

Planning – Planning Application Validation Requirements; Revised Validation Checklist

Executive Portfolio Holder: Tony Lock, Protecting Core Services
Strategic Director: Kirsty Larkins, Director-Service Delivery
Service Manager: John Hammond, Lead Specialist Built Environment
Contact Details: John.Hammond@southsomerset.gov.uk

Purpose of the Report

1. The purpose of the report is to set out proposed changes to the established Planning Application Validation Guide and Checklist introduced by the Council in July 2020 and to seek approval for a public consultation upon the changes proposed.

Forward Plan

2. This report appeared on the Executive Forward Plan for April 2022.

Public Interest

3. As part of the Council's commitment to service improvement it established a "Planning Reimagined Members Working Group" to review existing operating practices and identify opportunities for improvements to the planning service and to support the introduction of those improvements. The introduction of a Validation Checklist represents an opportunity to improve the development management planning service by offering clarity over the number and type of submissions that are required to accompany a planning application of a particular type.
4. In the interests of delivering a consistent service at the point of receipt, the adoption of a Validation Checklist provides clarity over the minimum requirements that an application must achieve in order that the decision maker and consultees have access to sufficient information to enable them to understand the scope and consequences of the application proposals.
5. Having adopted a Validation Checklist in July 2020, the timetable for regular review requires the Council to re-visit the adopted document and where necessary, to update it.

Recommendations

6. That the District Executive recommend that the Chief Executive agree the revised Planning Application Validation Requirements document for consultation, following which it will be referred to Full Council for the adoption of a revised Planning Checklist.

Background



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7. The July 2020 Validation Checklist provided the Council with an opportunity to identify those documents, in addition to the ones required by the national validation checklist that it considered to be sufficient important to be required as part of an application's validation requirements.
8. Where one is adopted, The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3, Article 11 (3) (d) requires that it is reviewed and re-published bi-annually.
9. Following public consultation and adoption, the Council has monitored the value added to planning applications by reason of the Checklist securing additional information to enable consultees and third parties to make a more informed response upon planning application consultations.
10. Feedback on the requirements introduced in 2020 has allowed the Council to evaluate which documents improve the quality of the application, and also which documents, do not improve the application's assessment.
11. Additionally, over the past two years the types of document that would improve consultee and third party understanding and appraisal have changed and this review provides an opportunity to amend and update the Checklist to reflect such changes.
12. The Guide provided detailed information upon the minimum requirements for any drawings submitted. The guide also introduced three checklist forms; the Neighbour Consultation List, the Validation Checklist Form and the Biodiversity Checklist.
13. The Guide also defined the circumstances where any application within the minor or major category would require supporting documents such as:
 - Agricultural Appraisals
 - Contamination Reports
 - Drainage Plans & Strategies,
 - Ecology Reports
 - Landscape & Visual Impact Assessments
 - Landscape Plans as part of an early submission
 - Structural Surveys
 - Transport Assessments and Statements
 - Noise Assessments
 - Photographs
 - Tree & Hedgerow Reports,
14. Over the nearly two year period since adoption it has become clear that certain documents have been requested either because they form part of the plans list, or they have been required documents to accompany all applications, but their submission has not added value to the application. These include:
 - Site sections on flat sites
 - Roof plans for buildings with simple roof forms



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- Neighbour Consultation List given that it does not require any consultation and is generally ticked as no or not applicable
- The Validation Checklist, which is a helpful document but not a necessary submission of itself
- The Biodiversity Checklist where the application is already accompanied by relevant ecology reports

15. Equally, since July 2020 a number of new planning issues of relevance to the determination process have come to the fore and a review of the Checklist allows for new requirements to be introduced to ensure applications are responding to the requirements particularly of consultees.

16. These additional requirements include:

- Nutrient Neutrality Assessment and Mitigation Strategies to respond to Natural England's position on phosphates within the Somerset Levels and Moors Catchment Ramsar Site and River Axe Special Area of Conservation
- Foul Drainage Assessment, again particularly relevant to minor and major residential, tourist and livestock applications within the Somerset Levels and Moors and River Axe catchments
- A Sustainability Statement for major developments to consider construction methodologies and use of resources for major development proposals
- Ecology Reports to accompany listed building applications, where relevant, to ensure the decision takes account of the requirements of the Wildlife & Countryside Act as well as listed building impacts
- Electric Vehicle Charging Strategy to accompany all full and outline major applications to ensure the need for EV charging is considered as part of any early layout designs
- Flood Risk Sequential tests, applicable to relevant development within Flood Zones 2 and 3
- Lighting Assessment where floodlighting or external lighting is likely or the proposal and may impact upon landscape and bat habitat
- Recycling and Waste Management Plans to accompany full and outline major applications to ensure adequate provision is made for recycling and waste in early layout design
- Specific Sustainable Drainage Strategies for all major development with a Sustainable Drainage Statement for minor applications
- Draft Travel Plans for major developments based upon Somerset County Council highway thresholds.

The Revised Validation Requirement Guide and Checklist

17. In reviewing and updating the Validation Checklist the Council has also reviewed more recent Validation Guides prepared for Somerset Planning Authorities to ensure a degree of alignment.

18. Appendix 1 comprises the revised Validation Guide for consultation.



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19. The intention is to reduce the number of documents that are required to accompany householder, other and minor applications, reflecting a proportionate approach to the value that such documents are providing, whilst ensuring that the larger, but relatively more limited numbers of major developments establish an improved context for assessing their impacts, particularly in relation to issues such as phosphate mitigation, flooding, delivering sustainable development, electric vehicle charging and travel planning and waste management

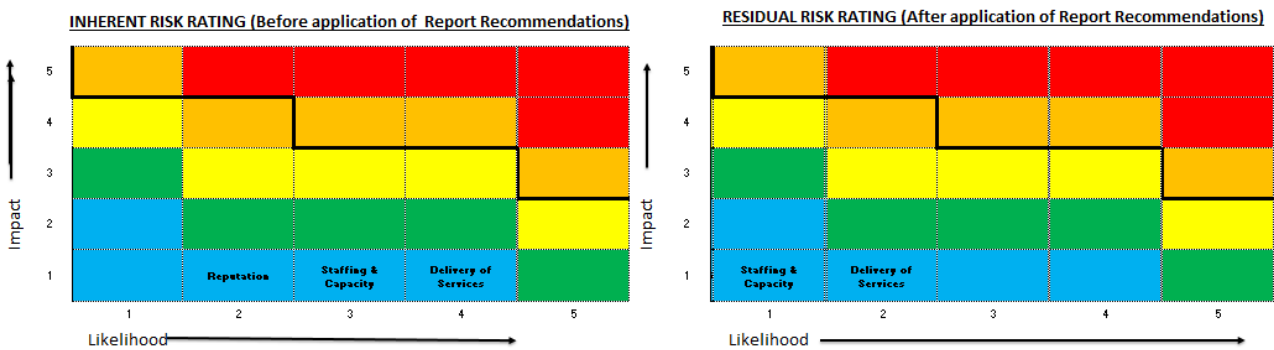
Financial Implications

20. The changed validation requirements refine an existing stage in the process of receipt, advertising, and consultation upon applications but should not add to the validation team's workload. The reduction in the number of documents required to support the larger number of other, householder and minor applications may result in fewer applications being invalidated and further information requested.

Legal implications (if any) and details of Statutory Powers

21. The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 3, Article 11 (3) (d) requires that such Checklists are reviewed every two years.

Risk Matrix



Risk Ref	Risk Category	Inherent Risk Rating	Residual Risk Rating
1	Project / programme delivery	0	0
2	Financial	0	0
3	Delivery of Services	5	3
4	Staffing & Capacity	4	1
5	Reputation	3	3
6	Health & Safety	0	0
7	Governance & Legal	0	0

Risk Description	Mediation / Controls
0	0
0	0
Delays in validation, high submission failure rate	More focused requirements
Time spent securing additional submissions	Reduced inefficient time
Perception that required documents do not add value	Reduced referral back to agents
0	0
0	0

Council Plan Implications

22. These revisions should result in the more efficient processing of smaller application types through the validation process. The requirement for additional information in respect of major applications will assist in their evaluation to support the service to support the Council's Priority Projects relating to regeneration and the delivery of key housing sites and associated infrastructure.

Carbon Emissions and Climate Change Implications

23. The requirement for applicants for major development to consider sustainable development principle as well as electric vehicle charging from the application's inception offers an opportunity to encourage a positive response to climate change implications.

Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was not required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.</i>	
<i>If an EIA was required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.</i>	
Additional Comments	
<i>The Council currently undertakes a validation process that requires applicants to submit additional documents over and above those on the national validation list. The inclusion of a local list allows Councils to require documents that respond to priorities set out in the South Somerset Local Plan 2026 – 2028. The revision to the validation checklist will streamline application requirements for smaller applications and will provide additional information to enable the understanding of larger development proposals. Prior to adoption the changes proposed will be the subject of a public consultation allowing for stakeholder input.</i>	

Privacy Impact Assessment

24. There are no privacy issues raised by this report.

Background Papers

- Appendix A – Revised Validation Requirements Check list
- Appendix B – Equality Impact Assessment Check Form