

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

### 1. INTRODUCTION

- 1.1 The Government requires all Local Planning Authorities to review their Local 1APP planning information requirements (The Local Requirements) every two years. The Local Requirements mean that applicants must submit additional information, in terms of drawings and supporting documents, beyond the basic National Requirements which comprise the forms, fee, certificates, some drawings and Design and Access Statements in certain circumstances.
- 1.2 The 1 APP requirements were last approved by Planning Development Control Committee in December 2014, therefore a review and committee approval of revised Local 1APP Requirements is now required.
- 1.2 Members agreed to the revised 1APP requirements as a basis for a consultation exercise at their meeting on 12<sup>th</sup> October 2016.
- 1.3 A consultation has been carried out. On 13<sup>th</sup> October Town and Parish Councils, consultees and regular agents were consulted for a 6 week period. This consultation finished on 25<sup>th</sup> November 2016.
- 1.4 All comments received are set out in a summarised form below and appropriate updates have been made to Appendix 2.

### 2. COMMENTS RECEIVED

- 2.1 At the time of publication of this report 18 responses have been received. These are summarised below (***italics denotes a direct quote taken from a consultation response***):

- 2.2 Sport England

Offered a consultation guidance checklist for planning applications that may affect playing field land. This information can be viewed at <http://www.sportengland.org/playingfieldspolicy/>

- 2.3 Hythe and Dibden Parish Council

Comment that plans must be clear and legible. It would be helpful if the existing and proposed plans are viewable on the same page of the application where possible.

- 2.4 New Milton Town Council

Block Plan of the site comment that the "*The position of structures over the boundary should be routinely added to the block plan, rather than leaving the developer to decide if it would affect the proposal.*"

*'Floor plans' – If a change of use application has no development work proposed, the lack of need for a floor plan should be balanced with a check box on the application form. It is therefore clearly stated that 'no development work' is required and so no floor plan is required.*

*The Affordable Housing Financial Viability Pro forma gives confidence that the developer will have to disclose all relevant information for New Forest District Officers to consider adequately and hopefully, in a timely manner with ever pressing resource constraints.*

## 2.5 Hyde Parish Council

Hyde Parish Council support the changes proposed but suggest a few additions which could be added to help applicants prepare thorough and complete applications in relation to mineral and waste implications, external and Internal Lighting leakage, Conservation areas should be considered and proactively considered in advance by applicants, drainage requirements, particularly rainwater drainage and commoners rights.

Local Planning must refer to local Supplementary Guidance such as Village Design Statements and Neighbourhood Plans. NFDC Policy DM9 but feel more specific guidance is required to allow this policy to be properly interpreted. They would like NFDC to consider increasing charges for LDCs to avoid applications bypassing proper processes.

## 2.6 Elingham, Harbridge and Ibsley Parish Council

The requirement for a Sustainability Statement for commercial development of over 1000 square metres of floor space is a very ambiguous requirement as it does not define what is meant by 'sustainability'. Does it relate to financial, finished construction, materials used in construction or the energy provision for the construction?

The inclusion of the Viability Appraisal for residential development of more than 10 dwellings and commercial is an appropriate requirement but there needs to be a very tight structure to the document with specific requirements for evidence based reporting.

## 2.7 Wessex Water

The local list should include the requirement for major developments to provide a **Foul and Surface Water Drainage Strategy**.

*The provision of a strategy identifying the location of underground infrastructure and potential offsite works has additional benefits as it allows the LPA to make a full assessment of the planning application (for example impacts on archaeology and trees). We believe that it is appropriate for applicants to provide details as a component of the planning application. This is in line with the governments approach of 'front loading' with an emphasis on pre-application discussions.*

## 2.8 Historic England

Refer to a "Guide to the Range of Information to Enable Consultations With Us" But added that *'the type and amount of information will vary in each case'*.

This can be viewed here: <https://www.historicengland.org.uk/services-skills/our-planning-services/charter/guide-to-the-range/>

#### 2.9 Health and Safety Executive (HSE)

Agree with the overall principles of the Council's approach. They do however propose the following supporting documents be required when planning applications are submitted for Major Accident Hazard Sites and Pipelines and Hazardous Substances Consent.

#### 2.10 Cranbourne Chase Area of Outstanding Natural Beauty

Comment that information is missing with respect to landscaping requirements and this causes delays due to the need to request this information. They consider that proposals within the AONB or that affect the setting of the AONB should include a landscape statement that sets out mitigation for impacts. Substantial developments should have an independent landscape appraisal. Reference is made to the National Parks and Access to the Countryside Act 1949, Countryside and Rights of Way Act 200 and the National Planning Policy Framework (Para 109).

#### 2.11 Hampshire County Council Highways

Hampshire County Council understand that the only changes relate to a Sustainability Statement to only include commercial development over 1000 square metres of floor space and the inclusion of a Viability Assessment for residential development of more than 10 dwellings and commercial development. No further comments are made at this stage on the basis that no other changes are proposed.

#### 2.12 Hampshire County Council Archaeology

State that Heritage Statement submissions should be redirected away from the County and instead to the New Forest National Park Archaeology Officer (shared service between New Forest District Council and The New Forest National Park Authority).

#### 2.13 NFDC Environmental Protection

Recommend that an Air Quality Assessment is submitted for all applications within a declared Air Quality Management Area (AQMA) or those that may affect an AQMA; all applications for combustion processes (not domestic wood burners) and various a numbers of other specific applications. The need for a Land Contamination Assessment should include sites within 50 m of underground fuel storage tanks. Requirement for noise assessments should to include significant solar panel arrays.

#### 2.14 Responded with no comments:

- Highways England
- Natural England
- Milford on Sea Parish Council
- Ringwood Town Council
- NFDC Environmental Health (Contaminated Land)
- Fordingbridge Town Council

### 3. PROPOSED RESPONSE

- 3.1 Any proposed changes, and indeed the entire 1APP process, must be seen in context. The Council can still require the submission of such additional information as it considers necessary once the application has been registered and the Case Officer has undertaken an initial evaluation. The only change is that all the information will not be required in respect of every application, whether it is relevant or not. This proportionate approach fully reflects the Government's move away from front loading the planning application process towards using existing powers to require further information after registration. It is also a more efficient use of resources and will meet customer expectations, especially if they make use of the extensive pre application advice service now available.
- 3.2 The 'application specific' requirements that have been proposed in some of the consultation responses can be considered by registration officers before an application become valid. Planning Officers at NFDC consider a multitude of elements to a planning application when assessing and determining applications. If additional information/documentation is required by an officer to make their assessment of their decision, it can be requested. This approach relates to the consultation responses from: Sport England, Wessex Water, Historic England, Hampshire County Council Highways, HSE, Cranborne Chase AONB and Hyde Parish Council.
- 3.3 More specific responses to consultations are listed below:
- 3.4 Plan Legibility: At registration, officers make a judgement as to the legibility of plans and supporting documents. If they are not deemed to be to a standard that enables officers to make an accurate and detailed decision on an application, these are not be validated and amended or more detailed plans are requested.
- 3.5 Combined Plans: It is not always possible to upload both proposed and existing plans to our website in such a way that they can be viewed simultaneously. This is dependent upon the way in which the plans are drawn and submitted.
- 3.6 Block Plans: New Milton Town Council's comments regarding block plans have been considered, however developers regularly include the most important boundaries and adjacent buildings on block plans already. While desirable for all adjacent buildings to the development to be outlined on this plan, it is considered that the wider understanding of the development and its immediate surroundings will be fully established during an officer site visit. The setting of the site is also displayed in the submitted Site Location Plan.
- 3.7 Floor Plans: Change of use applications (where there are no materials or external changes) always require an existing and proposed floor plan to display floor layout changes before being validated.
- 3.8 Sustainability Statements: The change in threshold for requiring a statement has been altered in the revised 1APP requirements. However other submitted material relevant to the consultee has been retained.
- 3.9 Viability Assessments: Comments suggest that proforma would give confidence in our processes.

- 3.10 Heritage Statements: The review and consideration of Heritage Statements will now be directed to Frank Green (Archaeology Officer in joint service between NFDC and the New Forest National Park). There will be no changes to the circumstances under which these statements are required to accompany applications.
- 3.11 Mineral and Waste Implications: Are dealt with as a county matter. Implications of their decision with these types of application will be dealt with by their planning process.
- 3.12 Air Quality Assessments: These requirements were deleted from the Local List in 2013. Whilst it is acknowledge that in some circumstances - such as where there are Air Quality Management Areas, - the requirement may still be valid this requirement would also relate to the type of development and scale of the proposals. As such it is not proposed to re-introduce this to the 1 APP local lists but rather to consider it on an individual application basis in such areas.
- 3.13 Land Contamination Assessment : Amendments made to include sites within 50 m of underground fuel tanks
- 3.14 Noise Assessment: Amendments to add significant solar panel arrays.
- 3.15 Landscaping Statement: These requirements were deleted from the Local List in 2013. Whilst it is acknowledged that in some circumstances, for certain development types in certain sensitive areas, such a statement may be required it is appropriate to assess this need on a case by case basis. As such it is not proposed to re-introduce this to the 1 APP local lists but rather to consider it on an individual application basis in such areas.

#### **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 during an application's process allowing this to be available to all interested parties and to be taken on board when the decision is reached.

#### **5. CONCLUSION**

- 5.1 In conclusion, the overall support for, and lack of objection to, the proposed Local 1APP requirements are welcomed. The comments received have led to minor but beneficial changes to the proposed requirements. The success or not of the Local Requirements will be judged over time. The two yearly review will include not just a look at the Requirements but also an examination of how they are used as part of the wider planning process. This will ensure that, overall, the Council's approach to dealing with development proposals and its Requirements are proportional and that, while requiring sufficient information is to hand to facilitate an informed decision, they do not unnecessarily inhibit development and allow the Council to work with applicants.

#### **6. RECOMMENDATION**

- 6.1 The comments received are noted.

- 6.2 New Forest District Council's Local 1 APP Requirements as amended in response to these comments, as appropriate, are adopted and published on our website in accordance with current guidelines.

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**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.(2014)