

<b>Planning Service Improvement Plan (PSIP) – Local Validation List 2024-2026</b>	
<b>Executive Summary</b>	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.
<b>Options considered</b>	Addressed – where appropriate – within the body of the text / appendices.
<b>Consultation(s)</b>	North Norfolk District Council held a public consultation between <b>Wednesday 16 October 2024</b> , and <b>Wednesday 27 November 2024</b> .  Prior to that, internal consultation took place with Officers from within Planning and Environmental Health.
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. Committee is recommended to adopt the Local Validation list with some minor modifications as set out in the report.</li> <li>2. The new Local Validation List will come into effect on <b>01 January 2025</b> with transitional arrangements as set out in this report.</li> </ol>
<b>Reasons for recommendations</b>	To deliver the improvements sought by the Planning Service Improvement Plan (PSIP).
<b>Background papers</b>	Overviews and Scrutiny Committee Report from February 2023 on the PSIP

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

<b>Links to key documents:</b>	
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

<b>Corporate Governance:</b>
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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 sign-off to adopt the new Local Validation List for introduction on 01 January 2025.

## 2. Introduction & Background

- 2.1 A report was presented to Development Committee on 19 September setting out a proposed new validation list.

At that meeting the Committee **UNANIMOUSLY RESOLVED:**

**That the Council undertake a six-week public consultation on the new Local Validation List.**

**After public consultation, the Local Validation List come into effect (with or without necessary modifications) after sign-off by the appropriate decision making body at North Norfolk District Council.**

- 2.2 North Norfolk District Council held a public consultation between **Wednesday 16 October 2024**, and **Wednesday 27 November 2024**.

## 3. CONSULTATION RESPONSES

- 3.1 The consultation questionnaire grouped the list of 54 requirements alphabetically into ten groups of five local requirements and one group of four local requirements. For each group of questions, respondents were asked to confirm whether they agreed with the inclusion of specific requirements within the Local Validations List. For each requirement, respondents could choose "Yes", "No" or "Do not wish to comment". After each group, respondents were able to provide any comments in relation to those requirements. At the end of the questionnaire, respondents were also able to add any further comments. The average time to complete the questionnaire was 8 minutes and 52 seconds.
- 3.2 **16** responses to the consultation were received. The majority of responses came from members of the public, then Town and Parish Councils and then Architects. A detailed breakdown of the responses received are attached at **Appendix 1** to this report.

- 3.3 In the main, respondents were broadly supportive of the inclusion of most of the 54 local validation requirements. Many wanted to ensure that additional documents were only needed in the right circumstances as there were concerns about the additional costs for applicants in preparing a large suite of supporting documents. One respondent referred to complexity of the planning system “like wading through treacle” and that “the additional cost and time of these supporting information is killing projects before they start which has a big impact on local economy”. There are also concerns that, if it becomes too complex to apply, people may be tempted to complete work without planning permission.
- 3.4 The only proposed validation requirement which drew universal opposition (56.3% “No”) was requirement 51 “Use of artificial intelligence in application submission”. Unfortunately none of the respondents provided clarification as to why they opposed the requirement. The use of AI in the preparation of planning documents is increasing and the proposed requirement does mirror closely the requirements set out recently by the Planning Inspectorate in relation to Appeals. It is important that, when making planning decisions, the origin of supporting documents is known and that the applicant or agents acting on their behalf can confirm the extent to which AI was used in the production of the documents and that they take responsibility for the supporting information.
- 3.5 **Suggested Minor Modifications** – based on the consultation responses received, one of the proposed minor modifications will be to ensure that the circumstances in which a local validation document is required is clearly expressed in the documentation, if it has not been already, to make sure only necessary documents are requested in appropriate circumstances. Further, in relation to requirement 51 “Use of artificial intelligence in application submission”, this will be revised to ensure it is abundantly clear what is expected of applicants and a template document will be put together which will help applicants and agents when preparing to submit that requirement.
- 3.6 **Transitional Arrangements** - With a new Local Validation List expected to come into effect on 01 January 2025, all new planning applications received on or after that date will be required to provide relevant documents in accordance with the new Local Validation List 2025 to 2027. However, The Council Offices close for Christmas at circa 4pm on 24 December and do not re-open until 02 January 2025. Therefore, any application not received by the Council prior to the offices closing at 4pm on 24 Dec 2024 will be required to meet the new Local Validation Requirements. All applications received prior to the offices closing on 24 Dec 2024 (whether valid or not) will be validated in accordance with the requirements of the old Local Validation List.

#### **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 is recommended to adopt the Local Validation list with some minor modifications as set out in the report.**

**12.1.2 The new Local Validation List will come into effect on 01 January 2025 with transitional arrangements as set out in this report.**

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