

Local Validation Checklist

Consultation Statement

January 2024

Version	Purpose	Date
1	For consultation	31/01/2024

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Introduction

Local Validation Checklists (LVC) help inform applicants/agents of the type of documents and level of information required to validate a planning application or other similar consents. Somerset Council is committed to providing a professional and efficient Development Management service and this document is part of a suite of documents that will help all potential applicants to prepare their submissions and ensure they can be validated and determined as swiftly as possible.

Each of the former Planning Authorities in Somerset has in place a Local Validation Checklist. Each of these was adopted at a different time and reflects the Local Plan for that area or specialism. Whilst a new Local Plan for Somerset is under preparation, we are not yet in a position to have a single LVC for the whole authority area.

It is therefore necessary to ensure that the LVC that we do have are compliant with legislation and updated accordingly. Therefore, we are consulting specifically on the LVCs for Area West and Mineral and Waste proposals, as these were adopted more than two years ago. Others will be updated in due course.

In line with National Guidance and the Council's adopted Statement of Community Involvement (SCI), public consultation is necessary during production of these documents and the outcomes of that consultation need to inform the final document.

In light of the fact that this is a non-key decision, and that the exercise updates existing documents, a report to Executive was not considered to be appropriate or necessary.

Consultation Summary

Planning Authorities must have published a Local Validation Checklist (LVC) to give clear guidance of requirements for those wishing to submit a planning application. These LVC should be reviewed in line with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3, Article 11 (3) (d). This currently requires review at least every two years.

It is therefore necessary to ensure that the LVC that we do have are compliant with legislation and updated accordingly. This decision will allow that process for the LVC

for the West area and the Mineral and Waste team, until such time as it is possible to consider a Somerset wide approach.

In January 2024, the Council published the draft Local Validation Checklists for the West area and Minerals and Waste proposals for public consultation. Consultation will run from 31st January 2024 until 13th March 2024.

The draft Local Validation Checklist for the West area is a 90-page long PDF document, which sets out the purpose of the Checklist, how to use it and guidance for all Applicants and Agents as well as the Local and National requirements for the validation of applications. The draft Local Validation Checklist for Minerals and Waste proposals is a 43-page long PDF document, which also sets out the scope and purpose of the Checklist, and the minimum National and Local requirements for applications.

The documents are technical and text heavy by nature, relating primarily to technical processes within the planning process. Whilst officers have tried to ensure that it has been drafted in as accessible way as possible, and the consultation hub hosts the Checklist documents as a whole, the technical specifics make this particularly difficult. Whilst the consultation is public and available for anyone to respond to, the key stakeholders for the consultation are technical.

The consultation is focused on the Council's Citizen Space portal, which presents the key background information alongside the survey questions.

Purpose of consultation

In line with National Guidance and the Council's adopted Statement of Community Involvement (SCI), public consultation is necessary during production of these documents and the outcomes of that consultation need to inform the final document.

- To meet the national requirement to consult on changes to the LVC.
- To ensure consultation is undertaken in compliance with the Council's SCI with the intention of being adopted as a material planning consideration.
- To publish for use by planning applicants, agents, developers, etc. for the submission of valid planning applications in these areas.
- To seek views from planning applicants, agents, developers, etc. on our proposed documents and to take these views into account before adopting the final document.

Who are we consulting?

A list of Specific Consultation Bodies, General Consultation Bodies, and other organisations and groups the Council seeks to involve in plan-making is included in the adopted SCIs and the Council's emerging SCI. As a non-statutory aim, there was no statutory list of bodies and organisations that the Council was required to consult in its preparation. Despite this, all those on this list have been included in this exercise.

In addition, the Council is committed to ensuring that local groups, organisations and individuals are provided with the opportunity to be involved in the preparation of planning policy documents.

The Council has a database of consultees, who have either commented upon, or expressed an interest in being involved with the development of local plans. This database is used to keep individuals, companies and organisations informed on the production of the Local Plan and other planning policy documents. New consultees are added to the consultation database via e-mail or letter to the Planning Policy Team requesting inclusion on to the database or through using the link or QR code to the re-subscribe webpage, available in Council offices and libraries across Somerset.

The General Data Protection Regulations are followed to ensure that personal data is only required and retained where proportionate and necessary, is only gathered where explicit consent has been provided, is kept securely and is not disclosed to others. All bodies and persons identified within this database were emailed with notification of the consultation, which will have been received via the Plan-it Newsletter.

In addition to the above, The Planning Policy team have a consultation database containing a wide range of consultees which are email invited to partake in any policy consultation. However, key external stakeholders specific to this consultation include:

- Developers (housing, non-residential, minerals and waste)
- Planning agents
- Land managers
- Land agents
- Minerals site operators
- Significant land owners

How are we consulting?

Consultation on the Local Validation Checklist for the West area and Minerals and Waste proposals will run from Wednesday 31st January 2024 until Wednesday 13th March 2024. During this time, a variety of methods are planned to be employed. This section of the report details each of these methods.

Responses to the consultation can be made:

- Online via the Council's consultation portal, which contains the Checklist(s) out for consultation and a short survey to fill out responses.
- By email to localplanningpolicy@somerset.gov.uk
- By post to: Planning Policy Team, Somerset Council, County Hall, Taunton, Somerset, TA1 4DY

To publicise the consultation, the Council is:

- Emailing notification of the consultation to all bodies and persons identified within the consultation database, developers and agents signed up for the Council's regular 'agents forum' and otherwise those identified as key stakeholders;
- Publishing the documents on the Council's website on a new page linked from <https://www.somerset.gov.uk/planning-buildings-and-land/information-requirements-for-planning-applications/?district=Somerset+West+and+Taunton> and <https://www.somerset.gov.uk/planning-buildings-and-land/information-requirements-for-planning-applications/?district=Somerset+West+and+Taunton#Mineral%20and%20Waste%20Applications>.
- Publishing the documents on the consultation portal: <https://somersetcouncil.citizenspace.com/planning/local-validation-checklist>. The Council's Consultation webpage at <https://somersetcouncil.citizenspace.com/> also contains information directing people to the consultation portal.
- Publishing a press release via the Council's website, social media posts, raising interest, communicating the consultation and encouraging participation.

Previous consultation and engagement

At the Agents Forum held in December 2023, the intention of the Planning Authority to consult was shared and early engagement established. This is the next step in that process. The Lead Member for Economic Development, Planning and Assets is aware of this consultation and fully supports this exercise.

The consultation period running Wednesday 31st January 2024 to Wednesday 13th March 2024 will further ensure input from all potential applicants.