

POLICY AND CHECKLIST FOR THE
VALIDATION OF PLANNING APPLICATIONS
AND TIMETABLE FOR DETERMINATION
AND GUIDANCE FOR ACCEPTANCE OF
WORKING AMENDMENTS

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1. Summary

This document forms Rossendale Borough Council's policy on the validation of Planning Applications as well as providing guidance on the levels and kind of information required to register an application.

The document explains the backdrop of changes to the planning system and increasing emphasis on performance and community involvement which necessitates more detailed information at the start of the process, in Section 2. It then goes on to explain the Policy that the Council will not register applications if they do not contain adequate information in Section 3. This document aims to ensure that the improved level of detail is present in the applications submitted by providing applicant's, agents and developers with a good understanding of what the Council expects them to include in an application. There are Validation Checklists in section 4 which set the types of applications against the pieces of information such as a forms, certificates, plans and supporting statements that will be required. A fuller explanation is achieved by cross-referencing the Checklist with notes in the Glossary in Section 5.

Section 6 gives some timetables that the Council intends to adhere to in relation to pre-application discussions, the validation of planning applications and the processing and determination of planning applications. Section 7 sets out the Council's policy on the submission of amendments to planning applications prior to determination.

It is noted that Central Government intends to introduce a standardised planning application form during 2007. This is likely to include firm guidance on what information is required to make an application valid. Thus the proposed policy and checklist are intended to be used until such time as Central Government makes such guidance available.

It is hoped that this document will serve as a useful tool for applicants, agents and developers in the submission of applications as well as to improve the customer service that they and other stakeholders in Rossendale receive as well as assisting in the regeneration of the Borough.

2. INTRODUCTION

A. Performance Management

Recently there has been increased emphasis on improving the speed, predictability and efficiency of the planning system which has been brought about by the introduction of BVPI's (Best Value Performance Indicators). The most relevant of these to the determination of planning applications are within BVPI 109. There are as follows

BVPI 109 a) 60% of major applications must be determined within 13 weeks

BVPI 109 b) 65% of minor applications must be determined within 8 weeks

BVPI 109 c) 80% of other applications must be determined within 8 weeks

In 2006 Rossendale was designated a Standards Authority for Major Planning Applications which meant that the Authority was not achieving the requirements of BVPI 109 a) because the Council was not determining 60% of major applications within 13 weeks. Thus, it is vital for Rossendale to improve the delivery of the planning system in relation to the determination of not only major but all planning applications.

B. Background of Recent Changes

In order to make these improvements in speed, predictability and efficiency this document builds on legislation and a number of documents which have been issued by Central Government. These include but are not limited to:

- Town and Country Planning (General Development Procedure) Order 1995
- Best Practice Guidance on the Validation of Planning Applications, March 2005, Office of the Deputy Prime Minister
- Circular 08/2005 - Guidance on Changes to the Development Control System, 24 August 2005, Office of the Deputy Prime Minister
- Validation of Planning Applications – Consultation Document, July 2006, Department for Communities and Local Government

The main theme in these documents is that a base line of information is required in order to make an application valid. If this information is missing it causes delays in the determination of planning applications and can result in applications being refused. Thus if all of the required information can be included with the application when it is first submitted, then there is increased speed, predictability

and efficiency in the system for both the applicant and the Local Planning Authority. It should also be added that the lack of information submitted with an application can mean that the Council cannot legally accept the application and the lack of information can reduce the quality of the community involvement in the planning process and of the final decision made.

The ODPM (Office of the Deputy Prime Minister) 2005 guidance on the Validation of Planning Applications, provided guidance on the scope of material to be submitted with a planning application and highlighted the benefits of a validation checklist and the need for pre-application discussions.

The guidance also explains that if an application was initially valid but is subsequently found to be missing information which renders it invalid, the initial start date for the application shall be disregarded but then shall be taken from the date that the required is received. This is the only time that effectively the “clock can be stopped”.

This does not apply to additional information that the Authority requires, however, if requested information is not provided this can lead to an application being refused on the grounds of insufficient information. (notion of free go)

There were several changes brought in by the Planning and Compulsory Purchase Act 2004. These include the power for Local Planning Authorities to decline to determine a planning application which is the same or substantially the same as an application which within the last 2 years has been refused or dismissed at appeal by the Secretary of state. Also, the power to decline to determine an application which is the same or substantially the same as a previous application scheme which was recommended for refusal on 2 applications in the last 2 years even if these have not been heard by the Secretary of State.

The 2004 Act also reduces the default lifespan of a planning application from 5 years to 3 years. It is at the Local Planning Authority’s discretion to grant an alternative length of permission but there must be good justification. It is no longer possible to lengthen the duration of a consent by an application to vary a condition, a new planning application must be submitted. The time frame for statutory consultees to respond has been increased from 14 to 21 days.

The DCLG (Department for Communities and Local Government) 2006 consultation document explains that it is no longer the Department’s view that validation checklists should take the form of Supplementary Planning Documents. Moreover, that the future the Department intends to publish a core and mandatory list of Planning Application Requirements (National) to accompany the up and coming Standard Application Form. This would be supplemented by Planning Application Requirements (Local) published by the

Local Planning Authority. Thus it is intended that Rossendale's Validation Checklist will be reviewed once the proposed changes have become firmer.

3. VALIDATION POLICY

A. National Regulations

Under regulation 4 of the Town and Country Planning (Applications) Regulations, Rossendale Borough Council has powers to direct applicants to firstly supply any further information and, except in the case of outline applications, full plans and drawings necessary to enable them to determine the application; or provide one of our officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

B. The Council's Validation Policy

Any application submitted for planning permission or listed building, conservation area or advertisement consent, or other application, will be checked against the criteria in this document to make sure adequate information has been provided to make the application valid. If compulsory information is missing, the application will be invalid and remain unregistered until such time as the information is provided or the application is returned to the applicant or agent. In the case of additional information requested at the validation stage, whilst this would not normally render the application invalid, there may be times when an application cannot be registered without additional supporting information.

In addition to the information requested, the plans and documentation will be assessed on the following criteria:

1. Plans and elevations will be checked for consistency. Any significant discrepancies will result in the application being invalid.
2. Six copies of application forms, plans and documentation, or 4 copies for Householder applications, listed in the checklists will be required for a valid application. Additional copies may be requested if needed for consultation purposes, and the Council's officers will endeavour to indicate any such requirements at pre-application stage.
3. Plans that are marked "do not scale" or with similar disclaimers will not be accepted and will result in the application being invalid
4. Plans should be submitted to scale with dimensions also shown which must be in metric form.

The compulsory information required to form part of an application can be found in Part 1 of each of the checklists whilst the additional information can be found in Part 2. It is emphasised that items included in the list of additional information can sometimes be essential to assessing the acceptability of a proposal and include items such as structural and habitat surveys on barn conversions and contaminated land surveys on sites with a sensitive end use (see Note 7, p22).

If an application has been registered on the understanding that the applicant will provide the additional information but this information is not forthcoming, it is likely that the application will be refused on the grounds of insufficient information.

If the Council declares an application invalid, it will set out its reasons in writing to the applicant or agent within 5 working days of receipt of the application. Applications which have been declared invalid will be returned if all the items and/or information which is lacking has not been provided within 28 days of receipt of the invalid application.

C. How the Document Should Be Used

The document is intended to be used by those applying for planning permission. It is likely that due to the increasing levels of information required to make a planning application and complexity in negotiating the planning system, that most applicants will have a planning professional submitting plans on their behalf.

Thus the document is intended mainly for use by architects, planners and agents as well as Council staff to have a central guide as to what is required but also to inform interested third parties and stakeholders as to the standard of information they should expect in planning applications submitted to the Council.

The Policy at 3A above should be taken to be the Council's policy on the validation of planning applications as to what is and is not acceptable. The checklists in Section 4 in conjunction with the notes in Section 5 explain what is required. Section 6 is particularly important in terms of the timetables which show the lead in times for the submission of applications as well as the time taken to validate and determine applications. Applicants and their agents should expect to enter into some form of pre-application discussions with the Council prior to the submission of their application. However, it is expected that these will be proportionate to the size of the proposal. Section 7 provides a guide to the applicants and their agents on what the Council will accept as a working amendment to a scheme and what will not be accepted.

D. Implementation

It is intended that this document will be consulted upon and in particular it will be introduced to local planning professionals at a Developer's Forum planned for 11th December 2006. A consultation period will then follow up to the 30th January 2006 for comments to be made before a final version will be taken back to the Development Control Committee and Cabinet for consideration.

E. Online Resources

This and other documents are available on line at (www.rossendale.gov.uk) including planning application.

The planning portal (www.planningportal.gov.uk) is a method of submitting a planning application on-line to the Local Planning Authority. In short all you need is a computer and an internet connection and has the following benefits:

- 24/7 submission
- Automatic payment and application receipt
- Part complete applications can be saved and restarted
- No Printing, no Postage & no journeys to Council offices
- No lost documents or delays
- No replication of documents required

4. VALIDATION CHECKLISTS

A. CHECKLIST FOR FULL PLANNING APPLICATIONS

PART ONE – COMPULSORY REQUIREMENTS

<u>PLANNING APPLICATIONS</u>	1. FULL APPLICATION: New building, extension or engineering works	2. FULL APPLICATION: Change of use with no external building/ extension/ engineering works	3. FULL APPLICATION: Change of use with external building/ extension/ engineering works	4. FULL APPLICATION: Householder Application
1. Completed planning application form signed & dated	Yes	Yes	Yes	Yes
2. Correct Fee	Yes	Yes	Yes	Yes
3. Completed certificates A, B, C, or D (inc. Agricultural Holdings Cert)	Yes	Yes	Yes	Yes
4. Location plan to scale, no smaller than 1:1250.	Yes	Yes	Yes	Yes
5. Site/block plan of the site to a scale not smaller than 1:500	Yes	Yes	Yes	Yes
6. Existing & proposed floor plans at a scale not smaller than 1:100	Yes	Yes	Yes	Yes
7. Existing & proposed elevations at a scale not smaller than 1:100	Yes	Only when specified. Please ask before submission	Yes	Yes

<u>PLANNING APPLICATIONS</u>	1. FULL APPLICATION: New building, extension or engineering works	2. FULL APPLICATION: Change of use with no external building/ extension/ engineering works	3. FULL APPLICATION: Change of use with external building/ extension/ engineering works	4. FULL APPLICATION: Householder Application
8. Existing & proposed site sections and finished floor levels at a scale not smaller than 1:100	See Note 10	No	See Note 10	See Note 10
9. Design & Access Statement	Yes	No	Yes	No

PART TWO – ADDITIONAL INFORMATION

<u>PLANNING APPLICATIONS</u>	1. FULL APPLICATION: New building, extension or engineering works	2. FULL APPLICATION: Change of use with no external building/ extension/ engineering works	3. FULL APPLICATION: Change of use with external building/ extension/ engineering works	4. FULL APPLICATION: Householder Application
10. Details of any pre-application discussion	Yes See Note 1	Yes See Note 1	Yes See Note 1	Yes See Note 1
11. Flood Risk Assessment	See Note 2	See Note 2	See Note 2	See Note 2
12. Supporting planning statement	See Note 3	See Note 3	See Note 3	No, unless specified.
13. Cycle store details / parking arrangements	See Note 4	See Note 4	See Note 4	See Note 4
14. Bin Store/refuse disposal details	See Note 5	See Note 5	See Note 5	No

<u>PLANNING APPLICATIONS</u>	1. FULL APPLICATION: New building, extension or engineering works	2. FULL APPLICATION: Change of use with no external building/ extension/ engineering works	3. FULL APPLICATION: Change of use with external building/ extension/ engineering works	4. FULL APPLICATION: Householder Application
15. Open Space/ landscaping details	See Note 6	No	See Note 6	No
16. Contaminated Land Survey	See Note 7	No	See Note 7	No
17. Transport Assessment	See Note 8	See Note 8	See Note 8	No
18. Draft Travel Plan	See Note 9	See Note 9	See Note 9	No
19. Retail Impact Assessment	See Note 10	See Note 10	See Note 10	No
20. Planning obligations	See Note 11	See Note 11	See Note 11	No
21. Affordable Housing Statement	See Note 12	See Note 12	See Note 12	No
22. Sound Insulation Requirements	See Note 13	See Note 13	See Note 13	No
23. Tree Survey	See Note 14	No	See Note 14	See Note 14
24. Structural Survey	See Note 15	No	See Note 15	No
25. Bat Survey/ Protected Species Survey	See Note 16	See Note 16	See Note 16	No

<u>PLANNING APPLICATIONS</u>	1. FULL APPLICATION: New building, extension or engineering works	2. FULL APPLICATION: Change of use with no external building/ extension/ engineering works	3. FULL APPLICATION: Change of use with external building/ extension/ engineering works	4. FULL APPLICATION: Householder Application
26. Environmental Statement	See Note 17	See Note 17	See Note 17	No
27. Energy Statement	See Note 18	See Note 18	See Note 18	No
28. Ventilation/ extraction details	See Note 19	See Note 19	See Note 19	No
29. Noise Impact Assessment	See Note 20	See Note 20	See Note 20	No
30. Air Quality Assessment	See Note 21	See Note 21	See Note 21	No
32. Utilities Statement	See Note 22	See Note 22	See Note 22	No
33. Details of any lighting scheme	See Note 23	See Note 23	See Note 23	No
34. Photographs & Photomontage	See Note 24	See Note 24	See Note 24	No

B. CHECKLIST FOR OUTLINE APPLICATIONS & APPLICATIONS FOR APPROVAL OF RESERVED MATTERS FOLLOWING GRANT OF OUTLINE PERMISSION

PART ONE – COMPULSORY REQUIREMENTS

<u>OUTLINE & RESERVED MATTERS APPLICATIONS</u>	OUTLINE PLANNING APPLICATION +	RESERVED MATTERS APPLICATION *
1. Correct fee	Yes	Yes
2. Completed application form signed & dated	Yes	Yes
3. Completed Certificate A, B, C or D & Agricultural Holdings Certificate	Yes	Yes
4. Location Plan to a scale not smaller than 1:1250	Yes	Yes
5. Site/block plan to a scale not smaller than 1:500	Yes	Yes
6. Existing & proposed floor plans at a scale not smaller than 1:100	Only if layout for approval	Only if layout for approval
7. Existing & proposed elevations at a scale not smaller than 1:100	Only if appearance for approval	Only if appearance for approval
8. Existing & proposed site sections & finished floor levels at a scale not smaller than 1:100	Only if layout, scale or appearance for approval	Only if layout, scale or appearance for approval
9. Design & Access Statement	Yes	Yes

PART TWO – ADDITIONAL INFORMATION

<u>OUTLINE & RESERVED MATTERS APPLICATIONS</u>	OUTLINE PLANNING APPLICATION +	RESERVED MATTERS APPLICATION *
10. Details of any pre-application discussion	Yes	Yes
11. Flood Risk Assessment	See Note 2	See Note 2
12. Supporting Planning Statement	See Note 3	See Note 3
13. Cycle Store Details / Parking Arrangements	See Note 4	See Note 4
14. Bin Store/refuse disposal/recycling details	See Note 5	See Note 5

<u>OUTLINE & RESERVED MATTERS APPLICATIONS</u>	OUTLINE PLANNING APPLICATION +	RESERVED MATTERS APPLICATION *
15. Open Space/ landscaping details	See Note 6	See Note 6
16. Contaminated Land Survey	See Note 7	See Note 7
17. Transport Assessment	See Note 8	See Note 8
18. Green Travel Plan	See Note 9	See Note 9
19. Retail Impact Assessment	See Note 10	See Note 10
20. Planning obligations	See Note 11	See Note 11
21. Affordable Housing Statement	See Note 12	See Note 12
22. Sound Insulation Requirement	See Note 13	See Note 13
23. Tree Survey	See Note 14	See Note 14
25. Bat Survey/ Protected Species Survey	See Note 16	See Note 16
26. Environmental Statement	See Note 17	See Note 17
27. Energy Statement	See Note 18	See Note 18
28. Ventilation/ extraction details	See Note 19	See Note 19
29. Noise Impact Assessment	See Note 20	See Note 20
30. Air Quality Assessment	See Note 21	See Note 21
32. Utilities Statement	See Note 22	See Note 22
33. Details of any lighting scheme	See Note 23	See Note 23
34. Photographs & Photomontages	See Note 24	See Note 24

+ An outline application may seek approval for one or more of the following details: layout, scale, appearance, access & landscaping

* A reserved matters application may relate to one or more of the following: layout, scale, appearance, access & landscaping

C. CHECKLIST FOR LISTED BUILDING AND CONSERVATION AREA CONSENT

PART ONE – COMPULSORY REQUIREMENTS

<u>LISTED BUILDING & CONSERVATION AREA CONSENT</u>	LISTED BUILDING	CONSERVATION AREA CONSENT
1. Completed planning Application form, signed & dated	Yes	Yes
2. Completed copies of Certificates A, B, C or D	Yes	Yes
3. Location plan to a scale not smaller than 1:1250	Yes	Yes
4. Site/block plan of the site at a scale not smaller than 1:500	Yes	Yes
5 Existing & proposed floor plans at a scale not smaller than 1:100	Yes	May be required. Please check prior to submission
6. Existing & proposed elevations at a scale not smaller than 1:100	Yes	Yes
7. Design & Access Statement	Yes	Yes. See Note 11

PART TWO – ADDITIONAL INFORMATION

<u>LISTED BUILDING & CONSERVATION AREA CONSENT</u>	LISTED BUILDING	CONSERVATION AREA CONSENT
8. Sections through the building	May be required. Please check prior to submission	May be required. Please check prior to submission.
9. Detailed plans to a scale not smaller than 1:20. showing all new doors, windows, shop-fronts, panelling, fireplaces, plaster moulding & other decorative details	May be required. Please check prior to submission	Not normally required. Please check prior to submission.
10. Details of any pre-application discussion	Yes	Yes
11. Structural survey of the building	May be required. Please check prior to submission	May be required. Please check prior to submission.
12. Supporting Planning Statement	Yes	May be required. Please check prior to submission.
13. Photographs	May be required	May be required

D. CHECKLIST FOR CONSENT TO DISPLAY AN ADVERTISEMENT

PART ONE – COMPULSORY REQUIREMENTS

<u>ADVERTISEMENT CONSENT</u>	ADVERTISEMENT
1. Advertisement application form, signed & dated	Yes
2. Correct Fee	Yes
3. Location plan to a scale of not smaller than 1:1250	Yes
4. Plans to a scale of 1:50 or 1:100, showing size of advertisements & position on building or lane, height above ground level, amount of projection, sections, materials, colours, method of fixing	Yes
5. Details of method of illumination	Required for illuminated advertisements
6. Supporting statement addressing amenity & public safety	Yes

5. GLOSSARY

A. COMPULSORY ELEMENTS

1. Completed Application Form

All of the relevant questions should be responded to and if not relevant to the application, then the words “not applicable” should be inserted for clarity

See also ownership certificates below.

2. Correct Fee

Where it is necessary to pay a fee for the application, this can either be paid by cheque or on-line. Cheques should be made payable to Rossendale Borough Council and should solely cover the planning fee. Fees can be paid online via either the Development Control section of the Council’s website (www.rossendale.gov.uk) or via the Planning Portal. A planning application will not be considered valid until the appropriate fee has been received.

3. Ownership Certificates

Under the 1990 Act, the Local Planning Authority, all applications must be accompanied by the relevant certificates concerning the application site. This applies to all planning applications except those for the discharge or variation of conditions, tree preservation orders and consent to display an advertisement.

For this purpose an ‘owner’ is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

Certificate A must be completed when the applicant is the sole owner of the site.

Certificate B must be completed when the owner of the site is known to the applicant

Certificate C and D must be completed when some or none of the owners of the site are known.

4. Agricultural Holdings Certificate

This certificate is required whether or not the site includes an agricultural holding and all tenants must be notified prior to the submission of an application. Please note, this certificate is not required for the submission of an application for reserved matters, a renewal of temporary planning permission, the discharge or variation of conditions, tree preservation orders, or consent to display an advertisement.

5. Part 1 Notice

If certificate B has been completed (see Section 3) a copy of the Part 1 Notice must be served on all the owners of the site in question. This may be required where Certificate C has been served or when some of the owners are known.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

6. Location Plan

All applications must be accompanied by an up to date Ordnance Survey standard location plan at a scale of 1:1250 or 1:2500. The location should show at least two named roads and surrounding buildings. The surrounding building should be named or numbered to ensure it is clear where the exact location of the application site is.

On the location plan, the application site must be clearly marked with a red line and should include all the land required to carry out the proposed development. On the location plan, any other land in the control or ownership of the applicant which is close to or adjacent to the application site, should be marked with a blue line.

Ordnance Survey plans are available from the One Stop Shop, Lord Street, Rawtenstall or the Development Control section (planning@rossendalebc.gov.uk) and cost £28 for seven copies.

7. Site Plan

All applications should include a site plan at a scale of either 1:500 or 1:200. The site plan should accurately show:

- The direction of north
- The proposed development in relation to the site boundaries and other existing buildings on site
- All the buildings, roads and footpaths on land adjoining the site including access arrangements
- The species, position and spread of all trees within 12 metres of any proposed building works
- Any parking facilities
- Boundary treatment including walls/fencing where this is proposed

8. Drawings Including Floor Plans

The drawings should be drawn at a scale, preferably 1:50 or 1:100 and should explain the proposal in detail. The submitted drawings should show details of the existing buildings and those for the proposed development. The proposed

development should be shown in context with any adjacent buildings (including property numbers where appropriate).

9. Elevations

The drawings of the elevations should be drawn to a scale, preferably 1:50 or 1:100 and all sides of the proposal must be shown. Where a proposed elevation adjoins another building or is in close proximity (2 metres), the drawing should clearly show the relationship between the two and detail the positions of any openings on each property.

10. Section Drawings

Section drawings should be drawn at a scale of 1:50 or 1:100, showing a cross section through the proposed building(s) **must** be submitted in the following cases:

- i) Where a proposal involves a change in ground levels – illustrative drawings should be submitted to show both existing and finished levels.
- ii) On sloping sites – full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings.

Wherever possible, the drawings should contain existing site levels and finished floor levels (with levels related to a fixed datum point off-site) and also show the proposals in relation to adjoining buildings.

Section drawings may also be requested in other cases by the planning officer. The drawings may take the form of contours, spot levels or cross/long sections as appropriate.

11. Design and Access Statement

Design and Access statements are an essential part of the submission of a planning application as without them, the Council is unable to entertain the application. Not submitting either of these statements or not submitting enough information will delay the processing of your as it will be invalid.

This section aims to assist applicants and agents by providing guidance on how to prepare and write Design and Access statements. In the CABE guidance note “Design and Access Statements: How to write, read and use them” makes the following comments on writing Design and Access statements:

- Keep it short and to the point
- Write it for the application; don't copy it from somewhere else
- Start the statement when you start the scheme and use it to help influence the design

- Explain how the design has come about and what you are trying to achieve
- Talk to people who could help as soon as you can. Consulting access specialists, local groups and planners early in the process
- Use statements as a negotiation tool and allow them to change if the scheme changes
- Use accurate and informative illustrations – any maps, diagrams or plans should be based on the application drawings.

The process of formulating of the design statement should make an assessment of the existing physical, social, economic and planning policy context. It should then set out how local interest groups, community organisations, residents and businesses, sometimes known as stakeholders, have been consulted on the application and how they been involved in creating the design. This information should then be evaluated as part of the statement before the design it explained. The design statement can perhaps be thought of as telling the story of behind the scheme and how it came about.

The statement itself should cover the following topics: Use, Amount, Layout, Scale, Landscaping and Appearance and should explain how the context and constraints of the site lead to the current design proposals.

The Access statement should look to cover the general accessibility of the site by means other than the private car as well as by means of a car and should also look to ensuring equal access for all, by considering access up to and into the building as well as around the site. The statement will need to address current planning policy on the accessibility of the site as well as details surrounding access for the mobility impaired such as level access, ramps, dropped kerbs and hand rails and on residential schemes should consider Life Time Homes standards.

On 12 June 2006, Circular 01/2006 was published by the Department of Communities & Local Government was published and provided guidance on changes to the Development Control system. Part of the changes included the requirement to submit a design & access statement with most planning applications and applications for listed building consent. The design and access statement should cover several key aspects, including:

1. details of the use or uses proposed
2. the amount of development
3. the layout of the development
4. the scale of the development
5. any landscaping of the site
6. the appearance of the development
7. the access to the development and any parking arrangements

Further guidance is available from CABE – www.cabe.org.uk

B. ADDITIONAL INFORMATION

Additional information may also be requested by Rossendale Borough Council prior to the validation of the application depending on the nature and type of application or the nature of the character of the area within which the application site is situated. Applicants or agents are advised to seek advice on the need for such additional information with the LPA at the pre-submission stage. Such information could include:

1. Details of any pre-application discussion

If an application is submitted as a result of pre-application discussions with the LPA, all correspondence should be submitted as background information to the application, especially if any pre-application consultations have been carried out with other statutory consultees

2. Flood risk assessment

A flood risk assessment (FRA) should address the issue of flood risk to both property and people. PPG 25 - Development & Flood Risk provides comprehensive guidance in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

An FRA will be required for all proposals which fall within an Indicative Flood Plain or 'Flood Zone', as identified by the Environment Agency.

3. Supporting Planning Statement

The information provided should explain how the proposal relates in policy terms to national, regional, strategic and local level. It should also include details of any consultations with the relevant bodies undertaken prior to submission.

Statements will be required in support of all "major" developments, developments not in accordance with the development plan as well as other developments if specified in pre-application advice

4. Cycle store details/Parking Arrangements

All applications will be required to provide details of existing and proposed parking provision. For non-householder applications, this should include cycle parking and a justification of the level of the provision. On major applications details of changing and showering facilities will also be requested.

For major applications, the applicant will be required to justify proposals which exceed the Council's maximum parking standards.

5. Bin store/refuse disposal/recycling details

All proposals which will include the creation new dwellings or extensions to existing ones, or new retail, business, industrial developments will be required to submit details of the proposed facilities for the storage & collection of refuse, as well as for the provision of recycling facilities. Hot food takeaways should indicate the provision of litter bins.

6. Open space/landscaping details

All developments should be designed with the landscaping of the site in mind and should not be a separate process or afterthought. Reference should be made to the landscaping of the site within the Design & Access Statement. Existing trees and other vegetation should be retained wherever practicable and protected during the construction of the proposed development.

In relation to Reserved Matters applications, Landscaping will not normally be considered separately from layout and scale.

Landscaping schemes should include:

- proposed ground levels; means of enclosure, car parking layouts, other vehicle & pedestrian access and circulation areas, hard surfacing materials, structures & ancillary objects (refuse bins, lighting columns etc)
- proposed & existing functional services above & below ground, (e.g. drainage, power/communication cables, manholes)
- planting plans, schedules of plants, noting species, plant sizes & proposed numbers/planting densities where appropriate
- show existing vegetation to be retained, together with measure for its protection during the construction process.

7. Contaminated Land Survey

PPS 23 has put increased emphasis on the need to check for contamination on sites before they are developed. In some cases the principle of development can be affected by the level of contamination on the site which if it is high, may render the site unsuitable for sensitive end uses such homes and care homes, hospitals, parks or recreation areas and schools.

The Council will therefore expect a Phase I Desk Study to be submitted for any application which results in a sensitive end use on a site. If the site is known or identified as having high levels of contamination on site, a Phase II Intrusive Investigation Survey may also be required.

It is therefore essential to address this matter early in pre-application discussions with planning officers. Additional technical advice should be sought from the Environmental Health department as to whether the site may be contaminated.

8. Transport Assessment

The document should contain details of the impact upon the transport network in the locality as well as highway safety. The information required should include all existing commercial and residential vehicular and pedestrian movements to and from the site. Loading areas and all land required for the manoeuvring, servicing and parking of vehicles should be clearly identified. The document should describe and analyse existing transport conditions, how the development would affect those conditions and any measures proposed to overcome any problems.

A Transport Assessment will be required for all major planning applications (10 dwellings or more or 1000sq m floorspace) and in other circumstances as indicated by pre-application advice.

The level of detail required will reflect the size of the site, the proposal and the complexity of the locality.

9. Green Travel Plan

A Green 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. It should seek to promote more sustainable methods of transport other than the private car.

A Green Travel Plan should be submitted with all major applications and wherever specified during pre-application discussions.

10. Retail Assessment

This document is required to assess the impact of the proposal in the vitality and viability of the town centre and other local shopping centres in the borough. The assessment should include the need for the development, whether it is of an appropriate scale, whether there are sites more appropriate within the town centre and what the impact will be upon existing centres and locations will be. Further guidance can be found within PPS 6.

Retail impact assessments will be required for all applications where it is proposed to significantly alter the level of retail floorspace. The level and nature

of the information required would be indicated during the pre-application process.

11. Planning Obligations

Section 106 Agreements for Developer Contributions

One of the reasons for delays on major applications is the non-completion of legal agreements which are consolidating contributions made by a developer towards certain improvements or to maintain facilities which without the contributions would render the scheme unacceptable.

The complex nature of legal agreements means that it can be lengthy process in drafting them. It is now Rossendale Borough Council's policy that all legal agreements and their contents should be discussed as fully as possible during pre-application discussions with the Authority and that all applications where a legal agreement is required shall include with Heads of Terms and all the required associated information required via the Section 106 information sheet, in order to make the application valid. Where this information is not submitted the application will be considered invalid.

The legal agreement will be expected to have been agreed by both the Developer and the Council before the application is considered by Committee and the agreement signed, sealed and executed 2 days before the expiry of the 13 weeks deadline. If the document is not agreed by both parties prior to the Committee meeting this could result in the application being recommended for refusal and ultimately if the agreement is not sealed could result in the application being ultimately refused.

For further details of the required associated information please see the Legal Agreement Submission Sheet in appendix ?

In future, it is likely that the Council will be using the Lancashire Planning Officers Society document on Planning Obligations as a basis for negotiating section 106 agreements. Thus, the attention of applicants and their agents is drawn to this document.

12. Affordable Housing Statement

Where Local Plan policies or Supplementary Planning Documents require the provision of affordable housing, the LPA may require information concerning both the affordable housing and any market housing, the mix of units with numbers of habitable rooms or bedrooms. If different levels or types of affordability or tenure are proposed for different units, this should be clearly and fully explained.

On applications for 15 dwellings or more, supporting statements will be required to justify the provision of affordable housing on site.

13. Sound insulation requirements

PPG24 – Noise covers issues relating to noise. During pre-application discussions advice should be sought from both the planning officer and the Environmental Health department for individual Council requirements for sound insulation in residential and commercial developments.

Sound insulation issues should be covered in the supporting statement for applications for changes of use of premises under, over or adjacent to residential development, which propose noise sensitive uses adjacent to sources of noise or which propose uses which would themselves be a noise source adjacent to noise sensitive uses such as houses, hospitals or schools.

14. Tree Survey

Where the application involves works that affect trees within the application site, the species, spread, roots and position of trees should be illustrated accurately on the site plan. This must indicate any trees which are to be felled or affected by the proposed development. The location of any trees within adjacent properties that may be affected by the application should also be shown.

All applications involving new development in sites containing significant tree cover, or trees which are the subject of a Tree Preservation Order will be required to be accompanied by a tree survey.

15. Structural survey

The structural survey is required for the conversion of any building to another use, and are compulsory where redundant agricultural buildings are to be converted to residential use.

16. Bat survey/Protected Species survey

Are normally a compulsory requirement. A wildlife survey should assess the implications of the proposed development upon the wildlife present within the locality, including any measures for mitigating the impact.

Surveys will be required in respect of proposals on sites in the locality of Sites of Special Scientific Interest, Wildlife Heritage Sites and Local Nature Reserves.

Surveys will be required in respect of sites with known ecological interest or

sites which may contain the habitat of a protected species, such as a bat or badger.

17. Environmental statement

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 require a developer to prepare an Environmental Statement to enable the LPA to give proper consideration to the likely environmental effects of the proposal. The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

18. Energy statement

The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards. Applicants should refer to PPS 22 – Renewable Energy.

19. Ventilation/extraction details

Applications should contain details of any measures required to ameliorate the impacts of a hot food takeaway, restaurant or launderettes.

Details of the ventilation and extraction systems will be required for all applications involving the use of premises for purpose within the use classes A3, A4 & A5, as defined by the Town & Country Planning (Use Classes Order) (Amended 2005).

The details should include elevational plans of the ducting, details of the noise levels and filters proposed and anti-vibration mountings.

20. Noise Impact Assessment

Application proposals that raise issues of disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician. Applicants should refer to PPG 24 – Planning & Noise

21. Air quality assessment

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary.

22. Utilities statement

Most new development requires connection to existing utility services, such as electricity, gas, telecommunications and water supplies. Two questions have to be asked; whether the existing services have the capacity to accommodate the new development and whether the provision of services on the site would impact upon existing environmental conditions.

Utilities statements should demonstrate:

- that the availability of utility services has been examined and that the proposal would not result in undue stress on the delivery of those services to the wider community
- that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures
- that service routes have been planned to avoid as far as possible the potential for damage to trees & archaeological remains.

Utilities statements will be required to accompany applications for residential developments of 10 or more dwellings, or the creation of 1000 square metres or more of floor space.

23. Details of any lighting scheme including a light pollution assessment

Details of a lighting scheme will be required on applications for consent to display an advertisement, where it is proposed to illuminate the advert. Details will also be required for riding arenas, the lighting of sports pitches and buildings.

24. Photographs and photomontages

These can provide useful background information and can help to show large developments can be satisfactorily integrated within the street scene.

Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.

6. Timetables For Applications

The timetables in this section aim to give applicants and their agents a guide to the timetables for submitting planning applications. Now more than ever, it is essential that time and preparation go into making a planning application to avoid delay and uncertainty through the process. Thus the submission timetable broadly reflects proportionally the time it takes to determine either a major or other type of application.

The second and third timetables intend to give a firm guide as to the process the application will undergo once it has been submitted to the Council and once it has been registered.

A. Timetable for the submission of an application.

- Day -91 Contact Local Planning Authority regarding proposed major application to be submitted or more complex minor application such as works affecting a Listed Building or Conservation Area or with planning policy uncertainty.
- Day -84 The prospective applicant/ agent/ developer to submit drafts of any plans and any supporting information for the Planning Officer to review
- Day -70 Development Team Meeting of multi-disciplinary professionals to discuss the proposed scheme. Look at possible issues, identify possible revisions required, additional information needed and further advice required. Identify key stakeholders and statutory consultees who may need consulting. Highlight possible contributions required via legal obligations and possible conditions.
- Agree a way forward, actions for the applicant/agent and the LPA and date of next meeting.
- Day -56 Contact Local Planning Authority regarding a minor or householder application to be submitted.
- Day -49 Submit plans on minor or householder applications to Planning Officer to review.
- Day -42 Contact to Planning Officer on major and more complex applications to check progress on action list and confirm follow up meeting.

- Day -35 Meet Planning Officer to discuss proposal for minor or householder Applications.
- Discuss scheme looking at impact of development – especially in relation to visual and residential amenity as well as highway safety.
- Day -28 Follow up meeting on major and more complex applications discussing action list and further advice gained and confirming what has/ will happen in terms of community consultation and involvement in the process.
- Discuss contents of Design and Access statement, confirm information that will be required to validate the planning application and information required in relation to any planning obligations.
- Agree date of further meetings and/or short validation meeting.
- Day -14 Revisit Planning Officer on minor or householder applications to confirm that revisions or changes are acceptable and to establish if further revisions are needed or more information required on the plans.
- Discuss what will be needed to make the application valid and agree the date of the pre-validation meeting
- Day -7 Pre-validation meeting on major and more complex applications where the applicant/ agent meet the Planning Officer to check that the necessary information has been gathered to make the application valid.
- Day -3 Pre-validation meeting on minor or householder applications to establish that all the information required and details on the plans are present to make the application valid.
- Day -1 Submit the planning application to the Local Planning Authority.

B. Timetable for the Validation of an Application.

- Day 0 The planning application is received by the Local Planning Authority
- Day 1 Administration staff date stamp the application with the date received
- Day 2 Administration staff prepare the paperwork for the application
- input the details on the system
- prepare the application to be checked for validity
- Day 3/4 Application checked against the validation checklist and determined whether it accords with the checklist.
- Applicant/ agent may be contacted for minor items of extra information

C. Timetable for the Determination of an Application

- Day 5 If the application is valid then the application will continue to be processed – see timetable for the determination of an application.
- If the application is deemed to be invalid the applicant or their agent if one has been appointed in their stead, a letter will be sent explaining the information that is missing and what will be required to make the application valid.
- Day 14 Follow up contact will be made with the applicant/ agent where possible.
- Day 28 If no further contact has been made by the applicant/ agent or the information has not been received by the Council, the application forms, plans and supporting information will be returned to the applicant or their agent.
- Timetable for the determination of an application.
- Day 5 Application deemed to be valid and is registered.
The application is given a reference number
The plans and supporting documents go to be scanned as an electronic copy
- Day 6 Statutory consultees and occupiers of adjoining or nearby

properties are identified and letters sent thereby starting the consultation period of 21 days.

- Day 27 End of statutory consultation period
- Day 33 Letter sent to applicant outlining additional information and revisions to the plans required on minor and householder applications which must be submitted within 14 days of the letter. (It is important that applicants/ agents keep in contact with the Local Planning Authority at this time).
- Day 35 Internal meeting within Local Planning Authority reviewing issues on Major and more complex planning applications.
- Day 47 Last day for amendments to be received on householder and minor planning applications
- Day 49 Multi-disciplinary meeting with applicants and agents on major and more complex applications where there is scope for negotiations in order to make the application acceptable. These meetings are not normally pursued on applications that are considered unacceptable.
- Day 50 Report completed by planning officer and passed through for signing off.
- If a planning application has to be referred to the Development Control Committee for determination the dates following the end of the statutory consultation period may vary.
- Day 54 Decision Notice sent to applicant on delegated decisions on minor and other applications such as householder extensions.
- Day 40-69 Committee dates for non-delegated applications*
- Day 65 End of 14 days for matters arising from multi-disciplinary team meeting to be submitted on major applications.**
- Day 67 Time to assess the submitted information from multi-disciplinary team meeting.**
- Day 70 10-day Reconsultation process initiated on amendments from multi-disciplinary team meeting.**
- Day 75-85 Prepare matter to go before Development Control Committee**

- Day 81 Assess and form report of responses to amendments. **
- Day 85 Application heard before Development Control Committee. **
- Day 87 Decision Notice issued on applications which have been refused or have no legal agreement to complete. **
- Day 89 Major applications requiring legal agreements, have agreements signed and completed and Decision Notice sent out.**
- Day 90 Major applications requiring legal which have not been completed are refused on the grounds of non-completion meaning the non-provision of an essential part of the scheme. **

* Dates for Development Control Committee vary each month. This means that the date the application will be heard depends on the date of the Committees and as result the application may be heard sooner or later than the dates indicated on the timetable.

** Again, the dates for the Development Control Committee mean that the days indicated on the timetable may vary.

7. Policy on the Submission of Amendments to Planning Applications.

The Council's policy on amendments is as follows

Amendments to a live planning application will only be accepted if they:

1. Do not make the scheme any larger
2. Do not exacerbate the impact of the scheme
3. Do not bring a development any closer to an object of recognised sensitivity
4. Do not conflict with comments received from consultees or objections received from residents or local stakeholders
5. Do not necessitate the need to re-consult
6. Do not materially or substantially alter the scheme
7. Do not amend the red edge site area

Amendments to planning applications which have been determined will only be accepted in the following circumstances:

1. Do not make the scheme any larger
2. Do not exacerbate the impact of the scheme
3. Do not bring a development any closer to an object of recognised sensitivity
4. Do not conflict with comments received about the application from consultees or objections from residents or local stakeholders
5. Do not necessitate the need to re-consult
6. Render the scheme no longer substantially the same as the previous scheme
7. Do not amend the red-edge site area

The Council places great weight on public participation in the planning process, accordingly, people should not be sidelined by the planning process. It is therefore the Council's intention that for all but the smallest of amendments, fresh planning applications will be required.

It is brought to applicant's attention, that there is no charge for a repeat application on the same site for a scheme that is substantially the same as the previous scheme. This is sometimes called a "free-go" and only applies once.