


Agenda Item No:	<b>12</b>	
Committee:	<b>Planning</b>	
Date:	<b>24 June 2020</b>	
Report Title:	<b>Adoption of Planning Validation Requirements</b>	

## Cover sheet:

### 1 Purpose / Summary

The purpose of this report is to advise Members on the requirements of the National Planning Policy Guidance in respect of the requirement and procedure to update the Council's Local Validation List.

### 2 Key issues

- The key issues relate to the consideration of comments received following the undertaking of a consultation exercise carried out in consultation with relevant users of the service.

### 3 Recommendations

- The recommendation is to adopt the new Local Validation List with effect from 1 April 2020.

<b>Wards Affected</b>	All
<b>Forward Plan Reference</b>	N/A
<b>Portfolio Holder(s)</b>	Cllr Mrs D Laws
<b>Report Originator(s)</b>	Emma Nasta. Support Manager
<b>Contact Officer(s)</b>	Emma Nasta. Support Manager
<b>Background Paper(s)</b>	N/A

## Report:

### **1 Background / introduction**

- 1.1 Local Planning Authorities are required as part of the National Planning Policy Guidance (NPPG) to publish a list of information required in order to 'validate' planning applications, known as the local validation list. The local list requirements are prepared by the Local Planning Authority to clarify what information is required to be submitted with an application.
- 1.2 The Government requires Local Planning Authorities to review their local list requirements every 2 years.

### **2 Considerations**

- 2.1 A project group was formed and draft local validation lists were updated ready for consultation. This incorporated adding clearer, specific requirements for plans and reports, a revamped biodiversity checklist, updated website links, and the addition of reports and statements mainly relating to major applications, in line with current national planning legislation and local plan requirements. A full summary of the changes proposed, as set out as part of the associated consultation exercise, is included in Appendix A to this report. Full details of all the proposed validation lists are available at <https://www.fenland.gov.uk/article/14613/Local-List-consultation> and also formed part of the consultation exercise.
- 2.2 Consultation was undertaken for a period of 4 weeks from 1 February 2020 to the 28 February 2020. The consultation was placed on Fenland District Councils website and also emailed to Developer Forum members and other agents. Comments were invited either via email or in writing.
- 2.3 A total of 2 comments were received. One from Cambridgeshire County Council highlighting some website links that are no longer live, which have subsequently been updated, and one from Middle Level Commissioners.
- 2.4 The comments from Middle Level Commissioners have been considered and it was concluded that their comments relate to the quality of information submitted and therefore sits within the decision making process rather than the validation process

### **3 Conclusions**

- 3.1 The local validation lists have been updated to reflect current legislation and local plan requirements, they have been consulted on and comments received have been considered.
- 3.2 It is recommended that Members approve the adoption of the updated Local Validation Lists from 1 April 2020.



## **SUMMARY OF CHANGES:**

- National requirements
- Local requirements
- Specific Applications

### **NATIONAL REQUIREMENTS:**

#### **Trees:**

Trees - Updated national requirements as per Tree regulations 2012

#### **Location plan:**

Added clear requirements - i.e. Red line to include access and meet adopted highway, show sufficient roads and/or buildings, show surrounding buildings/land, should not show proposal. Blue lines to indicate other ownership.

#### **Other plans:**

List of other plans required as per national requirements still referred to on national list, but specific details of these added to the local list

### **LOCAL REQUIREMENTS:**

#### **Plans in general:**

- List of other plans required as per national requirements still referred to on national list, but specific details of these added to the local list
- Block plan/Site plan - Stipulated national requirement to show the proposal and all boundaries and position of all surrounding buildings

## Appendix A

- New requirement - Existing and proposed site sections, finished floor levels and site levels for all Major residential applications
- New requirement - Street Scene for proposals affecting the street scene
- New requirement - 'Do not scale' quoted on plans will not be accepted

### **Biodiversity :**

Amended requirement - A new checklist for Major and Minor/Other applications along with the submission of an ecology report if required by the checklist. There is a requirement for the report to be undertaken by a qualified ecologist

### **Tree report:**

Amended requirement - to submit a report for Trees with tree preservation orders or within a conservation area for trees or any part of a tree including canopy and root protection area within 10 metres of the proposal

(Current requirement - trees with TPO's or within a conservation area from 'within 5.0 metres of the site')

### **Travel Plans:**

New requirement - for developments generating a significant amount of vehicle movements. (Variation of conditions, Outlines, Full applications)

### **Health Impact Assessments:**

New requirement - for major developments (Variation of conditions, Outlines, Full applications)

### **Air Quality impact assessments:**

New requirement - for all developments that generate a significant amount of vehicle movements (Variation of conditions, Outlines, Full applications)

### **Retail impact assessments:**

New requirement - Required for developments of more than 500 sq metres outside of town centres (Variation of conditions, Outlines, Full applications)

### **Caveat on local lists**

New requirement - Any reports and statements to be no more than 12 months old

### **SPECIFIC APPLICATIONS:**

#### **Full applications:**

New requirement - Travel plans, Health impact assessments, Air quality impact assessments and retail assessments added to local list.

New requirement - Existing and proposed site sections, finished floor levels and site levels for all Major residential applications

New requirement - Street scenes

#### **Outline:**

Clarified - As per DMPO (2015), must state the areas where access points to the development proposed will be situated, even if not committing access

New requirement - Street scene if committing appearance or scale

New requirement - Travel plans, Health impact assessments, Air quality impact assessments and retail assessments added to local list.

New requirement - Existing and proposed site sections, finished floor levels and site levels for all Major residential applications

#### **Advert:**

National requirements updated accordingly.

As per the national requirements of the application form sections 11 and 12, for clarity, further detail have been added to the local list

#### **Section 73 applications - Removal or variation of condition**

New requirement - Schedule of changes - listing the proposed changes

Caveat - Further information may be required during determination dependent on the variation applied for.

#### **Nonmaterial Amendments**

New requirement - Schedule of changes - listing the proposed changes

### **Listed Building and Relevant demolition Apps**

New requirement - to cross reference photographs with floor plans and elevations

### **Discharge of conditions**

New Requirement - A schedule of conditions

Listing which plans and documents relate to which conditions being discharged.

### **Certificate of Lawfulness (Existing)**

Amended requirement -

'A plan identifying the land' changed to 'A plan identifying the exact area'

'Such evidence' changed to 'Any evidence to support the application'

### **Hedgerow removal notice**

Amended requirement - 'Evidence of the date of planting' changed to ' Any evidence of the date of planting'

New requirement to be included in the arboricultural statement - The species contained within the hedgerow and condition of hedgerow.

### **Modification or variation of planning obligation:**

List created

### **Certificate of lawfulness for Listed Building**

List created