

PLANNING DEVELOPMENT CONTROL COMMITTEE – 8 MAY 2013

PROPOSED NEW FOREST DISTRICT COUNCIL REVISED 1APP (PLANNING APPLICATION) LOCAL REQUIREMENTS

1. INTRODUCTION

- 1.1 The Government requires all Local Authorities to review their own Local 1APP planning information requirements (Local Requirements) every two years, with the first review completed before the end of July 2013. If this is not done the Local Requirements will no longer apply, which could reduce the quality of planning applications registered. The Local Requirements, set by the Local Planning Authority, require applicants to submit additional information in terms of drawings and supporting documents beyond the National Requirements, in terms of the form, fee, provision of a Design and Access Statement, some drawings and ownership certificates.
- 1.2 This report seeks Members' agreement on the proposed Local Requirements that will be the subject of consultation, with the matter referred back to Committee in July, taking into account any comments received, for a final decision. It is proposed to consult with regular planning agents, internal and external consultees and Town and Parish Councils. A copy of the proposed covering letter giving details of the consultation is attached as Appendix 1 to this Report.
- 1.3 The report also considers current planning application registration practices and the use of the web site, as these link to the 1APP Requirements, that will provide the overall approach that the Government is looking for.

2. DRIVERS FOR CHANGE

- 2.1 The Government's aims are set out in the 2010 document "Guidance on information requirements and validation". Overall they are looking to simplify the planning application process with a more responsive and proportionate approach in terms of information requirements. In order to assist, applicants for major schemes, and those likely to have significant impacts, are encouraged to undertake pre-application discussions with the Local Planning Authority to establish what is required. Local Planning Authorities are urged to be as helpful as possible both in this respect and subsequently when registering applications. The Growth and Infrastructure Bill requires that the level of information requested has to be "reasonable having regard, in particular to the nature and scale of the proposed development" and it is specified that a Local Planning Authority "may require particulars of, or evidence about, a matter only if it is reasonable to think that the matter will be a material consideration in the determination of the application".
- 2.2 Another driver for review is the fact that significant changes have occurred nationally in terms of the Government's advice, notably the publication of the National Planning Policy Framework and, locally, through the adoption of the Core Strategy, since the 1APP requirements were set.

3. THE PROPOSED LOCAL REQUIREMENTS

- 3.1 The Local Requirements regarding supporting documents were adopted in 2008 and are set out in the left hand column of the Table attached as Appendix 2 to this report. The substantially reduced number of proposed Local Requirements is set out in the right hand column. In addition to being reasonable, having regard to the nature and scale of the proposed development, and the legal tests, they also meet the five basic principles that Government advice requires, namely “Necessity, Precision, Proportionality, Fitness for purpose and Assistance”.
- 3.2 Text setting out the proposed Local Requirements for drawings, which are largely the same as those that apply now, is set out under the table.
- 3.3 The table and text provide an overview of all the information and drawing requirements and how they are applied to specific application types and/or in specific circumstances. The aim is to reduce unnecessary work whenever possible, particularly for householder applications and other straightforward matters. This will also be reflected in a thorough review of the planning web pages to ensure that they are user friendly and that the Local Requirements are clear to those proposing development. These revised pages will only be launched once the Local Requirements have been agreed by Members in July.
- 3.4 In addition, the current planning application registration practices, such as only seeking additional information when absolutely necessary, when additional information is required contacting applicants immediately by phone or e-mail whenever possible and a review of the information submitted by a senior officer as soon as possible, will be continued and publicised via the web site. This approach ties in with the national duty to co operate but it must be stressed that it is part of an Agents job to present their clients proposal in the best light and this will also influence the level of information provided.
- 3.5 If information, outside of 1APP, that would help with the processing of the application and/or address issues that will arise is identified at the time of registration, the applicant/agent will be advised accordingly and a timetable for the provision of that information post registration agreed whenever possible. The Council also have wider powers to insist on the provision of information post-registration but these will be used sparingly.
- 3.6 Finally it should be noted that some important documentation, notably Environmental Impact Assessments and Habitat Assessments, will continue to be required outside of the 1APP process.

4. ENVIRONMENTAL, CRIME AND DISORDER, EQUALITY AND DIVERSITY IMPLICATIONS

- 4.1 The proposed revised 1APP requirements and the manner in which they are used would ensure that sufficient information is to hand regarding environmental, crime and disorder, equality and diversity at the start of an application’s process, allowing this to be available to all interested parties and to be taken on board when the decision is reached. Any comments on these aspects that come out of the consultation exercise will be taken on board before the final list is agreed.

5. CONCLUSION

5.1 In accordance with current Government advice and, subject to the agreement of the Planning Development Control Committee, the list will be published on the web site for eight weeks beginning on 8 May 2013, with key stakeholders contacted by e mail and asked to comment. Any comments received will be collated and reported to this Committee on 10 July, together with a copy of the final 1APP, Local Requirements, amended to take account of the comments received.

6. RECOMMENDATION

6.1 That the proposed revised 1APP Local Requirements, as set out in the spread sheet and text attached as Appendix 2 to this report, be published for consultation with regular planning agents, internal and external consultees and Town/Parish Councils, with a view to considering comments received prior to the adoption of the final revised List.

For further information contact:

David Groom
Development Control Manager
e-mail: david.groom@nfdc.gov.uk
Tel: 023 8028 5345

Background Papers:

Guidance on information requirements and validation DCLG March 2010
Development Management Policy Annex DCLG March 2010
Current NFDC Local List of 1APP requirements.(2008)

Proposed Letter to regular agents, consultees and Town/Parish Councils.

Dear

New Forest District Council is consulting on revisions to its Local Planning Application Requirements. These define the supporting documents and drawings required when a planning application is made in addition to the mandatory National Requirements such as forms, fee, Design and Access Statement (when required) and the service of notice to landowners and other affected individuals. The consultation will cover regular agents, internal and external consultees and Town and Parish Councils. It starts on and any comments need to be submitted to by 17:00 hours on.....

The Council originally published its Local Requirements in 2008 and since then there have been significant changes in legislation, government advice and the local plan framework. All Council's are now required to re-look at these requirements every two years and the initial review has to be complete by the end of July 2013. The Growth and Infrastructure Bill gives added emphasis to this and requires that any Local Requirement:

- a) must be reasonable having regard, in particular, to the nature and scale of the proposed development; and
- b) may require particulars of, or evidence about, a matter only if it is reasonable to think that the matter will be a material consideration in the determination of the application.

In the light of the above, the significant central government policy guidance changes and the changes to relevant local policies, the recent duty to co-operate and the renewed national emphasis on meeting performance targets the Council has looked again both at its Local Requirements and its planning application registration process.

It has looked at the Local Requirements for both supporting documents and drawings with a view to identifying whether they still remain relevant and meet the criteria set out above. The proposed Local Requirements have been agreed by the Planning Development Control Committee for consultation purposes. The results of the consultation will be reported back to Committee in July and taken on board prior to the final production and adoption of the final Requirements.

In terms of process the Council has a very thorough and timely pre application advice service and it fully supports the Government advice that this should be used as it allows for clear advice to be given as to the likelihood of any proposals being acceptable, any revisions required that would overcome identified concerns and what information and contributions would be required. It has also overhauled its planning application registration process so that it is as helpful as possible and that information that would assist in the processing of an application is identified early on.

This consultation comprises the report to the Planning Development Control Committee and the proposed document requirements set out in a Table with the drawing requirements described in the text below. Please make sure I receive your comments on both the overall principles of the approach and the detailed document requirements by theAny comments should be sent to vxjvwv@nfdc.gov.uk, they must be received by 5pm on theand I would ask you to include full contact details including the name of the organisation or firm you are responding on behalf of.

Please contact me if I can assist any further.

DOCUMENTS (N:B Local Requirements only, National Requirements also apply and at times other documents, such as an Environmental Impact Assessment and an Appropriate Assessment, will be required outside of the 1APP process.)

Current 1APP document types	When required (N:B a proportionate approach is taken as to level of detail required in any particular case)	Policy Drivers	Where to look for further assistance	Proposed 1APP document types and information requirements (n:b the documents deleted from the local list will at times comprise useful information an applicant will be advised to submit post registration)
Agricultural/forestry/equestrian/statement.				Proposed to be deleted from Local List
Air quality assessment				Proposed to be deleted from Local List.
Biodiversity Survey and report	All applications where biodiversity checklist has been correctly answered and answered 'yes' in any of the categories. All applications for development within or adjacent to a local or national nature reserves (SINC) or SSSIs and where there is a reasonable likelihood of a protected species.	NPPF Para. 109, 113, 117, 118, 119 CS1 and 3	NFDC Pre App NFDC website NFDC ecologist (via New Forest National Park)	Proposed mandatory requirement Statements will be required to cover issues identified through the completion of the bio-diversity checklist
Daylight/sunlight assessment				Proposed to be deleted from Local List.
Economic Assessment				Proposed to be deleted from Local List.
Environmental Impact Assessment				Proposed to be deleted from Local List.
Flood risk assessment	All planning applications where site area > 1 Ha in Flood Zone 1; all proposals where application site is in Flood Zones 2 and 3.	NPPF Para. 99-104 CS1 and 6	NFDC Pre App Environment Agency website	Proposed mandatory requirement
Foul sewerage, drainage and utilities assessment				Proposed to be deleted from Local List.

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Heritage statement	<p>All applications affecting heritage assets (including historic parks and gardens, battlefields, and Scheduled Ancient Monuments).</p> <p>All applications within and adjacent to Conservation Areas, including demolition of non-listed buildings within Conservation Areas.</p> <p>All applications affecting Listed Buildings including works and buildings within the curtilage of a listed building.</p> <p>All applications in conservation areas and within curtilage of listed building that include excavations.</p>	NPPF Para. 115, 126-141 DW18, 19, 21, 22, 23 and 25	NFDC Pre App English Heritage website	Proposed mandatory requirement on all relevant applications.
Land contamination Assessment	All applications if contaminative past use is suspected to exist or when site is within 250 m of a current licensed landfill or historic landfill site.	NPPF Para. 109, 120, 121 CS2 and 5	NFDC Pre App NFDC Environmental Protection Team	Proposed Conditional requirement.
Landfill information				Proposed to be deleted from Local List.
Landscaping statement				Proposed to be deleted from Local List.
Lighting assessment	All applications for development when significant external lighting is proposed.	NPPF Para. 115, 123, 125 CS2	NFDC Pre App	Proposed Conditional requirement.
Noise assessment	All applications for development which creates significant noise issues or would be development creating some noise located in close proximity to a noise sensitive use.		NFDC Pre App	Proposed Conditional requirement.
Open space Assessment				Proposed to be deleted from Local List.
Parking/cycle storage provision				Proposed to be deleted from Local List.

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Photographs				Proposed to be deleted from Local List.
Planning Obligation	All applications for development generating a need for contributions. Statement must confirm willingness to pay in full or include a viability case if required and show that all options in terms of provision have been considered.	NPPF Para. 47,50, 54, 48, 69-78, 203-206 CSA7, 15, 24 and 25	NFDC Pre App NFDC website Hampshire County Council Highways Development Control	Proposed Conditional requirement.
Planning statement.				Proposed to be deleted from Local List.
Retail Impact Assessment	All Major retail development	CS20 BU-TC1, 2 and 3	NFDC Pre App	Proposed Conditional requirement.
Site Waste Management Plans				Proposed to be deleted from Local List.
Statement of Community Involvement				Proposed to be deleted from Local List.
Structural survey				Proposed to be deleted from Local List.
Sustainability Statement	All development providing new additional residential units or commercial floorspace above.	NPPF Whole document. CS4	NFDC Pre App NFDC website Building Research Establishment website	Proposed Conditional requirement.
Telecommunications Statement	Telecommunications Development		NFDC Pre App	Proposed Conditional requirement.
Transport assessment	All applications for major development raising significant transportation issues.	NPPF Para. 30, 32 CS23 and 24		Proposed Conditional requirement.
Travel Plan	All applications for major development above the threshold set out in Appendix 1, Section 8, Table B, page 17 Hampshire Parking Strategy and Standards 2002.	NPPF Para. 29, 30, 36	NFDC Pre App	(Subject to HCC confirmation) Proposed mandatory requirement on all relevant major applications.
Tree Assessment.	All applications for development affecting protected trees.	NPPF Para 118 CS2 DW-E8	NFDC Pre App NFDC arboriculturist (via New Forest	Proposed Conditional requirement.

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Ventilation /Extraction Statement	All applications involving A3, A4, A5 and B2 activities and other applications where ventilation or extraction plant is proposed.	NPPF Para 120, 123 CS5		Proposed Conditional requirement.

The proposals set out above Table are written in the context of the current National Design and Access Statement Requirements. These are likely to change and the Local Requirements might need to be further reviewed as part of the current exercise or as a future exercise as a result.

PLANS (N:B Only the proposed Local Requirements are set out below and National Requirements will also apply)

General Information

Two copies of plans, forms, certificates and supporting statements etc. are required when paper based applications are submitted.

All plans must be to an identified metric scale (normally 1:50 or 1:100), state original paper size and show a north point or identify which direction all elevations face (when relevant) and be named in a logical manner. When proposing new built development they must also include a scale bar and key dimensions (distance of development form site boundaries and size of extension/building)

All "Major" and "Minor" applications submitted in a paper format must include a cd or other storage device containing copies of all the paper applications forms, drawings and documents.

The following plans are required:

Block plan of the site, showing: site boundaries; the type and height of boundary treatment (e.g.walls,fences),as existing and as proposed when changed and the position of any building or structure on the other side of such boundaries, where these could influence or be affected by the proposed development.

Existing and proposed elevations, showing clearly any demolition and the proposed works in relation to what is already there for any elevations that would be created or altered by the development proposal. These should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Elevations of neighbouring buildings (also showing these details where possible) will be required, except where there is a gap of more than 30m between the buildings. Drawings should show the relationship between proposed and neighbouring buildings and detail the positions of the openings on each property. Blank elevations must be shown if only to show this is the case and at times, for Major and Minor developments, street scenes showing the development as proposed in context will be required..

When advertisements are being proposed the lettering and any images, materials and colours to be used, the extent of projection and full details of the method and colours of illumination must be shown.

Floor plans for new development, and for existing buildings altered by the proposed development. These should identify existing floorspace and highlight any existing walls or buildings that are to be demolished, where applicable. If the application relates simply to a change of use and no development work is to be carried out, or a Certificate of Lawfulness floor plans may not be necessary.

Existing and proposed site sections and finished floor and site levels, where a change is proposed or sites slope. These should show: how the proposed development relates to existing site levels, trees and adjacent development (with levels related to a fixed datum point off site); details of existing and proposed foundations and eaves where a change is proposed; and how encroachment onto adjoining land is to be avoided.

Roof plans for any roof that would be created or altered by the proposed development, showing the shape of the roof, its location, and specifying the roofing material to be used.