

Discharge of Requirement Process Guidance for Officers

Glossary of Acronyms

DCO	<i>Development Consent Order</i>
DOR	<i>Discharge of Requirements</i>
HRA	<i>Habitats Regulations Assessment</i>
LPA	<i>Local Planning Authority</i>
ODS	<i>Officer Delegated Summary</i>
RAMSAR	<i>[Environmental Designation] Ramsar Site</i>
SPA	<i>[Environmental Designation] Special Protected Area</i>
SSSI	<i>[Environmental Designation] Site of Special Scientific Interest</i>

“The Council” / “SCC” refers to Suffolk County Council

County Council as the Discharging Authority

- 1** SCC receives the Discharge of Requirement (“DOR”) application from the Applicant
- 2** Check the Development Consent Order (“DCO”) - What are the details of the Requirement? What is the deadline date? Is there a deeming clause to be aware of? Who needs to be consulted?
 - 2a** *Experience:* The DCO may have specified that named consultees are to receive consultation (by the applicant) prior to submission of the DOR application prior to SCC involvement (i.e. Natural England, Historic England)
- 3** Request for Planning Admin Team to set up a new MasterGov matter on County Planning section
- 4** Write Consultee Letter and Parish Council Notification Letter (utilising templates)
 - 4a** Provide 21 days as standard, and add extra time where required for Bank Holidays etc.
- 5** Request for Planning Admin Team to send out consultation letter to Consultees
 - 5a** *Advice:* Service areas may be an extensive list based on specific requirement; however, best practice is to consult wider and include ‘no comment’ in Officer Delegated Summary (“ODS”) if appropriate
 - 5b** *Advice:* Always include the District Council, whether set out in DCO or not
- 6** Request for Planning Admin Team to send out Notification Letter to relevant Parish Councils and SCC Councillors
- 7** Share consultation with Ecology team, seeking advice on whether a Habitats Regulations Assessment (“HRA”) will be required to discharge the requirement
 - 7a** *Experience:* Usually HRA will not be required, however, occasionally HRA will be required if the location is near SPA/RAMSAR/SSSI designations
 - 7b** Include in the ODS
- 8** Receive comments from Service Area consultees and consider whether any changes are required in order to discharge the requirement

- 8a** If NO then, Discharge of Requirement can be approved
- 8b** If YES then, respond to applicant with Service Area/Consultee feedback, and seek further information (*Experience*: DCOs may set out a timeframe for when requests for further info must be submitted, i.e. within 10 working days of the submission of the DOR application). When further information and/or amendments are received, send these to the relevant Service Area/Consultee for their approval. If amendments are approved, the Discharge of Requirement can be approved.
- 8c** *Experience*: Subject to outcome, if the ongoing issue is significant enough to impact the approval of the Requirement, then consider alternative discharge options (i.e. such as a Partial DOR)
- 9** Write the Officer Delegated Summary
 - 9a** *Advice*: To ensure that all matters are included, write as though you are answering ‘*how did I come to this decision?*’
 - 9b** Include details of what was submitted, any emails or comments received, any correspondence sent, and calls or meetings held (including dates)
- 10** ODS checked by Senior Officer/Manager
- 11** Write the Decision Letter
- 12** Decision Letter checked by Senior Officer/Manager alongside ODS
- 13** Send Decision Letter to Director alongside ODS for final sign-off
- 14** Return Signed Decision Letter sent to the Applicant
- 15** Upload the Signed Decision Letter (redacted) and the ODS to MasterGov and publish to the website
- 16** Upload the Signed Decision Letter to SharePoint for internal records

District Council as the Discharging Authority

- 1** District Council receives the Discharge of Requirement (“DOR”) application from the Applicant
- 2** District Council consults the SCC Planning Team
- 3** Check the consultation for the deadline date (typically 21 days)
- 4** Check the Development Consent Order (“DCO”) - What are the details of the Requirement? Which functions need to be consulted internally (i.e. Local Highway Authority)?
- 5** Request for Planning Admin Team to set up a new MasterGov matter on Application Response section
- 6** Send notice of consultation (via email) to the relevant Service Areas
- 7** Receive comments from Service Area consultees
 - 7a** If issues are raised by Service Areas, then discuss with the Local Planning Authority (“LPA”) and note their preferred approach (*Experience*: The LPA may request that you raise the issues with the Applicant directly or they may prefer to raise the issues themselves)
- 8** Respond to the District Council with Service Area comments (utilising templates)
- 9** Upload the Response Letter to MasterGov