

Dear Ros

Firstly, I hope you are keeping well and thank you for the opportunity to comment upon your draft Validation Checklist. I must confess, it has taken some time to look for the changes – what would be extremely helpful and time saving would be a version where the draft changes are highlighted in a different text colour – like you do for the Purbeck Local Plan amendments or as government does on some NPPF changes. As with any proposed changes, despite your best efforts to avoid them, it is only when used in ‘real world’ situations that any issues / concerns will arise. This being the case we hope the Checklist is seen as a ‘working’ document, and can be revised / changed when need arises – say for example, from customer feedback or Agents Forum meets, not just every 2 years?

Anyway, firstly, we must welcome any proposals to simplify the current scheme. I suspect your officers will do so also. That being the case, we have commented not just on the proposed changes, but also on the requirements generally. As you point out on your web site, an LPA is required to review the checklist at least every two years, and in light of operating within the confines of the Checklist and so having a great deal of experience and feedback from colleagues and clients, we respectfully offer the following comments;

In terms of your email inviting comments and stated changes; (as mentioned above – it would be incredibly helpful if the draft consultation document included amendments in a different font colour like you did for the Purbeck Local Plan drafts) we would make the following points.

- **Biodiversity net gain:** *‘Simplified national requirements while keeping links to government guidance, as the process is now well-established’*. We cannot see how you have - or indeed can have *“Simplified national requirements”* – it is quite literally unchanged from the August 2024 version of the validation checklist we have saved on file... but we can’t really argue with the contents as you appear to have simply copied and pasted it off the BNG Gov.UK website.

As a general comment, regarding your ‘local list of requirements’ for BNG, you still (since about November last year) request a Biodiversity Gain Statement (in your own ‘Dorset Council’ format). We believe this is unnecessary. Considering an applicant has to pay Dorset NET, it seems completely erroneous to then have to fill out your template - which just summarises your ecological impact assessment and BNG report. There is just no need for it.

You state that you will *“then condition permissions to require the Biodiversity Gain Plan to be in broad accordance with the submitted Biodiversity Gain Statement”* - but we believe you do not have the authority to do this – It is a standard planning condition written by the Government that does not mention (for obvious reasons) Dorset Council’s own Biodiversity Gain Statement – it refers to the submitted statement by the ecologist, not your template.

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It is frustrating to see the wording remains “**Dorset Council’s preferred mechanism to review ecological information is through the Dorset Biodiversity Appraisal Protocol (DBAP)**” (bold text added by me) in the ecology section, because Dorset Council Case Officer’s refuse to approve the planning application without the certificate of approval DNET provide – so in essence, the system forces the applicant to pay the Ecology Team to review the applicants information. BCP Council now have a BNG Officer who reviews the applicant’s ecological information and BNG submission – and the applicant does not have to pay them separately! We strongly recommend you consider setting up such a system.

- **Clearer separation:** *Biodiversity net gain and ecological reports now have distinct sections to clarify their requirements.* It is helpful that you have separated the sections for ecological surveys.
- **Battery storage safety:** Couldn’t find it when I looked at the index, headings or used word finder !!!
- **Listed buildings guidance:** Enhanced advice from the conservation team on what to include in applications. I must confess, I struggled to find the original Validation Checklist so couldn’t see the changes – so assume it’s helpful.
- **Para 41 - Tree survey updates:** This is helpful. No doubt you will receive more detailed feedback from Tree Surgeons and Landscape Architects.
- **Better links:** *Improved references throughout the document to guide applicants and agents.* Welcomed – see comments regarding Householder Checklist below.
- **Simplified checklists:** *Householder* : Reading through it, it highlights just how complex the planning system has become for even a simple single storey extension! It would be helpful to have a link to this guidance in the Validation Checklist in the appropriate place(s). One further comment, just before the example plans drawings, the document states;

‘Example plans on next page. Note details required do not all need to be submitted all one page as long as they meet the all the requirements as set out above’.

Obviously a typo in there, (missing the word ‘one’) but perhaps the explanation could be better expressed as “*Example plans on next page.*

Please note, details required do not all need to be submitted on a single sheet of paper or single page all one page provided as long as they meet the all the requirements as set out above’.

- **Heritage statement template:** A simple form – pleased to see it is not a validation requirement to complete it as we at Chapman Lily would normally cover all the issues listed within it, and many architects produce their own very detailed statement which accompanies the application. It would be helpful to put a link to it

in the guidance at Para 22 (Heritage Statement). We would request you make it absolutely clear in your guidance that the Template is not mandatory.

- **Resubmission fee.** Suggest you add something in the checklist that reminds applicants that if they get it wrong, you will charge them a fee for resubmission.

Now, some general comments upon the existing checklist which come to mind;

- **Para 18 Daylight/ Sunlight assessment.** The requirement to submit one for validation is;

For all applications when there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by the users/occupants of the proposed development site and adjoining properties or building(s), including associated gardens or amenity space’.

We think this definition is currently too wide and unclear. For example, it surely cannot be the intention of the council to seek or require a Daylight / Sunlight assessment from a development that might cause shadow at a small part of the day at the bottom of a long garden? Perhaps it would be better to clarify this by adding *‘if the outdoor space is unduly small and will potentially be impacted significantly through the day’.*

- **Para 25 – LIVA**

When it’s required; *‘For all applications, where development proposals have the potential to impact on the landscape/townscape/seascape character and/or views and visual amenity’.*

If you click the link it takes you to a table with more detail on when one is required, but on first reading, it appears you are asking for one on every application. Surely you don’t mean this? This could therefore apply to virtually any and every planning application for every new build dwelling / barn / industrial unit because they all *‘have the potential’* to affect such issues? Could we suggest you revise the wording to add *‘potentially’* at the very beginning – and at the end, after *‘amenity’* add *‘please check your development against the matrix at the following link...’* this points the customer to the link without the need to trawl through unnecessary text and associated confusion.

Thank you again for the consultation and your efforts to simplify the Checklist. We hope you find these comments from one of your regular and long standing ‘customers’ positive and helpful. Should you need clarification of any point, please do not hesitate to contact me.

Kind regards
Alan

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