



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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**to  
COVID-19 INTERIM MEASURES GROUP  
3 APRIL 2020**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 1      AMENDMENTS TO THE LOCAL INFORMATION  
REQUIREMENTS FOR THE VALIDATION OF  
PLANNING APPLICATIONS (LOCAL LIST)**

**1.      PURPOSE OF THE REPORT**

- 1.1      To adopt the revised local information requirements for the validation of planning applications list (local list), following the ~~completion~~ completion of the six-week consultation on the draft document and the associated revisions.

**2.      RECOMMEDATION**

That the Maldon District Council Planning Validation Requirements List – Update April 2020 (**APPENDIX 2**) be adopted, subject to the recommended revisions, at the end of the consultation period (3 April 2020 at 5pm) and subject to no further consultations being received that raise new material considerations.

**3.      SUMMARY OF KEY ISSUES**

- 3.2      The six-week consultation on the proposed revised list is due to end on 3 April 2020 at 5pm. Since the publication of the report one further letter responding to the consultation has been received from the Councils Environmental Health Department. The response suggests that a Foul Drainage Assessment is included within the Councils Local List.
- 3.3      The consultation responses received to date, including the response made by the Environmental Health Team, have been considered and as a result the following further amendments are recommended to the Local List, above what has been proposed at paragraph 3.3 of the published Committee Report:
- A Foul Drainage Assessment is required for any development (other than householder extensions) which involves the disposal of foul sewage, effluent or trade waste other than via a mains connection to a public sewer.

3.6 The recommended Foul Drainage Assessment has been designed by the Environment Agency in order to help ensure that development meets the requirements of The National Planning Practice Guidance in respect of the hierarchy of drainage options and to identify concerns that might lead to pollution or nuisance arising from a non-mains drainage system. The inclusion of such an assessment on an application should reduce the need for pre-commencement conditions to be attached to permissions, in accordance with Government guidance, which in turn will reduce the need for additional applications to discharge conditions being received as well as reducing the risk of pollution and nuisance in the future. The requirement would appear within the Local List as follows:

Document	Applications that require this information	Information required	Where to look for further assistance	Policy Driver
Foul Drainage Assessment	Any development (other than householder extensions) which involves the disposal of foul sewage, effluent or trade waste other than via a mains connection to a public sewer.	<p>A completed Foul Drainage Assessment Form (FDA1) or equivalent to include:</p> <p>Details of</p> <ul style="list-style-type: none"> <li>• Method of wastewater storage</li> <li>• Method of wastewater treatment</li> <li>• Method of wastewater disposal</li> <li>• Specification of system including scale plans</li> <li>• Responsibility means of operation and management for the life time of the plant</li> <li>• Reasons why not connecting to public sewer</li> <li>• In the case of proposed septic tanks: why a package sewerage treatment plant is not being proposed</li> </ul>	<a href="https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1">https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1</a>	National Planning Policy Framework (Paragraphs 170 & 180)

3.7 The Planning Practice Guidance states that the information requested with a particular planning application must be:

- reasonable having regard, in particular, to the nature and scale of the proposed development; and
- about a matter which it is reasonable to think will be a material consideration in the determination of the application.

3.8 Drainage is a material consideration when assessing and determining a planning application and the information requested is considered reasonable given that it is only being requested for developments (other than householders) which involves the disposal of foul sewage, effluent or trade waste other than via a mains connection to a public sewer, and is therefore, wholly relevant to the development it is being requested for.

~~3.6~~3.9 The Council seeks to provide a high standard of service to its customers. It is considered that the proposed revised list will improve our customer's experience by providing clearer guidance as to what information is required which will streamline the process and make it more cost effective.