



**STRATEGIC PLANNING COMMITTEE**

**Monday, 03 July 2023**

<b>Subject</b>	Update on the Local Validation List
<b>Report of</b>	Councillor Kay Yule Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officers</b>	Philip Ridley Head of Planning and Coastal Management 01394 444434 <a href="mailto:philip.ridley@eastsoffolk.gov.uk">philip.ridley@eastsoffolk.gov.uk</a>  Ben Woolnough Planning Manager (Development Management) 01394 444681 <a href="mailto:ben.woolnough@eastsoffolk.gov.uk">ben.woolnough@eastsoffolk.gov.uk</a>  Katherine Scott Principal Planner (Technical Lead, Development Management) 07867 155568 <a href="mailto:katherine.scott@eastsoffolk.gov.uk">katherine.scott@eastsoffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose of the Report and High-level overview

**Purpose of Report:**

This report provides an update on the progress towards the production and adoption of a Local Validation List and associated guidance, setting out the required documents/plans etc required for applications.

**Options:**

Not applicable.

**Recommendation/s:**

That the content of the report be noted.

## Corporate Impact Assessment

**Governance:**

None.

**ESC policies and strategies that directly apply to the proposal:**

None.

**Environmental:**

None.

**Equalities and Diversity:**

None.

**Financial:**

None.

**Human Resources:**

None.

**ICT:**

None.

**Legal:**

None.

**Risk:**

None.

<b>External Consultees:</b>	None
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>How does this proposal support the priorities selected?</b></p> <p>To provide information on the performance of the development management and enforcement section</p>			

## Background and Justification for Recommendation

1 Background facts	
1.1	This report provides Members of the Strategic Planning Committee with an update on the production and adoption of a Local Validation List and associated guidance setting out the requirements for applications submitted to East Suffolk Council as Local Planning Authority.
1.2	The Town & Country Planning (Development Management Procedure) Order 2015 (as amended) sets out the national information requirements for planning applications, often referred to as the 'National List', and it includes basic essentials for all planning applications such as specific Plans and Drawings, and specific requirements based upon application types.
1.3	All planning applications must be accompanied by the information set out in the national list. In addition to the 'National List', the Local Planning Authority can adopt a 'Local List', in accordance with Paragraph 44 of the National Planning Policy Framework (NPPF).
1.4	Paragraph 44 of the NPPF states:  <i>“Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every 2 years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.”</i>
1.5	There are also national requirements for other types of planning related applications, which are defined in other regulations. For example, the requirements for Prior Notification Applications are set out in the Town and Country General Permitted Development Order 2015 (as amended).
1.6	Whilst the Local Planning Authority cannot require more than the national requirements for such applications (i.e. those that aren't seeking Planning Permission), it can provide guidance to highlight and explain the national requirements to customers and provide advice on additional information which may be useful/assist with their application.

2 Current position	
2.1	The current Local Validation List for East Suffolk Council is published at <a href="#">How to submit a planning application » East Suffolk Council</a> , and was published in October 2020. It has been the subject of a comprehensive review which commenced in January 2022, and has led to the drafting of a new Local Validation List, and associated guidance.

2.2	<p>An initial consultation process was undertaken in February/March 2022, with Statutory Consultees, Non-Statutory Consultees who regularly comment on applications, Town and Parish Councils of the East Suffolk District, East Suffolk Council Councillors (i.e. Ward Members), and those who act as agents on applications (e.g. architects, planners etc) who are signed up to attend our 'Developer Forum' sessions. It sought answers to the following initial questions:</p> <ol style="list-style-type: none"> <li>1. Are there any legislative or policy changes since the last document was adopted in October 2020, that relate to documents/ information/ material planning considerations that may affect the information/ documentation that is required to enable yourselves and/or other consultees to consider and provide specific comments on planning/ listed building/ advertisement/ prior notification applications? If so, please provide details.</li> <li>2. It is recognised that the current document, is potentially lacking in terms of providing a simple list of what documents are required when, as the requirements for each document are set out within the section on each document. Planning is complex so it would not be possible to provide a definitive list of all the documents are required for all the potential circumstances/proposals and relevant factors. However, the revised document maybe able to assist in providing additional clarification on when the most common documents are required and/or those required for the most common types of development proposal. Therefore on which types of development proposals and/or application types would a specific clarification of document requirements be useful? E.g. extensions on domestic properties, applications for 1-2 dwellings, changes of use of existing buildings with/without physical works etc?</li> <li>3. Would additional clarification of the content requirements of particular submission documents/additional information documents be beneficial? If so, which?</li> <li>4. Are there any submission/additional information/supporting documents missing from the current document?</li> <li>5. Do you have any further comments on the content of the Local Validation List?</li> </ol>
2.3	<p>The response to this consultation was very limited, with just ten respondents (two external statutory / non-statutory consultees, five ESC teams, two Town/Parish Councils, one Agent and no comments from Ward Members). The content of comments received were also limited but included reference to the current list being difficult to understand particularly in terms of what documents/plans are required to validate an application, and there was a mix of views as to whether too little was being required at validation stage or too much was being asked for, particularly for small scale works.</p>

2.4	The current 'Local Validation List' is a static relatively long pdf document, which is not the ideal format for applicants and agents when trying to understand what is required to be submitted for a specific application, as readers have to trawl through each section of the document to check when each document/drawing listed is required.
2.5	The reviewed Local Validation List and additional guidance is proposed to be published in a more interactive online format akin to a series of interconnected webpages. The objective in changing the format, is to make it easier for applicants and agents to understand what is required when submitting applications, and easier for our Planning Support Team to check if all the required documents/drawings have been submitted at registration/validation stage.
2.6	By making it easier to understand what needs to be submitted for specific application, the aim is to improve the quality of application information submitted to the Local Planning Authority, which should in the longer term reduce the number of invalid applications submitted as it will be clearer for applicants/agents to understand what is required.
2.7	The content of the Local Validation List is also to be updated to reflect current legislative and national and local policy requirements.
2.8	The changes are also seeking to encourage the submission of additional information upfront which in turn should reduce the need for conditions which require the discharge through the submission of additional applications, saving both applicants/agents and the Local Planning Authority officer's time.
2.9	<p><b><u>The changes from the current 'Local Validation List'</u></b></p> <p>The new 'Local Validation List' and an associated 'Local Validation Guidance' have been drafted in the form of two documents that will be consulted on in the near future. Together they will replace the current 'Local Validation List'.</p>
2.10	The 'Local Validation List' will list all the drawings, documents, assessments etc that can potentially be required to validate applications. It will also specify when they are required, what they must contain and their required format. This will be an updated version of the current 'Local Validation List', which requires updating to reflect National and Local Policy changes that have occurred since the previous list was adopted. This means that a number of additional documents/drawings etc have been added to the 'Local Validation List'.

2.11	<p>The drawing, assessment and documents intended to be covered in the new 'Local Validation List' are:</p> <ul style="list-style-type: none"> <li>• Agricultural Diversification Statement (New)</li> <li>• Air Quality Assessment (previously formed part of another section)</li> <li>• Amendments/Changes Statement (New)</li> <li>• Application Forms and Ownership Certifications (previously formed part of another section)</li> <li>• Arboricultural Assessment and Tree Survey</li> <li>• Archaeological Assessment</li> <li>• Biodiversity Gain Plan (New)</li> <li>• Biodiversity and Ecological Assessments</li> <li>• Biomass Boiler Form (previously formed part of another section)</li> <li>• Block Plan/Site Layout Plan (previously formed part of a requirement of another section)</li> <li>• Building Heights / Number of Storeys Plan (New)</li> <li>• Coastal Erosion Vulnerability Assessment</li> <li>• Community Consultation Statement / Statement of Community Involvement (New)</li> <li>• Community Facilities Justification Statement (New)</li> <li>• Community Infrastructure Levy (CIL)</li> <li>• Construction Management Plan /Method Statement (New)</li> <li>• Contaminated Land Assessment / Land Contamination Questionnaire</li> <li>• Conversion Specification (New)</li> <li>• Cross Sections (previously formed part of another section)</li> <li>• Daylight / Sunlight Assessment</li> <li>• Design and Access Statement</li> <li>• Draft Heads of Terms</li> <li>• Dwelling Sizes and Tenure Plan/schedule (New)</li> <li>• Elevational Plans (previously formed part of another section)</li> <li>• Energy Statement</li> <li>• Environmental Impact Assessment</li> <li>• Fees (previously formed part of another section)</li> <li>• Flood Risk Assessment</li> <li>• Flood Risk Sequential and Exception Tests</li> <li>• Floor Plans (previously formed part of another section)</li> <li>• Foul Drainage Assessment</li> <li>• Geodiversity Survey and Assessment Report</li> <li>• Habitats Regulation Assessment (HRA) and Recreational disturbance Avoidance Mitigation Strategy (RAMS) tariff form/payment (New)</li> <li>• Health Impact Assessments</li> <li>• Heritage Statement or Impact Assessment</li> <li>• Housing Statement (New)</li> <li>• Hydrographical /Bathymetric Survey (New)</li> </ul>
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	<ul style="list-style-type: none"> <li>• Isometric Drawings / Virtual 3-Dimensional Modelling (New)</li> <li>• Joinery and Window Details</li> <li>• Landscape and Visual Impact Assessment</li> <li>• Landscaping details</li> <li>• Lighting Assessment / Details of Lighting Scheme</li> <li>• Marketing Assessment</li> <li>• Models (New)</li> <li>• Noise Impact Assessment and/or acoustic report</li> <li>• Odour Assessment (previously formed part of another section)</li> <li>• Open Space Assessment</li> <li>• Parking layout plans</li> <li>• Phasing Plan/Schedule (New)</li> <li>• Planning Statement</li> <li>• Public Rights of Way</li> <li>• Refuse storage/presentation plan</li> <li>• Retail / Leisure Impact Assessments</li> <li>• Roof Plans (New)</li> <li>• Rural Workers Dwelling Statement</li> <li>• Sequential Test and Exception Tests for Flood Risk</li> <li>• Site Location Plan</li> <li>• Streetscene (New)</li> <li>• Structural Survey</li> <li>• Sustainable Drainage Strategy</li> <li>• Sustainable Construction Statement/Plan</li> <li>• Telecommunications report (New)</li> <li>• Topographical Survey (New)</li> <li>• Transport Statement or Assessment</li> <li>• Travel Plan</li> <li>• Variation of Condition Statement/Specification (New)</li> <li>• Ventilation/Extraction Equipment Details and Assessment</li> <li>• Viability Assessment</li> </ul>
2.12	<p>The 'Local Validation List', is also being amended to add clarity and improve its format so that it can be published in a more interactive form, with links to the 'Local Validation Guidance'.</p>
2.13	<p>The 'Local Validation Guidance' will contain details of application types, and specify what drawings, documents, assessments etc are required for each application type with specific requirements based upon the specifics of the proposals. In effect this translates the 'National List' and the 'Local Validation List' into a format that is more usable for applicants, as is in effect provides a checklist for each application type, including both those for Planning Permission and other types of Planning related applications including Listed Building Consent, Advertisement Consent, Prior Notification applications etc.</p>



2.14	<p>The key application types this guidance document will include are:</p> <ul style="list-style-type: none"> <li>• Planning Applications for extensions and/or alterations to dwellings, their curtilage, outbuildings, and means of enclosure (i.e. Householder applications),</li> <li>• Householder Prior Notifications,</li> <li>• Planning Applications for Solar Power, air source heat pumps, Biomass Boilers and other renewables,</li> <li>• Listed Building Consent,</li> <li>• Planning Applications for changes of use of land and buildings,</li> <li>• Planning Applications for new dwellings and residential care facilities,</li> <li>• Planning Applications for commercial, agricultural, community and other non-residential land and buildings, including new buildings, conversions to/from such uses, extensions and alterations to existing units,</li> <li>• Applications for Advertisement Consent,</li> <li>• Applications seeking 'Prior Notification' approval for agricultural works and buildings,</li> <li>• Applications seeking 'Prior Notification' approval including those for changes of use (with and without physical works),</li> <li>• Applications seeking Certificates of Lawfulness (Existing or Proposed),</li> <li>• Applications seeking Variations or Removal of Conditions,</li> <li>• Non-Material Amendment Applications,</li> <li>• Applications for the discharge of conditions/approval of matters reserved by condition or those seeking confirmation of compliance with conditions, and</li> <li>• Applications made under Regulation 77 of the Habitats Regulations (Appropriate Assessment requirements in relation to Permitted Development),</li> </ul>
2.15	<p>Although the documents are being drafted as two text documents, they are worded with the intention that the documents will be broken down into smaller online sections that will enable them to be interactive linked 'pages', rather than very long static pdf documents. The interactive online version will enable users to access information either by selecting the type of application one is applying for or by selecting the document/drawing more information is sought on. It will also be set up so that users can easily navigate between the sections of information via hyperlinks. An illustration of the functionality that will be built into the online interactive version is provided in <b>Appendix A</b>.</p>

2.16 The 'Local Validation List' has to meet five key principles, which are Necessity, Precision, Proportionality, Fitness for purpose and Assistance, as detailed in this table from ["Guidance on Information requirements and validation"](#).

Table A: Principles and criteria for local list preparation	
Principle	Key considerations
Necessity	All local list requirements should be based on statutory requirements <sup>10</sup> , national, regional or adopted local policy, or on published guidance which explains how adopted policy should be implemented
Precision	It should be clear what types of development require the provision of particular supporting information. Where appropriate, the LPA should also identify specific areas where the information requirement arises.
Proportionality	The information required is likely to be dependent on the nature and scale of the proposal and the sensitivity of its location. Where possible, the LPA should identify size thresholds below which certain information is not required or where only limited information is required.
Fitness for purpose	It should be clear what information is required to satisfy the requirement – with a strong emphasis on a proportionate approach and succinct documents.
Assistance	For each element of the list it should be clear where further information or answers to queries can be obtained.

2.17 Therefore, whilst as is to be expected the 'Local Validation List' and 'Local Validation Guidance', can set additional requirements than the 'National List', they have to fulfil these principles in doing so, and therefore for example cannot ask for a particular document because 'it would be nice to have', there has to be a necessity for requiring its submission, which is generally based upon national or local planning policy or statutory requirements.

2.18 Therefore the 'Local Validation List' and 'Local Validation Guidance' are being drafted to meet these principles, and as part of this they are shaped by the requirements of adopted Local Planning Policies within the Waveney and Suffolk Coastal Local Plans.

2.19 **The Consultation Process**  
 The 'List' will be consulted on commencing in July for a period of 56 days / 8 weeks as per the national ["Guidance on Information requirements and validation"](#). Although this guidance dates from 2010 and predates the NPPF and a number of other national policy changes have taken place since then, it is the most up to date guidance officers can find on this process, and therefore it is that which is being followed, including the publications of this report which includes a summary of the changes made as a result of the review.

2.20 There is only a requirement to consult on the 'Local Validation List', no requirement to consult on the guidance. However, both will be consulted upon for this 56-day period, in the interests of completeness and because the List and Guidance will be so intertwined once adopted and published as an online interactive feature.

2.21	<p>Those consulted will include:</p> <ul style="list-style-type: none"> <li>- Statutory Consultees,</li> <li>- Non-Statutory Consultees who regularly comment on applications,</li> <li>- Town and Parish Councils of the East Suffolk District,</li> <li>- East Suffolk Council Councillors (i.e. Ward Members), and</li> <li>- Those who act as agents on applications (e.g. architects, planners etc) and are signed up to attend our 'Developer Forum' sessions.</li> </ul>
2.22	<p>The documents will be published on our website and therefore any other parties who wishes to review and comment on the documents will be able to do so.</p>
2.23	<p>Alongside the consultation on the validation documents, an initial consultation will also be undertaken in relation to the Pre-Application Service. This will a high-level style consultation seeking initial thoughts rather than setting out detailed intentions on potential changes to the current pre-application process. We want to establish views from applicants and developers of the type of service which suits their needs. We also want to understand from communities, particularly Town and Parish Councils, how they perceive the pre-application process, which is purposefully a private advice service with the applicant, though increasingly we are being asked by communities to share the pre-application advice with have given. Importantly we need to be charging the right amount for the service to cover the cost of officer time, which often has to instead be prioritised towards planning applications. The Planning Advisory Service (part of the Local Government Association) has recently done research on pre-application services and found that the majority of Councils are under-charging for their time.</p>
2.24	<p>Once that initial consultation process has been completed, officers will review the comments received and review the current Pre-application process to identity and suitable changes to improve the Pre-Application service. A report will then be presented to the Strategic Planning Committee, identifying the proposed changes, prior to a full consultation on those changes being undertaken.</p>
2.25	<p><b><u>After the Consultation Process</u></b>  Once the consultation Process has been completed, the comments received will be reviewed, and where appropriate amendments will be made to the 'Local Validation List' and 'Local Validation Guidance'.</p>
2.26	<p>The 'Local Validation List' and 'Local Validation Guidance' documents will be translated into an interactive web-based format for publication on the East Suffolk Council website.</p>
2.27	<p>A report will be presented to the Strategic Planning Committee, to recommend the adoption of the new 'Local Validation List' and 'Local Validation Guidance'. This is intended to be at the 2 October 2023 meeting, and the report will contain details of the consultation responses received, and the draft 'Local Validation List' and 'Local Validation Guidance' documents.</p>

2.28	Upon adoption, this new 'Local Validation List' and 'Local Validation Guidance', will supersede the current list, and all applications received from that date will need to comply with the new documents in order to be validated.
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### 3 How to address current situation

3.1	Note the current progress on the review of the 'Local Validation List' and 'Local Validation Guidance'.
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### 4 Reason/s for recommendation

4.1	That the contents of the report are noted
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## Appendices

### Appendices:

Appendix A	An interactive illustration of how the new East Suffolk Local Validation List and Guidance are to be published
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### Background reference papers:

None.
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