

# Responses to the Buckinghamshire Council Local Validation List consultation

The former councils in Buckinghamshire (Aylesbury Vale District Council, Buckinghamshire County Council, Chiltern District Council, South Bucks District Council and Wycombe District Council) consulted on the Local Validation List for Buckinghamshire Council between 2 – 16 March 2020. We received 12 responses in total. Below is a summary of the comments received and the agreed action resulting from those comments.

If you have any questions on the Local Validation List or the consultation process, please email [Emily.hadley@buckinghamshire.gov.uk](mailto:Emily.hadley@buckinghamshire.gov.uk).

*Table 1 Schedule of comments and responses to the Local Validation List*

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
Matt Trotter	MWT Architecture	Ecology and Trees Checklist	Information required is guesswork, applicants won't know what buildings are within 200m of the site.  It's planning officer's job to decide if trees / ecology is affected by proposal  .	<b>Leave document as is - trial for 3 months and review</b>
		Site sections	A lot of work and additional cost for owners.  Needs assessing on each application with negotiation with the agents once applications and received and before they are validated. Validators send applications back without	<b>The rationale is to try and ensure consistency across all the previous councils and to simplify the list. It is an attempt to try and provide certainty to the documentation that would be required to support and</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			thinking about the real need for the document.	<b>application in the new Buckinghamshire Authority</b>
		Roof plans	Why are these needed for all applications (e.g. lean-to porch)? If the roof is complicated or difficult to understand then this can be requested during the application, but applying to all adds unnecessary work for agents and extra cost to owners	<b>No changes – the document is not required for all applications</b>
Adrian	ACH Planning	General	Unclear precisely what supporting information is required for each application – provides officers with a license to demand whatever they want	<b>See the comment about the rationale for the new validation list</b>
		Ownership certificates	Current inconsistent practices with certificates (e.g. demanded notice be given to someone holding ‘right of way’ as an owner / give notice to highway authority as an ‘owner’ because application related to a new access to highway.  Need confirmation on what is considered ‘owner’	<b>Use the statutory definition.</b>  <b>With highway matters the highway authority is an owner.</b>
Neil Cottrell	CALA	General	Unsure whether requirements vary across local areas	<b>See the comment about the rationale for the new validation list</b>
Paula Campbell-Balcome	Commissioner Schools – Buckinghamshire County Council	General	Will Buckinghamshire Council be considering outline applications and appeals for schools?	<b>Internal practice not a validation issue</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
		CIL additional questions	Are schools exempt from CIL?	<b>Each CIL scheme is different.</b>  <b>Ensure appropriate CIL documents are set out on page for referral.</b>
Matthew Crook	Chiltern and South Bucks District Council (Principal Conservation and Listed Buildings Officer)	*New document*	Internal sections through a property where floor levels being altered, or changes in make up to ceiling or floors or timber frames  LBC applications only	<b>Agreed. New document added to Local Validation List.</b>
		*New document*	Internal elevations to show how alterations will appear / be formed on site when viewed on the inside of a property  LBC applications only	<b>Agreed. New document added to Local Validation List.</b>
Patrick Hogan	Beaconsfield Town Council	General	Validation should be thoroughly and properly overseen by a professional.	<b>See the comment about the rationale for the new validation list</b>
		Design and Access Statement	Should state how planning policies are met, not just on access (some applicants address this in planning statements)	<b>Add bullet point:</b> - <b>Can state how planning policies are met</b>
		Sections / levels	Should be a requirement of all applications (especially in hilly areas e.g. High Wycombe)	<b>Add text to 'there may be other proposals where we ask this form you'</b>
		Elevations	Should be a requirement of all applications (especially in hilly areas e.g. High Wycombe) to show relative heights/levels in street	<b>Add bullet point</b> - <b>Show relative heights / levels in street context</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			context	(where relevant, e.g. hilly areas)
		General	Definition of 'non-material amendment' should be made clear as is currently open to abuse	<b>The Validation List is not the appropriate location for such a definition.</b>
Daniel Gigg	Chiltern and South Bucks (Team Leader – Strategic Sites and Specialists)	General	Need to agree when this list will be introduced: is it all applications received on 1 April onwards? Or are applications submitted before 1 April but validated after 1 April going to use the new list?	<b>List will apply for all new applications received from 1 April.</b>  <b>All backdated applications will use previous versions of Lists specific to the individual Councils</b>
		Definition of minor / major / householder	Definitions of major / minor are more complicated in light of recent legal case with C&SB. NPPF has broader definitions but The Town & Country Planning (General Management Procedure) (England) Order 2015 (as amended) is different.  Suggested amendments: Minor – 'under 1000 sqm' (all floorspace including resi) 'below 1ha) (whole site, any development including resi)  Major – - 0.5ha (where number of dwellings isn't specified)	<b>Change text to statutory definition.</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>- 1000 sqm (any building, including residential), e.g. 9 dwellings over 1100 sq m would be major</p> <p>- 1ha (all development), e.g. 9 dwellings on a site of 1ha would be major</p>	
Jeanette Collins	Chiltern and South Bucks District Council (Senior Improvement Officer)		Should list of applications include 'Reserved matters' and 'variation / removal of conditions'?	<b>No changes proposed</b>
		General	For other applications customers were advised to see the checklist that is at the end of the standard application form for that application type.	<b>No changes proposed</b>
		Application form	On guide to completion. Should Q6 say 'trees on site as well as those within falling distance'	<b>Make change to Q6.</b>
		Ownership certificates	<p>Potentially misleading, disparity between Application Form guidance / Ownership certificate entry.</p> <p>Change to:</p> <p>A sole owner</p> <p>B EITHER not the owner but know who is OR they are not the sole owner but they know who the other owners are</p> <p>C EITHER not the owner but they</p>	<b>Make change.</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>know some of the other owners OR they are an owner but only know some of the other owners</p> <p>D EITHER not the owner and don't know who is the owner(s) OR they are an owner but don't know any other owner(s)</p>	
		Existing and proposed elevations	Should this say this is a national and local requirement, not just local?	<b>Fully considered but no change required</b>
		Floor plans	Gross floor area put under 'Dos' but CSB currently require this as a new document. Is there value in this?	<b>New document to be created (see below)</b>
		*New document*	<p>New dwellings schedule.</p> <p>Where the proposal involves new dwellinghouses or flats, give floor area in sqm of internal and external gross floor space to be provided for all floors including basements for each dwelling unit and an overall total for all new dwelling units proposed</p> <p>Our reasoning for requiring this information is that applicant has appropriately identified the floor space for fee calculation and CIL liability, as well as whether their proposal falls within major category or not.</p>	<b>New document added to Local Validation List.</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
		SuDS Statement	Does this require 'critical drainage' areas in South Bucks?	<b>Add text to 'there may be other proposals where we ask this form you'</b>
		Waste and recycling strategy	Is this a national or local requirement? Currently missing.	<b>Noted. Change to 'local requirement'.</b>
		Design and Access Statement	Says needed on ALL LBC applications. Not part of national requirement, just major and conservation area. Suggest adding 'local' if that is the case.	<b>There is a need to ensure consistency in approach therefore no change proposed.</b>
		*New document*	<p>CSB currently use an Affordable Housing Form.</p> <p>Suggested criteria:</p> <p>5 or more self-contained homes in an Area of Outstanding Natural Beauty and/or</p> <ul style="list-style-type: none"> <li>· 10 or more self-contained homes and/or</li> <li>· Site area is 0.5 hectares or more. There may be sites that are capable of providing 10 or more homes, where the requirement may apply. These will be identified on an individual basis and the applicant advised accordingly.</li> </ul> <p>This was an IMPORTANT inclusion in our local list when we did it last</p>	<p><b>New document added to Local Validation List.</b></p> <p><b>Requirements will be local area affordable housing thresholds.</b></p>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>year. Not sure if this has been discussed and dismissed or is covered somewhere that I didn't spot.</p> <p>Do we still want to have this, maybe a Chiltern/South Bucks only one?</p> <p>Email includes suggested form and text.</p>	
		*New document*	<p>Hydrology Report, already on radar but requires GIS extent.</p> <p>'Applications within 500 metres of one of catchment areas'.</p> <p>Email includes suggested form and text</p>	<b>New document added to Local Validation List.</b>
		LVIA	CSB currently ask for LVIA for major development in or adjacent to AONB	<b>A blanket requirement for LVIA's in AONBs not seen as appropriate or proportional. No change proposed</b>
		*New document*	<p>CSB has requirements for Habitats Regulations Assessment</p> <p>Any of the following:</p> <ul style="list-style-type: none"> <li>-more than 10 dwellings</li> <li>-more than 0.5ha area</li> <li>- Tourism/leisure facilities</li> </ul> <p>Industrial development or warehousing</p>	<b>New document is likely to added to Local Validation List once the process has been agreed.</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>New road, rail or major infrastructure Sewage treatment works</p> <p>AND</p> <p>Within 5km of Natura 2000 site (SAC, SPA, Ramsar)</p> <p>Require HRA</p>	
		<p>Definition of major development</p>	<p>Suggested amendments:</p> <p>Development involving any one or more of the following:</p> <ul style="list-style-type: none"> <li>· Residential development where 10 or more dwellinghouses will be provided (or if number not stated, site is 0.5 hectares or more)</li> <li>· Building or buildings where floor space to be created by the development is 1,000sqm or more</li> <li>· location of site is 1 hectare or more*</li> </ul> <p>* replacement of a single dwellinghouse where the location site is 1 hectare or more is a major development, however major</p>	<p><b>Make change.</b></p>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			development documents are not required in this instance	
Laura Levitt	Aylesbury Vale District Council (Principal heritage specialist)	General	<p>Accordions can be confusing if householders are expected to click through each one. Could miss a report.</p> <p>Suggestion to create a checklist / table outlining report name and where it applies by application type</p>	<b>Agreed that a guide checklist for Major applications would be beneficial, we will aim to publish this as soon as practical.</b>
		Structural / building condition survey	<p>What is it? Amendment: 'A report outlining the findings of a professional inspection of the condition of a structure, including details of necessary works'</p> <p>When is it needed? Listed buildings must be included in this list</p> <p>How to prepare / further guidance Link to RICS website</p>	<b>Add text referenced listed building consent applications to 'there may be other proposals where we ask this form you', however this will not be a validation requirement.</b>
		General	Docs requiring GIS search, link worked but layers didn't show	<b>Will test GIS layers prior to publishing.</b>
			'Your proposal' should be 'your site'	<b>Considered but will retain current wording.</b>
		Heritage asset statement	Should be renamed to 'Statements of Heritage Significance' to reflect historic England guidance	<b>Add text 'this is also known as a Statement of Heritage Significance'</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>What is it?  Add: it can include detailed historic building analysis, research, recording and assessment. It is sometimes referred to as a Heritage Impact Assessment or Heritage Statement</p> <p>How to find out if your application...  ‘How to find out if your application contains a heritage asset’, it should be ‘How to find out if your site (or the application site) contains (or includes) any heritage assets’</p> <p>How to prepare / further guidance:  Links to Historic England guidance  <a href="https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/">https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/</a></p> <p>Definition of ‘heritage assets’  registered parks and gardens should be a separate bullet point to battlefields (which should be ‘Registered Battlefields’. Protected</p>	<p><b>No change proposed</b></p> <p><b>Add text</b></p>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			wreck site should be listed as another bullet point. As whole World Heritage Site. Not sure why it is there but underneath the bullet points is a paragraph of text listing assets, these need to reflect the bullet points, not all included currently including above and listed buildings	<b>Add text</b>
		Heritage asset statement template	The caveat at top of template needs amending to: ‘This template has been prepared to guide applicants and their agents in preparing statements of heritage significance. As required by the NPPF, the detail of statements must be proportionate to the significance of the asset and sufficient to understand the potential impact of a proposal on the significance of a heritage asset. Therefore in many cases the template will only serve as a framework and a more detailed assessment will be required; this may include professional building analysis and research or comprehensive reports on significance and impact. It is strongly suggested that for all proposals that a suitably qualified heritage professional be involved, please see	<b>Incorporate points into template</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p><a href="https://www.ihbc.org.uk/">https://www.ihbc.org.uk/</a></p> <p>Suggest that ability to upload supporting reports/statements will be useful, especially given note above and text limitations of boxes</p> <p>Point 10, information checklist, should be earlier on i.e 'the following resources may be useful in preparing your statement'</p>	
Lucy Murfett	Chilterns Conservation Board	LVIA	<p>When is it needed?</p> <ul style="list-style-type: none"> <li>- Development in or affecting the Chilterns AONB</li> </ul> <p>Reference to AONB at bottom is not sufficient.</p> <p>Thresholds should match Chilterns AONB management plan</p>	<p><b>Blanket requirement for LVIA's in AONBs not seen as appropriate or proportionate – no change proposed</b></p> <p><b>Will amend 'there may be other proposals where we require this information' to 'there may be other proposals where we require this information (such as proposals affecting the AONB or its setting)</b></p>
		Air Quality Assessment	<p>When is it needed?</p> <ul style="list-style-type: none"> <li>- All proposals increasing vehicular traffic in or near SACs</li> </ul>	<p><b>No change – not appropriate for validation.</b></p>
Jake Collinge	JCPC Planning	General	List is cumbersome and complex, does little to ensure effective	<p><b>See the comment about the rationale for the new</b></p>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>planning.</p> <p>Should acknowledge at outset that it is a matter for the applicant to determine what they want to submit</p> <p>Having full existing / proposed plans (floor, roof, elevations) not required and should not be mandatory</p> <p>Supporting information should be wholly discretionary. Should be choice of applicant whether to submit. Council is open to refuse schemes on basis of lack of information.</p>	<b>validation list</b>
Louise Dove	Louise Dove Planning and Design	Ecology and Trees checklist	<p>Amount of information requests is excessive for minor applications, information is not readily available or always free for homeowner / agent.</p> <p>Not proportionate</p> <p>Unreasonable to expect homeowner to identify trees of a certain girth in neighbouring gardens as far as 15 m away, let alone presence of certain buildings of certain types / ages up to 200m away.</p>	<b>Leave document as is - trial for 3 months and review</b>

Name	Organisation (if relevant)	Document / section	Comment	Agreed Action
			<p>Information on local habitats is readily available to planning officers, validating staff should be tasked with identifying these not the homeowner.</p> <p>If this is to save time for planners then homeowners or minor application fees should be increased to cover the staffing costs of undertaking desktop studies.</p> <p>Questions on trees and ecology on standard application forms is enough. Not in interest of Bucks residents to use this list.</p>	

**Other changes made as a result of consultation process:**

- Environmental Impact Assessment: New document added to Local Validation List
- Ecology and Trees Checklist: Reference to Aylesbury Vale license agreement for Great Crested Newts to be added to 'further information'