



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

# Developments of National Significance

## Appendix 5: Local Impact Reports



## Appendix 5: Local Impact Reports

- 5.1 This appendix is primarily aimed at LPAs or Community Councils to assist with the form and content of a Local Impact Report (LIR).

### *Overview of LIRs and the DNS Process*

- 5.2 It is a formal requirement of the DNS process that any relevant LPA must submit an LIR, giving details of the likely impact of the proposed development on the authority's area.
- 5.3 There is also provision within the regulations for other LPAs or Community Councils to submit a Voluntary LIR.

### *What is the process for producing an LIR?*

- 5.4 The LIR is a written report detailing the likely impact of the proposed development on any part of the LPA's area, based on their existing body of local knowledge and robust evidence of local issues, and should list the impacts and their relative importance.
- 5.5 The Inspectorate will inform the relevant LPAs when an application is received. Once they are notified, LPAs have 5 weeks to submit their LIR.
- 5.6 If an LIR does not meet the statutory requirements the Inspectorate will notify the LPA that the LIR that it is not complete. Further information must be submitted from as soon as possible.
- 5.7 In coming to a decision on a DNS application, the Welsh Ministers must have regard to any LIRs that were submitted, including voluntary LIRs that were submitted in accordance with the Order.

### *General Approach to the LIR*

- 5.8 The LIR is meant to give a factual, objective view of the impacts of the proposed development on the area in question. The impacts should be presented in terms of their positive, neutral and negative effects.
- 5.9 The report is distinct from any representation a local authority may make on the merits of an application. A Local Authority or individual Councillor may submit a separate representation on the merits of the application.
- 5.10 The LIR may draw attention to matters raised with the LPA by interested parties or community groups, but only if the LPA considers those matters to be planning considerations that should be included in an LIR.
- 5.11 In producing an LIR, the local authority is not required to carry out its own consultation with the community.

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### *Timescales for producing the LIR*

- 5.12 LPAs have 5 weeks to submit their LIRs following notification of a valid DNS. The Inspectorate has the power to vary this period, but this will only be done in exceptional circumstances.
- 5.13 In practice LPAs should know about the application some time before it is submitted.

### *LIR and Fees*

- 5.14 If an LPA fails to submit the LIR within the time specified by the Inspectorate, the full fee will not be passed to the LPA.
- 5.15 If the deadline is missed by up to 14 days the LPA will receive half the fee. The LPA will not receive any of the fee if the LIR is provided more than 14 days after the deadline. However, it is still a requirement that the LIR be provided.
- 5.16 To ensure full payment for the work required, an LPA should ensure preparation of the LIR is started in sufficient time to allow them to meet the deadline.

### *Content of the LIR*

- 5.17 The minimum requirements for the content of a mandatory LIR is as follows:

- The likely impact of the DNS development on the area, | (In the Act)
  - Planning history of the site,
  - Local designations relevant to the site / surroundings,
  - The likely impact of any application in relation to a secondary consent being granted,
  - Any relevant local planning policies, guidance or other documents,
  - Draft conditions or obligations which the LPA considers necessary for mitigating any likely impacts of the development,
  - Evidence of the Publicity undertaken by the LPA in accordance with the Procedure Order, i.e. a copy of the Site Notice, a photograph of the Site Notice on display and a map showing the location of the Site Notice.
- (in the Procedure Order)

- 5.18 A Voluntary LIR must contain:

- The likely impact of the development on the area,
- A description of the likely impact of any application in relation to a secondary consent being granted,
- Locally applicable planning policies, guidance and other documents relevant to the application,

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- Draft conditions or obligations which the LPA or Community Council considers necessary for mitigating any likely impacts of the development.

- 5.19 The report should consist of a statement of positive, neutral and negative local impacts, but it should not contain a balancing exercise between positives and negatives. The LPA may submit its own balancing exercise as a written representation, separate to the LIR.
- 5.20 The LIR should not repeat material which is contained in application documents or Statements of Common Ground etc. but may cross refer to those documents.
- 5.21 This guidance is not intended to be either exhaustive or prescriptive. LPAs should cover any topics they consider relevant to the impact of the proposed development on their area.

### **Impacts of the Development and Secondary Consents**

- 5.22 It is important that the LIR or Voluntary LIR contains a summary of the LPA's predictions for impacts on their area, both positive and negative.
- 5.23 It would be of benefit if the LPA is able to give its view on the relative importance of different social, environmental or economic issues and the impact of the scheme on them.
- 5.24 Where applicable, the distinction between impacts directly relating to the DNS development and those relating to each Secondary Consent should be made clear.

### **Conditions and Obligations**

- 5.25 It is expected that applicant will have engaged with LPAs regarding these matters early in the process and sought to reach agreement with the LPA prior to submission where possible.
- 5.26 Where specific mitigation or compensatory measures are proposed by the applicant, these should be identified and commented upon. Local authorities should mention them explicitly. The same applies to conditions or obligations that the LPA considers ought to be included not put forward by the applicant.
- 5.27 The conditions and obligations may be put forward by the LPA on a 'without prejudice' basis. It is open to the LPA to make it clear in a separate representation whether they consider permission should be granted or refused.

### **Publicity**

- 5.28 LPAs should set out clearly their terms of reference for the LIR, i.e. include a section that sets out the structure and purpose of the document and identifies any limitation to the information therein.

### ***The LIR and other DNS Application Documents***

- 5.29 It is important that repetition of material is avoided, which may be included elsewhere in the application documents.

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- 5.30 Community Councils, organisations and members of the public may have made representations to the local authority or directly to the applicant about the scheme. The LIR could include reference to these representations, but only where they are relevant to a particular local impact which the LPA itself wants to highlight.
- 5.31 The LIR may also wish to draw on the Consultation Report, including any consequential impacts arising from any amendments to the pre-application scheme.