Report to	**Planning Committee**
Date	**9 May 2019**
By	**Director of Planning**
Title of Report	**Review of Validation Requirements for planning applications and related consents**
Purpose of Report	**To approve the revised local list of requirements for planning applications and related consents for adoption when the Local Plan is adopted.**

Recommendation: to approve the revised local list of requirements for validating planning applications and related consents for adoption.

1. Background

1.1 Planning applications and applications for related consents (i.e. listed building and conservation consent) require different levels of information and supporting documentation depending on the scale and type of development proposed. There is a national core list of requirements but each local planning authority may also set out a list of additional information and documentation required to reflect national and local policies. This is known as the 'local validation check-list' or 'local list'. Provided this list has been consulted on and is published on the local authority web site, an application is not valid if it does not have all the information and documentation required.

1.2 Details of the national requirements and the suite of documents a local planning authority may additionally require are published on the planning portal web site at the following link:

http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/nationaldocuments

1.3 Following consultation the South Downs National Park Authority (SDNPA) adopted a local list of validation requirements for all applications submitted for development within the South Downs National Park (SDNP) from February 2017. In line with government guidance, the Park Authority needs to carry out a consultation process and review within 2 years of the local list having been adopted. The recent consultation has been timely given the impending adoption of the emerging South Downs Local Plan. The list that was sent out for consultation therefore included fresh requirements previously not included in the Local List to enable officers to comprehensively assess applications against the requirements set out in the emerging Local Plan.

1.4 In particular the consultation list included requirements not previously in the adopted list specifically related to the Emerging Local Plan:-

- Agricultural & Forestry Workers Statement
- Agriculture/Forestry Diversification Plan
- Mix of Homes Statement
- Ecosystems Services Statement
- Sustainability Assessment
- Information to support Habitat Regulations Assessment
- Marketing/Vaiability/Needs Assessments

- Options Review Assessments
- Retail Impact Assessments
- Surface Water Drainage Strategy
- Equestrian Management Plan
- Strategic Traffic Management Scheme

1.5 Officers undertook a review and 6 week consultation process late in 2018 with the consultation period closing at the end of December. The Local List sent out for consultation which was sent out for consultation is attached at **Appendix 1**.

1.6 A significant number of stakeholders were emailed directly as part of the consultation process. The email included a link to the consultation and a survey response on the SDNPA web pages. Respondents could agree/disagree with the proposals and add comments. These stake holders included all the parish councils within the SDNP and local authorities within the SDNP and around it, internal and external consultees, and agents. In addition there was a link to the consultation on the SDNPA web pages with a link from the web page with the current Local Validation List requirements which would have been accessed by most applicants and their agents making an application over the consultation period.

2.   The Outcome of the Consultation

2.1 In total 183 parish contacts were consulted along with 18 local planning authorities, 308 consultees and 1040 planning agents. Comments were received from 26 correspondents which are fully set out in **Appendix 3** (together with officer comments in response to the points raised.

2.2 A number of the consultation responses merely suggested additional guidance that should be highlighted in the list to assist applicants and developers when preparing their documentation and required reports/plans. In the main, these suggestions have been taken on board and been incorporated into the amended Local List which is presented with a recommendation for adoption.

2.3 The majority of responses related to issues concerning Ecology, Heritage, Noise, Highways and Lighting. In some cases it is clear that individual consultees would ideally like to see far greater and all-encompassing requirements to better assist them in assessing applications and officers have had to balance this aspiration with the need for Local Lists to not be overly onerous on applicants (as set out in central government guidance). The subsequent recommended Local List for adoption having taken these comments into consideration is attached at **Appendix 2.**

3.   Recommendation

3.1 In view of the general agreement with the proposed revisions to the existing Local Validation List it is recommended that the list as amended at **Appendix 2** is adopted for validating planning applications when the Local Plan has been adopted. These are as proposed in the list which was subject to the consultation process but with the addition of:

- Additional links to guidance on a number of the requirements
- New requirement for an odour assessment
- Additional criteria for requirements on relation to Land Contamination Assessments.
- Additional highlighting of particular SACs in relation to Habitat Regulation Assessments
- Reference to BS:5837 in relation to Tree information Requirements.

4.   Risk Management

4.1 Risk - the current local list which has operating since February 2017 is due for review and adoption and the absence of an up to date list could result in the Authority not being able to demand the necessary plans or documentation to be able to fully consider applications. This is particularly pertinent given the additional documents that are required in order for applications to be assessed against the policy requirements in the emerging South Downs Local Plan which is nearing adoption.

Mitigation – The adoption of the list will provide the necessary authority to withhold validation should the requirements of the list not be met in the submission of the application.

4.2 Risk – Despite changes the list is considered to still be too onerous.

Mitigation – The list responds to feedback, and will be subject to further review in 18 months' time.

5.   Human Rights, Equalities, Health and Safety

5.1   There are no implications arising from this report.

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	1. Draft Local Validation List for consultation November 2018
Appendices	2. Recommended Local Validation List for Adoption
	3. Commentary in relation to comments received and rationale for inclusion or exclusion from list to be adopted.
	4. Currently Adopted Local List (Since February 2017)
SDNPA Consultees	Director of Planning
External Consultees	None
Background documents	Government response to consultation: Streamlining Information requirements for planning applications
	Guidance on Information requirements and validation CLG March 2010