

Agenda Item 11 Appendix 2: Analysis of responses to consultation on list of proposed local validation requirements

N=13



Document Type	When required	Agree	Don't agree	Comment
Air quality assessment	All applications for major development where traffic generation is increased	6	5	<ol style="list-style-type: none"> <li>1. Definition of 'major development' required. Should also state 'where traffic generation is significantly increased.</li> <li>2. Air Quality Assessments should also be required for sensitive development adjacent to potentially polluting sources, such as wastewater treatment works, in order to protect prospective residents from potential nuisance, in accordance with PPS23</li> <li>3. Air Quality Assessments should be required for all proposals that impact on air quality through odour, dust, fumes or bio-aerosols</li> <li>4. <i>Disproportionate – should be where significantly increased</i></li> </ol>
Affordable housing statement	All applications for housing development of more than 10 units and all exception sites	6	2	<ol style="list-style-type: none"> <li>1. Should state 'all applications for housing development above affordable housing threshold and exception sites'</li> <li>2. What does RSL mean? Essential that there be legal requirement that affordable housing not be developed/enlarged and that it be retained as affordable housing in perpetuity.</li> <li>3. <i>Should relate only to proposals where affordable housing proposed</i></li> </ol>
Biodiversity Survey and report	All applications for development within or adjacent to a local or national nature reserves or SSSIs	7	2	<ol style="list-style-type: none"> <li>1. But where there is a proven need for housing the conditions should not be disproportionate.</li> <li>2. development adjacent all needs assessing and where protected species are present, or habitat affected.</li> <li>3. <i>Suggest applicants are required to complete the biodiversity checklist</i></li> </ol>
Geodiversity Survey and report	All applications for mineral extraction	6	1	<ol style="list-style-type: none"> <li>1. All proposed developments which affect geodiversity should be assessed.</li> </ol>
Hydrology	All applications for disposal of waste and mineral extraction	8	1	<ol style="list-style-type: none"> <li>1. All proposed developments which affect hydrology should be assessed.</li> </ol>

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Flood risk assessment	All applications where site area > 1 Ha in Flood Zone 1; all proposals where application site is in Flood Zones 2 and 3; all applications where site is in a designated critical drainage area.	8	1	1. Some developments are sensitive irrespective of zoning and EA flood maps are not accurate
Foul sewerage and utilities assessment	All applications for major development	7	4	<ol style="list-style-type: none"> <li>1. Definition of 'major development' required</li> <li>2. In addition, it should be borne in mind that in the near future there will be new National Build Standards for drainage to which developers will be required to adhere. Any changes should reflect this.</li> <li>3. Should be proportionate not just major.</li> <li>4. Foul sewerage and utilities assessment should be Foul sewerage and Surface water assessment under advice from EA.</li> <li>5. should be required for all new development</li> </ol>
Heritage statement	All applications for development affecting a heritage asset	7	2	<ol style="list-style-type: none"> <li>1. Depends on sensitivity of asset</li> <li>2. Npo definition of heritage asset</li> </ol>
Land contamination Assessment	All applications for major and minor development and changes of use if contamination is known/ suspected to exist; when site is within 250m of a current licensed or historic landfill site.	7	1	1. Too generic and onerous and unreasonable to include changes of use and where there is no physical change to the land.
Landscape and visual Impact assessment (including landscaping proposals and photomontages)	All applications for development (which for clarification excludes consent for internal alterations for a listed building)	5	6	<ol style="list-style-type: none"> <li>1. I think that a well written DAS adequately covers this for householder apps</li> <li>2. Guidance needed to ensure applicants and validation officers are clear on the extent of information required for different types of development</li> <li>3. It is disproportionate to expect Householder applications to provide this. A Design and Access Statement would cover this adequately. After all how would a garden shed in a garden in the centre of Lewes effect the Park?!</li> <li>4. Too generic and unreasonable</li> </ol>

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				<p>5. Design and Access Statement (DAS) and planning conditions normally cover, but since April 2010 a DAS is no longer required for domestic extensions (except in Conservation Areas). It does seem like overkill for domestic extensions, garden sheds etc. Technically it would be inappropriate to apply this to ALL applications as it cannot be applicable to Changes of Use, Listed Buildings, Adverts, ELDs etc. Overall, this would not conform with the Government's expressed comments on the proportionality of information requirements and should perhaps be applied only to "significant" proposals.</p> <p>6. <i>What about internal works to a listed building or changes of use</i></p> <p>7. <i>Should refer to 'appraisal' as 'assessment' in this context need to conform to published guidelines</i></p> <p>8. <i>Local Validation List should not be adopted until guidance has been published</i></p>
Lighting assessment	All applications for development other than householder	6	4	<p>1. Should state 'All applications for development involving external lighting other than householder'</p> <p>2. Surely only required if lighting is part of the proposal?</p> <p>3. Too generic and unreasonable</p>
Mineral safeguarding	All applications for development within Mineral Safeguarded Areas	8	0	
Noise assessment	All applications for development other than householder	4	4	<p>1. Guidance needed to ensure applicants and validation officers are clear on the extent of information required for different types of development. Not all non-householder developments will generate noise.</p> <p>2. Surely only required if the development is a commercial use <i>or noisy?</i></p> <p>3. <i>Wording in appendix A not consistent with wording in appendix B</i></p>
Open space Assessment	All applications for development where public open space is to be lost	7	0	<p>1. Stringent conditions should be in place covering the loss of public open space to development. In essence it should not be permitted.</p> <p>2. consultation with Sport England required in case formally designated.</p> <p>3. Not clear about justification on rarely submitted proposals.</p>
Parking provision	All applications for development	7	2	<p>1. Allowing housing development without provision of parking spaces, in the misguided hope that householders and their visitors will be able to use</p>

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				<ul style="list-style-type: none"> <li>public transport, is cloud cuckoo land. Developers must allow for adequate parking.</li> <li>2. Too generic and unreasonable</li> <li>3. <i>Only where need/demand for parking generated</i></li> </ul>
Planning Obligation	All applications for development generating need for off-site <b>and on site</b> contributions	8	1	<ul style="list-style-type: none"> <li>1. Usually discussed at pre-app and determined during consultation</li> <li>2. <i>Should be made clear that only heads of terms needs to be submitted</i></li> </ul>
Renewable Energy statement	All major development applications	8	3	<ul style="list-style-type: none"> <li>1. This should be a requirement for all new development, including individual private houses and including where an existing property is to be demolished and a replacement built.</li> <li>2. should form part of the DAS not the Validation Checklist.</li> <li>3. <i>Disproportionate – thresholds should be included</i></li> <li>4. <i>Should be extended to include all applications as required by WSCC and SDNPA Joint Core Strategy</i></li> </ul>
Restoration and Aftercare Statement	All applications for mineral extraction and waste disposal	7	0	<ul style="list-style-type: none"> <li>1. should be proportionate</li> </ul>
Statement of how Community has been Involved	All major development applications	6	4	<ul style="list-style-type: none"> <li>1. Definition of 'major development' required</li> <li>2. The Localism Bill states that only Large Scale major applications require this!</li> <li>3. Should be proportionate</li> <li>4. it is a legal requirement anyway, so does it need to be in the list?</li> <li>5. <i>Should be changed to 'significant'</i></li> </ul>
Telecommunications report	All telecommunications equipment applications and notifications	7	1	<ul style="list-style-type: none"> <li>1. the requirements are set out in the Operator's Code of Practice.</li> </ul>
Transport assessment	All applications for major development	6	3	<ul style="list-style-type: none"> <li>1. Thresholds within Appendix B of DfT Guidance (March 2007) should be used to determine the need for and scope of Transport Assessments</li> <li>2. Too generic and unreasonable should be proportionate</li> </ul>

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Travel Plan	All applications for major development	6	3	1. Too generic and unreasonable
Tree Survey/ arboricultural assessment	All applications for development affecting trees	6	2	1. Should state 'all applications for development if building works to take place within 5 metres of a tree 2. Should be proportionate
Ventilation /Extraction equipment report	All applications for A3 and B1/B2 uses	6	3	1. Should only be required in relation to A3/A4/A5 uses, not B1/B2 uses 2. not essential for validation

Further concerns raised:

- advertisements, archaeology, aviation safeguarding, conservation area consents, customer focus appraisals, daylight and sunlight assessments, Design and Access Statements, EIAs, Hydrology, listed building consents, planning statements and photographs and graphic material not included;
- *national requirements should refer to Development Management Procedure Order which replaced GPDO in October 2010 which excludes certain types of application for planning permission including variation/removal of conditions, engineering or mining operations, changes of use, householders and some types of non-residential development;*
- *requirement for electronic submission of applications for major developments is unreasonable;*
- *blanket approach does not comply with government guidance – thresholds should be defined in more cases.*