

Planning Service Improvement Plan (PSIP) – Local Validation List 2024-2026	
Executive Summary	This report focusses on proposals for a new Local Validation list which sets out the range of documents required to be submitted with planning applications (over and above national requirements) in order to make them valid.
Options considered	Addressed – where appropriate – within the body of the text / appendices.
Consultation(s)	Internal consultation has taken place with Officers from within Planning and Environmental Health.
Recommendations	<ol style="list-style-type: none"> 1. Committee's views on the proposed Local Validation requirements are sought; 2. Committee's agreement to undertake a period of six-week public consultation on the new Local Validation list is sought 3. After public consultation, the Local Validation list will come into effect (with or without necessary modifications) after sign-off by the relevant decision making body at North Norfolk District Council.
Reasons for recommendations	To deliver the improvements sought by the Planning Service Improvement Plan (PSIP).
Background papers	Overviews and Scrutiny Committee Report from February 2023 on the PSIP

Wards affected	None
Cabinet member(s)	Cllr Andrew Brown
Contact Officer	Geoff Lyon, Development Manager, Tel: 01263 516226

Links to key documents:	
Corporate Plan:	Completing the PSIP is one of the Corporate Actions in the Corporate Plan – a new Local Validation list is a key part of the PSIP work
Medium Term Financial Strategy (MTFS)	No
Council Policies & Strategies	The Planning Service Improvement Plan

Corporate Governance:

Is this a key decision	No
Has the public interest test been applied	Not Applicable
Details of any previous decision(s) on this matter	See the Background Papers section

1. Purpose of the report

- 1.1 This report has been written to provide Councillors with an update on progress on the delivery of a new Local Validation list which is a key strand within the Council's Planning Service Improvement Plan (PSIP). The report seeks Committee input on the requirements set out within the draft Local Validation List ahead of formal public consultation prior to its ratification and introduction.

2. Introduction & Background

- 2.1 Having the right information to accompany a planning application is crucial to good decision making. Where necessary information is missing, this can lead to delays in decision making or can lead to applications having to be refused in the absence of required information.

- 2.2 The National Planning Policy Framework (NPPF) at paragraph 44 sets out that:

"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 two years. Local planning authorities **should only request supporting information that is relevant, necessary and material to the application in question**".
[emphasis added]

- 2.3 The range and type of planning applications submitted within the district of North Norfolk is broad and therefore reliance on current national validation requirements alone (those prescribed by central government) will not ensure that the right information is submitted in the majority of cases to enable positive decisions to be made in a timely manner. The district has many constraints that impact on the type of information needed to accompany a planning application including (amongst many others):

- Numerous European nature designations including Special Protection Areas (SPA) and Special Areas of Conservation (SAC)
- Extensive ecological interests
- Norfolk Coast National Landscape (formerly known as AONB)
- Valued landscapes
- Areas of Dark Skies

- Over 2,000 listed buildings
 - 84 Conservation Areas
 - Areas of archaeological interest
 - Extensive areas of coast at risk from erosion
 - Areas at risk from coastal and fluvial flooding
 - Areas of contaminated land
- 2.4 Having regard to the constraints within the district and the likely issues that may impact planning decisions, it is important for any local validation list to set out the information that may be needed for review by internal and external subject matter experts / consultees / stakeholders who may need to take an active part in the determination of a planning application.
- 2.5 The key consideration is that of proportionality. Information should not be requested purely for information's sake. Any requested supporting information should be:
- relevant;
 - necessary; and
 - material to the application in question.

Context is therefore hugely important in establishing whether specific supporting information is essential in order to make a planning decision.

- 2.6 A criticism often levelled at planning services is that the cost of preparing an application for submission can become onerous and act as a barrier, especially for more modest sized schemes. Overly officious and bureaucratic processes requiring unnecessary information will not add value to the planning process and will merely add to cost and delays. A fair balance has to be struck so as to avoid a scenario of unnecessary and often expensive supporting information / specialised reports having to be provided when it is not justified.

3. Proposals and Options

A New Local Validation list 2024-2026

- 3.1 In line with government expectations to review information requirements, a new Local Validation list has been assembled which has drawn on and updated requirements from the old validation list whilst at the same time including a number of new requirements reflecting additional constraints and requirements that now fall within the remit of planning. This list would replace the existing and now outdated list from 2017-19.
- 3.2 Officers across Planning and Environmental Health have inputted into the production of a new Local Validation list.
- 3.3 The new Local Validation list is attached at **Appendix 1**.

- 3.4 The new Local Validation list sets out a list of 54 requirements covering a wide breadth of topic areas. For ease of reference, each item is numbered, has a document name, sets out details when the document is required and also includes guidance for applicants and agents in respect of what may be required for that specific document with weblinks as appropriate.
- 3.5 Committee should note that of the 54 requirements, not every document will necessarily need to be provided in support of an application. The need for documents will entirely depend on the type of application (e.g. FULL, Outline, Reserved Matters, Listed Building Consent etc) and the site constraints that affect a site. The finalised Local Validation list will include a matrix so that applicants and agents can easily identify which local validation requirements could potentially apply for their specific application.
- 3.6 In line with other PSIP activities currently being reviewed, new Pre-Application advice services will also offer the opportunity for applicants and agents to clarify which validation requirements are likely to apply for their specific development.
- 3.7 Committee are invited to review the new Local Validation list and consider whether there are any further document requirements to be added (having regard to the test set out at paragraph 2.5).
- 3.8 Any amendments suggested and agreed by Committee to the Local Validation list in Appendix 1 will be included in the updated list to go forward for formal six-week public consultation.
- 3.9 After the six week period of public consultation has ended, any comments will be considered and the Local Validation list amended, where necessary prior, to being issued for approval ahead of formal introduction.

4. Corporate Priorities

- 4.1 As specified in the Links to Key Documents section above.

5. Financial and Resource Implications

- 5.1 This report in-itself doesn't have any financial implications other than to assist in the effective operation of the Council's planning functions.
- 5.2 There are some work-load implications from the report – in terms of additional work in setting up and operating the new Local Validation list monitoring but these will be managed within current resources.

Comments from the S151 Officer:

The S151 Officer (or member of the Finance team on their behalf) will complete this section.

6. Legal Implications

- 6.1. The main issue from a legal perspective is around the validity of any new Local Validation list and ensuring due process is followed in its introduction.

Comments from the Monitoring Officer

The Monitoring Officer (or member of the Legal team on behalf of the MO) will complete this section. They will outline any legal advice provided.

7. Risks

- 7.1 It is important that the issue within this report is progressed in an appropriate manner. It will not be possible to complete the PSIP without doing so.

8. Net Zero Target

- 8.1. This is not a report that leads to decisions that will result in any direct impact – positive or negative – on the Council's Net Zero position. It is anticipated that the new suggested requirement within the Local Validation list for submission of a "Climate Emergency / Net Zero Statement" will provide the Local Planning Authority with important information in respect of how the proposed development responds positively to a climate emergency and how the development has been designed to reduce the carbon impact of development that will help facilitate and accelerate the transition to Net Zero by 2050.

9. Equality, Diversity & Inclusion

- 9.1 There are no equality, diversity or inclusion implications of this report.

10. Community Safety issues

- 10.1 There are no community safety implications of this report.

11. Conclusion

- 11.1 The proposals within this report should help improve the Planning Service and help reduce the timeframe between validation and determination of planning applications as a result of necessary information being included at the start of the determination period.

12 Recommendations

12.1 It is recommended that:

- 12.1.1 Committee's views on the proposed Local Validation requirements are sought;**
- 12.1.2 Committee's agreement to undertake a period of six-week public consultation on the new Local Validation list is sought**
- 12.1.3 After public consultation, the Local Validation list will come into effect (with or without necessary modifications) after sign-off by the appropriate decision making body at North Norfolk District Council.**

Appendix 1 – New Local Validation List (2024 – 2026)