

a guide to the validation
of planning applications
consultation draft June 2013

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1. Using this guide

This guide has been produced to help applicants for planning permission and other similar consents to submit applications that are complete and contain all relevant information.

Planning decisions can be delayed when applications are submitted without sufficient information to enable proposals to be assessed properly. Problems of this sort sometimes arise because applicants are uncertain about what type and level of information is needed. This guidance is intended to provide greater clarity for applicants about application requirements, and, in turn, enable the Council to make quicker decisions.

The guidance offered here focuses on the basic requirements for essential information. However, advice is also provided about additional supporting information that, although not essential, may also help to speed up consideration of applications and make a positive result more likely. By providing an appropriate level of information from the outset, applicants can ensure that their proposals are not rejected simply because of a lack of supporting evidence and justification.

Every attempt has been made to cover the most common types of planning application and the supporting information and documentation usually required. However, given the wide variety of applications made, it is inevitable that additional information not specified here will sometimes be required. When this situation arises, applicants will be advised as early as possible during the consideration of the application. Pre-application discussions with the Council are encouraged to help identify specific requirements, particularly for larger or more complex proposals.

Following this introduction, the guide is split into three parts. Section 2 provides a brief outline of the validation process, Section 3 sets out the mandatory national requirements for applications and Section 4 deals with the Council's local requirements.

This guidance replaces the Council's 'Guidance on the Validation of Planning Applications' published in March 2009.

2. About validation

Validation is the process undertaken by the Council to check that new planning applications are complete and include all relevant supporting information. Validation is concerned only with whether applications have been correctly made. It is not concerned with whether proposals are acceptable in planning terms.

Information requirements

The information and documents required to make a valid planning application comprise:

- a completed application form,
- the mandatory national information, and
- information specified by the Council in its Local List.

The amount and type of information required with planning applications will vary from case to case. Information will only be requested by the Council if it is necessary and relevant to the application concerned.

The validation process

Following receipt of an application, the Council will decide whether it is valid. This process normally takes up to 3 days, although longer may be needed for large or complex application (up to 5 days).

If an application is valid, a written acknowledgement will be provided, together with confirmation of the statutory determination period for the application. The process of deciding applications begins as soon as possible after applications have been validated. The statutory determination period will run from the day after a valid application was received (even if validation is completed after this date).

If applications are found to be invalid, applicants/agents will be advised of the reasons for this and asked to provide additional information to enable the application to proceed. If an applicant disagrees that additional information is necessary, written confirmation of this should be given to the Council, together with the reasons. In response, the Council will issue one of two notices:

- a 'validation notice' confirming the requested information is no longer needed, or
- a 'non-validation notice' maintaining the requirement for more information.

If a non-validated application is not decided within the statutory time limit (normally 8 or 13 weeks), then the Applicants may lodge an appeal on grounds of non-determination once the statutory time limit has expired on a non-validated application.

3.National mandatory requirements

The Development Management Procedure Order 2010 (as amended) sets out a number of mandatory national requirements for planning applications, including application forms, fees, ownership certificates and location/site layout plans. Further information about these national requirements is set out below.

Completed standard application form

Applications should be made using the national Standard Application Forms (1APP forms).

1APP forms are available for the following types of planning application and related consents: full planning permission, outline planning permission, approval of reserved matters, householder permissions, listed building consent, conservation area consent, variation of planning conditions, discharge of planning conditions, extension to time limits, non-material minor amendments, lawful development certificates, advertisement consent, applications for prior approval under the General Permitted Development Order, Tree Preservation Order consents and notification of tree works in conservation areas.

Application types not covered by 1APP include applications for prior approval under the General Permitted Development Order, Hazardous Substances Consents and variations/discharge of section 106 agreements. Forms are available from the Council for these types of application.

Applications made with 1APP forms may be submitted electronically via the Planning Portal or in paper form directly to the Council. Applications submitted electronically do not need to be accompanied by any paper copies of the application form or supporting documentation. In some cases it may not be possible to submit all supporting information online (due to the size of documents), in which case documents may be submitted in paper form or electronically on a CD. Applications submitted in paper form must include four copies of the application form and of all supporting information, unless otherwise agreed (for large reports, one paper copy and an electronic copy on CD will often suffice).

Application fee

Most applications for planning permission require a fee which must be paid when an application is submitted. However, some applications, such as listed building consent applications, are exempt. A fee calculator is available on the Planning Portal. A leaflet detailing current fees is also available from the Council. Advice on particular applications can be provided on request.

Ownership/Agricultural Certificate

All applications for planning permission, listed building and conservation area consent must be accompanied by a certificate of ownership. For this purpose an 'owner' is anyone with a freehold interest in a site, or leasehold interest with an unexpired term of not less than 7 years.

The following certificates must be completed depending on the circumstances:

- Certificate A – if the applicant owns the application site
- Certificate B – if part of the site is owned by someone other than the applicant
- Certificate C - if part of the site is owned by persons unknown
- Certificate D - if all of the site is owned by persons unknown

Notice must be served on any owners of the site (other than the applicant) in accordance with the Development Management Procedure Order.

Applicants must certify either that there are no agricultural tenants on the site, or that, if there are, that they have been notified of the application. This certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, or express consent to display an advertisement.

Location plan

All applications must include a location plan based on an up-to-date map. This plan should be at a standard metric scale (usually 1:1250 or 1:2500). Plans should show sufficient adjacent roads and surrounding buildings so that the exact location of the application site is clear. The application site should be edged clearly with a red line. The red line area should comprise all land necessary to carry out the proposed development, including land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings. A blue line should be drawn around any other land owned by the applicant, which is close to or adjoins the application site.

Site layout plan

Applications should include a site layout plan at a standard metric scale (typically between 1:100 and 1:500).

Site layout plans should always show accurately:

- the proposed layout of the development in relation to the site boundaries and other existing buildings on the site, and
- the direction of North.

In addition, where relevant to the consideration of the application, the following details should be shown:

- all buildings, roads and paths adjacent to the site,
- all rights of way crossing or adjacent to the site,
- the position of all trees on or adjacent to the site
- existing or proposed boundary treatments, including walls and fences, and
- existing or proposed hard surfacing.

Copies of plans

Four copies of the following plans and drawings should be submitted with applications, unless they are made online via the Planning Portal when one electronic copy is needed. For applications where the forms are submitted electronically, but plans are submitted in paper form, four copies of all plans and drawings should be submitted.

Design and Access Statements

Planning applications for the following types of proposal must be accompanied by a Design & Statement:

- Major developments*
- One or more dwellings in a Conservation Area or World Heritage Site
- Buildings with a floorspace of 100 square metres or more in a Conservation Area or World Heritage Site.

Design and Access Statements are not required in connection with the following types of development:

- A change of use of land or buildings, (unless it also involves external building works);
- Engineering or mining operations;
- Applications to remove or vary planning conditions.

A Design and Access Statement is a written statement that explains:

- the design principles and concepts that have been applied to a development proposal,
- how the context of the development has been considered
- the policy adopted for access
- what consultation, if any, has been undertaken in relation to access issues, and
- how any specific issues on access have been addressed.

Design and Access Statements are required with all applications for listed building consent. Such statements should explain how design principles and concepts have been applied to take account of:

- the special architectural or historic importance of the building,
- the features of the building that justify its designation as a listed building, and
- the building's setting.

Statements should also explain how matters of access have been dealt with.

** Major developments include proposals for 10 or more dwellings, buildings with a floorspace of 1,000 square metres, and development on site of 1 hectare or more.*

Outline planning applications

Applications made for planning applications may be submitted in outline, leaving certain details (called 'reserved matters') to be decided later. The matters that may be reserved are appearance, layout, scale, access and landscaping. Outline applications may reserve some or all of these matters for later consideration.

Where access is a reserved matter, outline applications must still provide indicative or illustrative details of the intended access arrangements. However, where appearance, landscaping, layout and scale are reserved, no further information needs to be submitted in respect of these matters. Once an application has been registered as valid, the Council may still decide that the application ought not to be considered separately from some or all of the reserved matters. In such cases, a formal notice will be issued to the applicant within one month of the date of registration.

4. Local requirements

In addition to the mandatory national requirements, applications must include information specified in the Council's Local List where it is relevant to the development proposed.

The following constitutes the Council's Local List for the purpose of the Development Management Procedure Order 2010 (as amended).

As well as setting out the requirements for essential information, the Local List identifies a number of areas where additional supporting is desirable, although not essential. Applications submitted without relevant desirable information will be validated, but may take longer to decide due to the need to seek further information or could be refused due to a lack of proper justification.

Plans, drawings and photographs

In addition to the national mandatory requirement to provide a location plan and a site layout plan, further plans and drawings may be required depending on the type of application and the nature of the development proposed.

Elevations

Where new buildings are proposed, drawings will be required of all proposed elevations at a standard metric scale (usually 1:50 or 1:100). All sides of the proposal must be shown (including internal 'courtyard' elevations), and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.

Where an extension or alteration to an existing building is proposed, elevation drawings should show clearly how the proposed extensions or alterations relate to the existing building. The amount of the existing building that needs to be shown will depend on the nature of the proposal and its likely impact.

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of windows and doors on each property.

Elevational drawings will not be required for applications for the change of use of land or buildings where no external alterations to buildings are proposed.

Existing and proposed floor plans

In some cases the internal layout of a building will be relevant to consideration a planning application, perhaps to show how different parts of a building will be used, or to allow the effects on neighbouring properties to be assessed. Where this is the case, applications should include drawings of existing and proposed floor plans (normally at a scale of 1:50 or 1:100). Where existing

buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of any existing building(s), as well as proposed new buildings.

Roof plans

Where new roof structures are proposed, or where alterations are proposed to existing roofs, applications should include drawings to show the shape of proposed roof structures (usually at a scale between 1:100 and 1:500).

Site levels

Where a proposal includes noticeable changes in ground levels, drawings should be submitted to show both existing and finished levels. On sloping sites, details should be provided of any alterations to levels, the level of buildings in relation surrounding ground levels and the level of new buildings relative to existing buildings. Information on levels may be presented in the form of spot ground levels, finished floor levels and cross sections.

Street scene drawings

Street scene elevations may be helpful where a development's visual relationship with adjacent buildings is important consideration. This is more likely to be the case where infilling is proposed in closely built up areas, and in conservation areas and close to listed buildings. Street elevations should show accurately proposed and existing buildings, taking into account any changes in ground levels, and should show at least the nearest properties on either side of the site.

Photographs and visualisations

Photographs, photomontages and visualisations can provide useful background information in support of development proposals.

Photographs can be used to show:

- Existing features that will be retained as part of a proposal
- How new development will integrate with its surroundings
- The visual impact of development on the surrounding area.

Photographs and visualisations are not acceptable as a substitute for plans and drawings.

Planning Policy Statement

It can be helpful for planning applications to include a Planning Policy Statement in the following situations:

- where a proposal conflicts with planning policy and a special justification is put forward, and
- where complex issues relating to the interpretation of policy are raised.

Planning Policy Statements should be concise and should not recite in full all relevant planning policies. Planning Policy Statements should explain how a proposal complies with policy, and, in cases where there is a conflict with policy, why an exception to policy is considered to be justified.

Town centre uses

Certain commercial developments are defined as 'main town centre uses' in national planning policy. These uses include retail developments, leisure/indoor sports schemes, offices, hotels, conference facilities and the like. Applications for such retail, office and leisure developments outside town centres, which are not in accordance with local policy, should include a report to show that a sequential approach has been taken to site selection. For proposals with a floorspace of more than 2,500 square metres, an Impact Assessment should be provided detailing likely effects on the viability and vitality of existing centres and on any planned investment.

Planning Obligations

Where a Section 106 agreement will be required in connection with a proposed development, planning applications should include Draft Heads of Terms, setting out in general terms what obligations are proposed. Planning obligations are typically required to secure the provision of affordable housing, public open space, recreation payments and contributions towards local education, library and transport services.

Consultation Statement

It can be helpful for planning applications to include a Consultation Statement where extensive pre-application consultation has been undertaken, particularly for large scale developments. Such statements should explain how the views of the local community and interested parties have been sought and how they have been taken into account in the development proposals. Where a less extensive consultation exercise has been undertaken, responses may be detailed in a Design & Access Statement (if required). Further advice on pre-application consultation is set out in the Council's adopted Statement of Community Involvement.

Energy Statements

It can be helpful for planning applications for large scale major developments to include an Energy Statement. Policy DC14 of the Council's Core Strategy requires major development proposals to find 10 per cent of their energy requirements from renewable sources. Energy statements should outline the overall energy strategy proposed to meet this objective. For most other developments, a short outline of energy proposals incorporated into Design & Access Statements will suffice.

Crime Impact Statements

It can be helpful for planning applications to include a Crime Impact Statement for the following developments:

- Housing developments of 10 or more dwellings
- Commercial developments of more than 1,000 square metres
- New neighbourhood community facilities
- New shop fronts
- New cash machines
- New restaurants, hot food take-aways, pubs and night clubs.

Crime Impact Statements should include information on crime and disorder issues in the vicinity of the site, assess the likely impact of the proposal, and, where relevant, suggest measures to reduce the vulnerability of the development to crime. Crime Impact Statements are generally best incorporated into a Design & Access Statement (if required), or else provided as a short written report.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 set out the circumstances in which an Environmental Statement is required with a planning application. Applications submitted without an Environmental Statement, will be screened by the Council after validation to determine whether EIA development is proposed. Where an Environmental Statement is required applicants will be notified within 21 days of receipt, unless a longer period is agreed.

Before submitting a planning application, potential applicants may request a formal 'Screening Opinion' from the Council to determine whether a proposal is EIA development. Guidance may also be sought on what should be included in an Environmental Statement by submitting a 'Scoping Opinion' request.

Wildlife Assessments

Where development proposed is likely to affect wildlife or biodiversity interests, additional supporting information will be required. This information may include Protected Species Surveys, Ecological Assessments, plans/drawings showing wildlife features and proposals for the mitigation of the impact of the development.

Ecological Assessments should be submitted with planning applications for developments which will affect the following areas:

- A designated site (such as a Special Protection Area, Special Area of Conservation, Ramsar Site, Site of Special Scientific Interest or County Wildlife Site)
- A priority habitat (including ancient woodland/hedgerows, floodplain grazing marsh land, fens, marshes, wet woodlands, reedbeds, etc)
- Other biodiversity features (secondary woodland, mature/veteran trees, underground structures, large derelict brownfield sites, urban green spaces such as parks)
- Other geological conservation features (mineral workings, rivers, streams, underground mines/tunnels)

This information will usually be required unless it is clear that designated sites or biodiversity or geological features will not be affected by the proposed development. Evidence of this will be required in the form of a letter or short report from a suitably qualified person.

Protected Species Surveys should be submitted with planning applications for the following types of development:

- the conversion of traditional farm buildings
- the redevelopment of derelict brownfield sites of more than 0.5 hectare
- development on land which includes or is adjacent to ponds, rivers, streams or former mineral workings
- any development where it is known or suspected that protected species are present on the site or adjacent land.

This information will usually be required unless it is clear that protected species are not present or will not be affected by the proposed development. Evidence of this will be required in the form of a letter or short report from a suitably qualified person.

Tree Surveys/Arboricultural Assessments

In all cases where there are trees within a development site, the trees should be plotted accurately on site survey and/or site layout plans. Plans should be annotated to show tree species, height and crown spread.

In addition, where there are 'important trees' within the application site, or on land adjacent to it, that could be affected by the development, additional information will be required. The additional information will include the following:

- a tree survey
- a tree constraints plan
- an arboricultural implications assessment
- an arboricultural method statement (if relevant)
- a tree protection plan (if relevant)

This information should be prepared by a qualified arboriculturist in accordance with the guidance set out in BS 5837 (2005): Trees in Relation to Construction, and should identify which trees are to be retained and explain how these trees will be protected during construction works. Use of the methodology set out in BS 5837 should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

It is the responsibility of applicants to ensure that sufficient information is provided to enable the impact of the development on trees to be assessed properly. However, in order to assist the process of deciding whether 'important trees' will be affected by a

proposed development (and will therefore trigger the requirement for additional information), the following guidelines should be followed

'Important trees' include:

- trees covered by a tree preservation order
- trees within a conservation area
- trees that are of amenity, landscape and/or heritage value due to their size, location and/or species.

Where alterations/extensions are proposed to residential properties, all important trees with 12 metres of any new buildings, new underground services or new accesses should be included in surveys/assessments.

For all other new build developments, all important trees within the site or within 12 metres of the site boundary should normally be included.

Where a change of use only is proposed, or where proposed extensions/alterations would not alter the footprint of existing building, service routes or access arrangements, a survey will not usually be required.

For the purpose of tree surveys, any trees with a stem diameter of less than 75mm, measured at 1.5 metres above ground level, can be disregarded.

Landscaping details

Information about landscaping proposals is normally required after permission has been granted by planning condition. However, in some cases, it is helpful if information about landscaping and planting proposals is provided with planning applications. This will most often be the case where:

- large scale development is proposed;
- development is proposed in prominent locations in the open countryside; or
- development is proposed that will form a new edge to a settlement

Landscaping details may include: detailed planting proposals, plans showing indicatively the areas available for landscaping, or a more general landscape strategy which sets a framework for the development of future detailed proposals. The nature of information needed will depend on the particular circumstances of individual proposals, but will generally take the form of landscape strategies

and indicative proposals, rather than fully worked up planting proposals.

Contaminated Land Assessments

Planning applications for the development of land that is known, or suspected, to be contaminated should be accompanied by sufficient information to enable the Council to decide whether the development can proceed safely. The level of information needed will depend on the circumstances of the site and the nature of the proposed use. Prior to the submission of applications applicants are encouraged to look at the contaminated land web page on the Council's website www.breckland.gov.uk where there is an advice note providing more detailed guidance on the type and level of information required. Where contamination is known or suspected, or where the use proposed is a vulnerable one (e.g. housing), supporting information should, as a minimum, comprise a desk study and site walkover report. Depending on the findings of this study, further more detailed site investigations may be required. For small scale developments where the risks identified are low, a simple questionnaire should be completed.

Flood Risk Assessments

Planning applications should include a Flood Risk Assessment in the following cases:

- all developments on sites of more than 1 hectare
- all developments within Flood Zone 2 (Medium Probability of Flooding) and Flood Zone 3 (High Probability of Flooding/ Functional Flood Plain).

Flood Risk Assessments should identify and assess the risks of flooding to and from the development, and demonstrate how these flood risks will be managed.

Air Quality Assessments

Planning applications should include an Air Quality Assessment where development is:

- likely to have a significant impact on local air quality
- proposed inside or close to an Air Quality Management Area (AQMA); and
- likely to result in the designation of a new AQMA.

Noise Assessments

Planning applications should include a Noise Assessment where the development proposed:

- has potential to cause significant problems of disturbance to surrounding properties - for instance, where a noisy commercial use is proposed close to housing, or
- is itself likely to be affected significantly by local noise sources - for example, where new housing is proposed close to a busy major road or noisy commercial activities.

Noise Assessments should evaluate the likely impact of noise from or on the development, and, where appropriate, outline proposed mitigation measures. Assessments should be prepared by suitably qualified persons, and take into account all relevant technical guidance.

Lighting Assessments

Planning applications for development that include commercial scale floodlighting should include a Lighting Assessment Report. This Report should include details of the type and design of the lights proposed, the hours when they will operate, and proposed illumination levels. The Assessment should also explain how the proposed lighting scheme has been designed to minimise light pollution.

Archaeology

Where a site proposed for development is known, or suspected, to include archaeological remains of some significance, applications should include some form of archaeological assessment. This assessment may involve a desk-based study of existing information and records, or a field evaluation involving a ground survey and small scale trial trenching. Assessments of this sort are intended to define the character of archaeological remains and identify options for preserving them. Applicants are encouraged to discuss with Norfolk Historic Environment Service the extent of information likely to be required, prior to the submission of applications.

Geodiversity Assessments

The Council has a duty to consider the conservation of geodiversity when determining planning applications. Where development proposed is likely to affect geodiversity interests additional supporting information will be required.

A Geodiversity Assessment will generally be required where the proposed development would affect:

- A designated site
- Other geological or geomorphological conservation features

This information will be required unless it is clear that designated sites or geological features will not be affected by the proposed development. Evidence of this will be required in the form of a letter or short report from a suitably qualified person.

Listed buildings

Applications to alter listed buildings need to be supported by detailed plans and specifications to allow effects on the special interest of the buildings to be assessed properly. The scope and degree of information required will depend on the particular circumstances of the individual proposals. However, other than for the most minor proposals, the following further supporting information is likely to be needed:

- A full schedule of works.
- A method statement outlining repair or conversion techniques proposed.
- Door and window joinery details, including sections at a scale of 1:1.
- A structural survey (where significant works of conversion, rebuilding or demolition are proposed).
- Photographs of important features.

Applicants are encouraged to discuss with the Council's Historic Buildings Advisor the extent of information likely to be required, prior to the submission of applications.

Transport Assessments

Where a proposed development is likely to have significant transport implications, planning applications should be accompanied by a Transport Assessment. Transport Assessments will be required generally for larger developments, such as housing schemes of more than 50 dwellings, and other developments with more than 100 car parking spaces. The coverage and detail of the Transport Assessment should reflect the scale of the development and the extent of the transport implications of the proposal. Further advice on individual proposals can also be obtained from Norfolk County Council as the local highway authority.

Travel Plans

For all proposals that require a Transport Assessment (see above), a Travel Plan (at least in draft form) should also be submitted in support of a planning application. A Travel Plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. The Travel Plan should have a strategy for its implementation that is appropriate for the development proposal under consideration.

Utilities Statement

It can be helpful for planning applications to include a Utilities Statement where:

- large scale major development is proposed, or
- there are known deficiencies in existing infrastructure systems that may be exacerbated by proposed development.

Utilities Statements should explain how a proposed development will be linked to existing utility infrastructure systems, and demonstrate that:

- the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, and
- the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

Septic tanks

Where a septic tank is proposed, planning applications should include information to show that other forms of drainage are impracticable and that ground conditions will enable a septic to function properly. Reference should be made to the national planning guidance set out in DETR Circular 03/99 'Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development'.

Telecommunications development

Applications for mast and antenna developments by mobile phone operators should be accompanied by a range of supplementary information, including the area of search, details of any consultations undertaken, details of the proposed structure, and technical justification and information about the proposal. Applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection.

Agricultural assessments

Planning applications for farmworker's dwellings should include full details of and an assessment of the agricultural need for the dwelling.

Barn conversions

The following information will be required in connection with proposals for the conversion of barns and other similar rural buildings:

- A structural survey - this information is needed in order to determine whether the building concerned is suitable for conversion without major alteration or rebuilding.
- A Protected Species Survey to determine whether bats, owls or other protected species are present (see above)
- Where residential conversion is proposed, evidence should be provided to demonstrate that a commercial use is not viable.

Extraction Equipment Assessments

Applications for restaurants/cafes/hot food take-aways/public houses should include details of any ventilation and extraction equipment proposed, including its location, design, odour abatement and noise characteristics. Such information will also be required for significant retail, business, industrial, leisure or other similar developments, where substantial ventilation or extraction equipment is proposed to be installed.

