC with the Investment Assessment Group providing deferrals, refusals and unanimous recommendations to the Council Leader and Chief Executive for final decisions. Arrangements have been reviewed by Internal Audit and the minor improvements recommended have been implemented.
68. The financial implications of completed acquisitions including costs, income and funding arrangements will continue to be incorporated in budget setting and monitoring processes, in line with SSDC's financial procedures framework.

## Risk Matrix

**Risk Profile before officer recommendations**



**Risk Profile after officer recommendations**



## Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan	Orange = Major impact and major probability
Priorities	Yellow = Moderate impact and moderate probability
CP = Community Priorities	Green = Minor impact and minor probability
CY = Capacity	Blue = Insignificant impact and insignificant probability
F = Financial	

## Council Plan Implications

69. This report links to the following Council Plan objectives:

- Protecting Core Services
- Take a more commercial approach to become self-sufficient financially
- Supporting the Regeneration of Chard, Yeovil and Wincanton
- Supporting local businesses

### **Carbon Emissions and Climate Change Implications**

70. None

### **Equality and Diversity Implications**

71. This report does not involve any equality or diversity implications

### **Privacy Impact Assessment**

72. There is no personal information included in this report

### **Background Papers**

- SSDC Commercial Strategy 2017 and 2019



Document is Restricted

## District Executive Forward Plan

Executive Portfolio Holder:	Val Keitch, Leader, Housing and Strategy
Strategic Director:	Kirsty Larkins, Strategy and Support Services
Lead Officer:	Angela Cox, Democratic Services Specialist
Contact Details:	angela.cox@southsomerset.gov.uk or (01935) 462148

## Purpose of the Report

1. This report informs Members of the current Executive Forward Plan, provides information on Portfolio Holder decisions and on consultation documents received by the Council that have been logged on the consultation database.

## Public Interest

2. The District Executive Forward Plan lists the reports due to be discussed and decisions due to be made by the Committee within the next few months. The Consultation Database is a list of topics which the Council's view is currently being consulted upon by various outside organisations.

## Recommendations

3. That District Executive is asked to:
  - a) approve the updated Executive Forward Plan for publication as attached at Appendix A
  - b) note the contents of the Consultation Database as shown at Appendix B.

## Executive Forward Plan

4. The latest Forward Plan is attached at Appendix A. The timings given for reports to come forward are indicative only, and occasionally may be re scheduled and new items added as new circumstances arise.

## Consultation Database

5. The Council has agreed a protocol for processing consultation documents received by the Council. This requires consultation documents received to be logged and the current consultation documents are attached at Appendix B.

## Background Papers

6. None.



## Appendix A - SSDC Executive Forward Plan

Date of Decision	Decision	Portfolio	Service Director	Contact	Committee(s)
July 2020 July 2020	Amendments to the Investment Strategy and Council Plan	Portfolio Holder - Economic Development including Commercial Strategy	Director Commercial Services & Income Generation	Clare Pestell, Director (Commercial Services & Income Generation)	District Executive  South Somerset District Council
July 2020	SSDC Electric Vehicle Charger Network project	Portfolio Holder - Environment	Director Commercial Services & Income Generation	James Divall, Income Opportunity Development Manager	District Executive
July 2020	Recovery Plan	Portfolio Holder - Economic Development including Commercial Strategy	Director Commercial Services & Income Generation	James Divall, Income Opportunity Development Manager	District Executive
July 2020 July 2020	The Future of Local Government in Somerset – Business Case	Portfolio Holder - Strategy & Housing	Chief Executive	Alex Parmley, Chief Executive	District Executive  South Somerset District Council
July 2020	Queen Camel Neighbourhood Plan Referendum	Portfolio Holder - Protecting Core Services	Director Strategy and Support Services	David Clews, Policy Planner	District Executive
July 2020	Update to the Statement of Community Involvement	Portfolio Holder - Strategy & Housing	Director Support Services	David Clews, Policy Planner	District Executive

Date of Decision	Decision	Portfolio	Service Director	Contact	Committee(s)
July 2020 July 2020	SSDC Annual Achievements Report 2019/20	Portfolio Holder - Strategy & Housing	Director Strategy and Support Services	Lead Specialist (People, Performance & Change)	District Executive  South Somerset District Council
August 2020	Capital & Revenue Budget monitoring reports for Quarter 1	Portfolio Holder - Finance, Legal & Democratic Services	Director Strategy and Support Services	Jo Nacey, Section 151 Officer	District Executive
August 2020	Planning appeal decisions – Government submission	Portfolio Holder - Protecting Core Services	Director Service Delivery	Simon Fox, Lead Specialist - Development Management	District Executive
August 2020	Update to SSDC Policy on audio/visual recording and photography at Council meetings	Portfolio Holder - Finance, Legal & Democratic Services	Director Strategy and Support Services	Angela Cox, Specialist - Democratic Services	District Executive
September 2020	Transformation Update	Portfolio Holder - Strategy & Housing	Director Strategy and Support Services	Toffer Beattie, Specialist (Projects & Programmes)	District Executive
September 2020	Capital & Revenue Budget out-turn reports 2019/20	Portfolio Holder - Finance, Legal & Democratic Services	Director Strategy and Support Services	Jo Nacey, Section 151 Officer	District Executive
September 2020	Quarterly Corporate Performance Report	Portfolio Holder - Strategy & Housing	Director Strategy and Support Services	Cath Temple, Specialist (Performance)	District Executive

Date of Decision	Decision	Portfolio	Service Director	Contact	Committee(s)
November 2020	Capital & Revenue Budget monitoring reports for Quarter 2	Portfolio Holder - Finance, Legal & Democratic Services	Director Strategy and Support Services	Jo Nacey, Section 151 Officer	District Executive
December 2020	Recycle More - information on the extended recycling programme	Portfolio Holder - Environment	Director Commercial Services & Income Generation	Chris Cooper, Environment Services Manager	District Executive
December 2020	Transformation Update	Portfolio Holder - Strategy & Housing	Director Strategy and Support Services	Toffer Beattie, Specialist (Projects & Programmes)	District Executive
December 2020	Quarterly Corporate Performance Report	Portfolio Holder - Strategy & Housing	Director Strategy and Support Services	Cath Temple, Specialist (Performance)	District Executive
TBC	Leisure Contracts	Portfolio Holder - Health & Well-Being	Director Service Delivery	Lynda Pincombe, Specialist - Strategic Planning	District Executive
TBC	Dualling of A303 from Sparkford to Ilchester	Portfolio Holder - Protecting Core Services	Director Strategy and Support Services	Lynda Pincombe, Specialist - Strategic Planning	District Executive
TBC	Allowenshay mains water connection	Portfolio Holder - Health & Well-Being	Director Support Services	Tim Cook, Locality Team Manager	District Executive

## APPENDIX B - Current Consultations – June 2020

Purpose of Document	Portfolio	Director	Response to be agreed by	Contact	Deadline for response
<p><b>Public Works Loan Board: Future lending terms consultation</b></p> <p>The government is seeking views from local authorities and other stakeholders on the lending terms of the Public Works Loan Board.</p> <p>Local authorities invest billions of pounds of capital every year in their communities. The government supports this activity in part by offering low cost loans through the Public Works Loan Board (PWLB). However, in recent years a minority of councils have used this cheap finance to buy very significant amounts of commercial property for rental income, which reduces the availability of PWLB finance for core local authority activities. To address this the government is consulting on revising the terms of PWLB lending to ensure that local authorities continue to invest in housing, infrastructure, and public services. To further enable high-quality investment by local authorities, the government is cutting the interest rates for investment in social housing by one percentage point and making available an extra £1.15 billion of discounted loans for local infrastructure projects.</p> <p><a href="https://www.gov.uk/government/consultations/public-works-loan-board-future-lending-terms-consultation?utm_source=d1baf2eb-ba1c-477c-87c1-7cb912b05ddb&amp;utm_medium=email&amp;utm_campaign=govuk-notifications&amp;utm_content=daily">https://www.gov.uk/government/consultations/public-works-loan-board-future-lending-terms-consultation?utm_source=d1baf2eb-ba1c-477c-87c1-7cb912b05ddb&amp;utm_medium=email&amp;utm_campaign=govuk-notifications&amp;utm_content=daily</a></p>	Finance and Legal Services	Director – Strategy and Support Services	Officers in consultation with Portfolio Holder	Jo Nacey, Section 151 Officer	The deadline has been extended from 04 June to 31 July

# Agenda Item 13

## **Date of Next Meeting**

Members are asked to note that the next scheduled meeting of the District Executive will take place on **Thursday, 2<sup>nd</sup> July 2020** as a virtual meeting via Zoom meeting software commencing at 9.30 a.m.