

**Validation**

**Criteria for**

**Applications submitted to the**  
**Local Planning Authority**

**Final Version 14<sup>th</sup> December 2016**

## **Preface**

This document has been prepared by Rossendale Borough Council following the introduction of standard application forms (April 2008) and the introduction of the Pre-Application Advice Charging Scheme (introduced July 2014).

This checklist replaces the Validation of Planning and Other Applications document which was published in January 2011 and the Wind Energy Applications Supplementary Validation Policy which was published in September 2012. Following the publication of the National Planning Policy Framework and the Government consultation on streamlining information requirements for planning applications this checklist will be reviewed and updated, where necessary, on a frequent basis.

## **Introduction**

The standard application form covers the following types of application:

- Householder Applications
- Applications for outline, reserved matters and full planning permission
- Listed Building Consent
- Advertisement Consent
- Applications for Lawful Development Certificates
- Prior notification applications
- Applications for Hedgerow Removal Notice
- Applications for removal or variation of a condition
- Applications for approval of details reserved by condition
- Applications for tree work
- Applications for a Non-material Amendments
- Prior approval applications

The information required to make a planning application valid will vary dependent on the type of application. However the information required will consist of:

- National List which are mandatory for all applications.
- Information provided on the standard application form
- Local List which are set out for each of the types of applications depending on the nature of the proposal.

Providing all the required information is included at the outset the application will be classed as 'Valid' and will progress to a decision.

If information is missing, the application will be held as 'Invalid' and delayed until the necessary information is received. If information is not provided within 21 days of us requesting it we will not be able to deal with the application and it will be treated as withdrawn. We will not keep any documents relating to such applications.

If you do not intend to provide all the information required by the Councils local list of validation requirements, you should provide a short written justification as to why it is not appropriate in the particular circumstance.

### **Pre- Application Discussions**

The Council are keen to promote the use of early discussions with agents and developers at pre-application stage as it is considered that early, collaborative discussions between developers, public sector agencies and the communities can help to shape better quality, more accepted schemes. These developments can be brought forward more quickly and deliver improved outcomes for the community. These discussions also avoid wasted effort, time costs and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Raising the quality of development
- Securing satisfaction with the process
- Reducing confrontation in the planning process

We will expect that guidance given by the Council's officers is taken into account in the preparation and working up of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Council may not be able to negotiate on a scheme and applications are likely to be determined as submitted.

Advice given at pre-application stage will be based on the case officer's professional judgment and assessment of the information provided. Pre application advice whether favourable or not is given on a 'without prejudice' basis since the Council must on submission of an application go through the statutory procedures and formal consultation and assess the outcomes before a decision can be made. Whilst advice can be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process.

Full details of the Council's Pre Application Advice Charging Scheme can be found at [https://www.rossendale.gov.uk/site/scripts/google\\_results.php?q=pre-application](https://www.rossendale.gov.uk/site/scripts/google_results.php?q=pre-application)

## **National List and Standard Application Form**

The national list is a list of statutory information required to accompany all applications (as specified in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO)). The information required includes:

### **1. The standard application form**

A completed standard application form is required which is available to complete on line.

### **2. Required Plans**

The following plans are required to support planning applications (except where the application is made pursuant to section 73 (determination of applications to develop land without conditions previously attached) or section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act(a)). The plans should accurately show the direction of north (where appropriate):

#### **a) Location Plan (a plan which identifies the land to which the application relates)**

The location plan should clearly identify the application site. The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development (e.g. 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, close to or adjoining the application site.

The plan will be required to be based on an up-to-date map at a scale of 1:1250 or 1:2500. In exceptional circumstances plans of other scales may also be required. The plan should include a least two named roads and the surrounding buildings. The buildings should be numbered/ named to ensure that the application site is clearly identified.

#### **b) any other plans, drawings and information necessary to describe the development which is the subject of the application and can include:**

- Site Plan
- Block Plan
- Existing and proposed floor plans
- Existing and Proposed Elevations
- Existing and proposed site sections and finished floor and site levels
- Roof plans

### **3. Ownership Certificates**

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 14 of the , the Town and Country Planning (Development Management Procedure) (England) Order 2015 the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission except for approval of reserved matters must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the application site.

**Certificate A-** This should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.

**Certificate B-** This should be completed if the applicant is not the sole owner, or if there are agricultural tenants, and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.

**Certificate C-** This should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants

**Certificate D-** This should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

#### **4. Notice(s)**

An applicant is required to notify owners of the land or buildings to which the application relates, as well as any agricultural tenants, in accordance with article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. When making an application, an applicant is required to sign a certificate confirming the ownership of the land to which the application relates and that the relevant notices have been served.

The applicant is required to publicise, in a newspaper circulating in the locality in which the land to which the application relates is situated, their intended application at least 21 days prior to submission where the names and addresses of the land owners are not known in accordance with article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

#### **5. The correct fee (where one is necessary)**

The full fee information can be found at

[http://www.planningportal.gov.uk/uploads/english\\_application\\_fees.pdf](http://www.planningportal.gov.uk/uploads/english_application_fees.pdf)

Any application which is submitted without a fee will be treated as invalid until a fee is received.

The fee can be paid:

- over the phone (01706 238638 or 01706 252521) by debit or credit card (please note there is a 1.8% charge if using a credit card); or
- by cheque - Payable to Rossendale Borough Council – please quote 'Planning Fee' on back of cheque; or
- Via on-line banking
  - A/C Name: Rossendale Borough Council
  - Sort Code: 01-07-29
  - A/C Number: 25503391
  - Please quote: PLANNING FEE

## 6. Design and Access Statements

In accordance with the DMPO Design and Access Statement will be required to accompany:

In all areas:

- major development <sup>1</sup>
- development is in a conservation area consisting of-
  - (i) the provision of one or more dwellinghouses; or
  - (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.

The Design and Access Statement shall:

- a) Explain the design principles and concepts that have been applied to the development;
- b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- c) Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- e) Explain how any specific issues which might affect access to the development have been addressed.

Design and Access Statement are not required to accompany applications:

- (a) for permission to develop land without compliance with conditions previously attached made pursuant to section 73 of the 1990 Act(a);
- (b) of the description contained in article 20(1)(b) or (c);
- (c) for engineering or mining operations;
- (d) for a material change in use of the land or buildings;

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<sup>1</sup> For the purposes of the Development Management Procedure Order, “major development” means:

- (c) the provision of dwellinghouses where —
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

## **The Local List**

It should be noted that the Council's Local List of validation requirements is not mutually inclusive and the aim of the Checklist is to set out clearly for anyone submitting an application what is required by the Council to determine an application, which increases the certainty for consultants, developers, neighbours and community groups. The Checklist has been produced in line with national guidance and informed by policy, and therefore items and requirements on the local list are only requested where:

- they are proportionate to the nature, scale and location of the proposed development and
- matters which will be relevant, necessary and material to consideration of the application

Paragraph 193 of the National Planning Policy Framework (the Framework) makes it clear that local planning authorities should only request supporting information that is relevant, necessary and material to the application. This guidance is supported by the National Planning Practice Guidance (NPPG) and is intended to assist applicants when submitting planning applications and to ensure that planning applications can be validated on receipt.

## **Validation Dispute (article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015)**

If the need for a certain document/ plan is disputed (i.e. it is not considered that the particulars or evidence required do not meet the requirements set out in article 34(6)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) then the applicant/ agent may send a notice to the authority. The notice must—

- (i) Specify which particulars or evidence the applicant considers do not meet the requirements set out in article 34(6)(c);
- (ii) Set out the reasons the applicant relies upon in holding that view; and
- (iii) Request the authority to waive the requirement to include those particulars or evidence in the application.

The Local Planning Authority will then assess the justification and determine whether or not the document/ plan is/ are material to consideration of the application.

The Local Planning Authority can require additional information within 28 days of the receipt/ validation of the application.

## **Planning Obligations**

It is advised that the Planning obligations are considered at pre-application stage as the obligations are material planning considerations which could potentially delay the consideration of planning applications. As such whilst it is not a requirement for the validation of a planning application it is considered to be good practice to submit information about a proposed planning obligation alongside an application.

**Applicants should be aware that there will be a legal fee which the applicant will need to pay on completion of the Section 106 Agreement/Unilateral Undertaking.**

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## **1. Plans to support an application**

The following plans will be required in support of the application. The plans should be provided at the stated scale **including the paper size** (i.e. 1:500 at A1) **preferably in digital format** and should accurately show the direction of north (where appropriate):

### ***Existing and Proposed Site Plan***

The site plan(s) should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- a) The direction of north
- b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c) All the buildings, roads and footpaths on the land adjoining the site including access arrangements
- d) The position of all trees on the site, and those on adjacent land that could influence or be affected by the development.
- e) The extent and type of any hardstanding
- f) Boundary treatment including walls or fencing where this is proposed.
- g) Any footpaths/ rights of way within the application site

### ***Existing and Proposed Block Plan***

Block plan(s) of the site is required at a scale of 1:100 or 1:200 showing any site boundaries, the type and height of boundary treatment (e.g. walls, fences etc), the position of any building or structure on the other side of such boundaries.

### ***Existing and proposed floor plans***

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

The submitted plans should include the dimensions of the proposal annotated onto the plan.

### ***Existing and Proposed Elevations***

These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown 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 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 the openings on each property.

The submitted plans should include the dimensions of the proposal annotated onto the plan

### ***Existing and proposed site sections and finished floor and site levels (at a scale of 1:50 or 1:100)***

Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show 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. This will be required for all applications involving new buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified.

Levels should also be taken into account in the formulation of design and access statements.

***Roof plans (at a scale of 1:50/ 1:100/ 1:200)***

A roof plan is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material, vents and their location are typically specified on the roof plan.

***Additional Plans***

For certain proposals, including new housing schemes, the following plans will be required to enable a full assessment of the proposals. The inclusion of these plans can also reduce the number of prior commencement conditions attached to a planning approval:

- Materials plan- detailing the proposed external facing materials and the proposed hardsurfacing materials (please be advised that the Council will require either the use of permeable materials on a permeable base for the construction of driveways or provision for drainage facilities within the site to ensure that surface water does not drain onto the highway.)
- Boundary treatment plan- detailing the proposed walls, fencing etc to be erected on the site along with plans detailing the height and appearance of these boundary treatments. (Please note that for new housing schemes adequate boundary treatment will be required to create private garden space within the cartilage of the dwelling).
- Landscape plan- including full details of all existing trees and those to be removed, all existing and/ or proposed ground cover planting, size, species, density and position of proposed trees and details of all existing and proposed hardstanding/parking areas.
- Street scene plans- detailing the proposed scheme within the existing street scene and plans of proposed street scenes within the development

## 2. Householder Applications

The Council's Local List includes a list of all potential supporting documents for all types of applications. This list is extensive and the majority of the documents listed will not be applicable to householder applications. To assist with householder applications the checklist at Appendix A has been produced which sets out the documentation required to support a householder planning application.

## 3. Outline Planning Applications

Outline applications are about establishing whether a particular type of development is acceptable on a site in principle. Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 identifies certain 'reserved matters', which may be set aside at the outline application stage for subsequent approval by the local planning authority. These are:

- layout,
- scale,
- appearance,
- access and
- landscaping.

The following information is required to accompany an outline planning application:

**Amount:** cannot be reserved within an outline application. The amount of development proposed for each use, how this will be distributed across the site and how the proposal relates to the site's surroundings should be explained within the design and access statement.

**Layout:** where layout is to be a reserved matter then the information requirements will be judged on a site-by-site basis having regard to the complexity and specific context of a particular application.

**PLEASE NOTE:** It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application. In respect of layout this can include details of the approximate location of buildings, routes and open spaces proposed (PLEASE NOTE: that plans submitted for illustrative purposes will not form part of the list of approved plans on any planning approval and should be clearly marked 'ILLUSTRATIVE' on the plans)

**Scale:** Where scale is to be a reserved matter then the information requirements will be judged on a site-by-site basis having regard to the complexity and specific context of a particular application.

**PLEASE NOTE:** It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application. In respect of scale this can include details of the parameters for the upper and lower limits of the height, width, and length of each building proposed. This is in order to establish a three dimensional building envelope within which the detailed design of the buildings will be constructed.

**Landscaping:** where landscaping is to be a reserved matter then the application does not need to provide any specific landscaping information. However, the accompanying design and access statement should explain and justify the principles that will inform any future landscaping scheme.

**Appearance:** where appearance is to be a reserved matter then the accompanying design and access statement should explain and justify the principles behind the intended appearance and explain how these will inform the final design of the development.

**Access:** the location point of the access(es) are required to be shown to the site. This is to enable an early assessment of whether safe vehicular and pedestrian access will be possible.

#### 4. Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) should be provided for any major development that falls within Schedule 1 of the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. An EIA may also be required for other developments identified in Schedule 2 where its location and scale corresponds with those criteria listed in the EIA Regulations [**PLEASE NOTE:** Part of Schedule 2, paragraphs 10(a) to 10(c) in Column 1, was amended by virtue of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015].<sup>2</sup> An assessment will need to be undertaken as to the significance of any impact. This is to enable the likely environmental impacts of the proposed development to be properly considered by the Local Planning Authority. This is a three-stage process.

If you suspect that a proposal may need an EIA you can submit a request to the Local Planning Authority for a Screening Opinion. This request will need to be accompanied by a plan to identify the site, a brief description to the nature and purpose of the development and of its possible effects on the environment and any other information. On receipt of the application for a screening opinion the Local Planning Authority will consult the relevant organisations and respond to the request normally within 21 days. If the Local Planning Authority considers that the proposal could have significant effects on the environment then they will require an EIA to be submitted with the application.

If a proposed development is EIA Development (by virtue of either Schedule 1 or Schedule 2) then a request for a Scoping Opinion can be submitted to the Local Planning Authority. This will seek to provide sufficient information that the scope of an EIA can be agreed, i.e. the significance of the various impacts and the level of detail to be explored. The Local Planning Authority will consult the relevant organisations and respond to the request normally within 5 weeks.

“(a) Industrial estate development projects;	The area of the development exceeds 5 hectares.
(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;	(i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares.
(c) Construction of intermodal transhipment facilities and of intermodal terminals (unless included in Schedule 1);	The area of the development exceeds 0.5 hectare.”

<sup>2</sup>

An EIA application should be submitted with a full Environmental Statement (ES) and a non-technical summary. Technical appendices should also be included where relevant. An application proposing EIA Development has a target date for consideration of 16 weeks to allow the Local Planning Authority and all the interested parties greater opportunity to consider the impacts of the proposed development.

**PLEASE NOTE:** Following the Court of Appeal Judgement *SAVE Britain's Heritage v SSCLG* the demolition of buildings is now classed as 'development'. As a result, where demolition works are likely to have a significant effect on the environment, by virtue of factors such as its nature, size, or location, EIA screening must be carried out to consider whether EIA is required.

## **5. Ecological Assessments & Wildlife Surveys**

An ecological assessment and/or wildlife survey shall be submitted for all proposals where the development of the site might affect protected species and/or habitats, Biological Heritage Sites, Ancient Woodland, woodland areas, any water body, pond ditch, or other similar feature. This includes the conversion of existing buildings. Further advice in respect of the need for surveys can be found at Appendix B.

The report shall include the following:

- Details of the appointed ecologist to demonstrate their competence
- Confirmation that surveys were undertaken or updated within the last 3 years (the need for more recent surveys may become apparent during consultation)
- A detailed method for the ecological assessment/ survey
- Detailed results of the survey/ assessment and an evaluation of the ecological interest
- An assessment of likely impacts
- Proposals to avoid, mitigate or compensate for any ecological impacts
- In the case of developments affecting European Protected Species (e.g. bats, otters, great crested newts, badgers), information required to address the three licensing tests of the Habitats Regulations.

In addition where developments that are proposed adjacent to such a site, but it might have an impact upon it, will also be required to be submitted with a full assessment of the impact of the proposal on the feature of importance.

This requirement cannot be conditioned, as the Local Planning Authority is obliged by the law to make a full assessment of the impact of the proposed development at the time of its consideration. Additionally following a High Court judgement the Council has a legal duty, as part of a planning application, to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
- (b) there must be no satisfactory alternative and
- (c) favourable conservation status of the species must be maintained.

Where any impact is identified, full mitigation measures shall be identified and justified within the Assessment. Additionally a habitat creation and management plan may be required.

## **6. Archaeological Assessment**

Any development which is situated within an area of known to have archaeological interest shall be accompanied by an Archaeological Assessment which sets out a programme of archaeological work including a scheme of investigation. This is to ensure that any archaeological assets are excavated and recorded correctly.

## **7. Heritage Statement**

For planning applications which involve a Listed Building, impact on the setting of a Listed Building and/or involve work within a Conservation Area the planning application will be required to include a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance. (Details of whether a property is within a Conservation Area can be found at <http://planaccess.rossendale.gov.uk:8080/connect/> ).

As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest an appropriate desk-based assessment and, where necessary, a field evaluation will be required.

This information together with an assessment of the impact of the proposal will be required as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

It will not be possible to validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

## **8. Applications for Listed Building Consent**

Consent will be required from the Local Planning Authority for the following works to a Listed Building:

- Any works of demolition, alteration or extension that would affect the building's special character (Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- For replacement windows or doors or any other features that will affect the character of the building (e.g. flood resilient doors)

Applications for listed building consent shall be accompanied by:

- A section plan through the building at a scale of 1:1 or 1:2
- Existing and proposed elevation plans at a scale of 1:100 or 1:200
- Detailed plans at a scale of 1:20 showing all new doors, windows, panelling, fireplaces, plaster moulding and other decorative details
- Details of any pre-application discussion
- Structural Survey of the Building (if required)
- Photographs/photomontages
- Statement of Significance of Heritage Assets

## 9. Structural Surveys

For applications which include the reuse of existing buildings and include elements of demolition and rebuild, the application shall be accompanied by a specialist report on the condition of the building. This report should be undertaken by a qualified structural surveyor, structural engineer and/or timber-frame specialist if appropriate. The report must clearly identify the extent of any required rebuilding and detail, via a method statement, the means by which the retained structure is to be safeguarded.

Applications for demolition which include justification based on the structural integrity of the building/ structure shall also be accompanied by a Structural Survey

## 10. Proof of Marketing Statement

In accordance with Policy 10 of the Adopted Core Strategy the loss of existing employment sites and buildings to non-employment generating uses will only be supported where:

- a) re-development for employment uses has been adequately demonstrated to the satisfaction of the Council to be economically unviable and the site is unlikely to be used for existing or future employment purposes, or
- b) the access to the site is poor and cannot be adequately improved, or
- c) the current, or any alternative employment, use has a significant adverse impact on the neighbouring land uses, or
- d) the site and/or buildings are significant heritage assets and their re-use or development is the most appropriate means to secure and maintain an acceptable and viable use that is consistent with their conservation

### and in all cases

- e) the site has been marketed for 12 months, or less in exceptional circumstances, using a methodology which has first been agreed by the Council, and
- f) the development will have no unacceptable adverse impacts on surrounding land uses.

**PLEASE NOTE: The methodology for marketing should first be agreed by the Council and it is advised this is agreed at pre-application stage.**

Where the Council considers the loss of a retail facility may have negative impacts for the local community, it will be necessary to provide additional information and market the building for a period of at least 12 months, or less in exceptional circumstances, using a methodology agreed by the Council.

The loss of social infrastructure / cultural facilities such as pubs, post offices, theatres, community halls, youth centres, parks and open space that require a change of use application will be resisted, particularly in local centres and small settlements. All the following factors will be considered when assessing applications:

- The availability of alternatives within 15 minutes travelling time by non-car modes
- The financial viability of the existing use
- The results of marketing the site for existing or other community uses for a minimum period of six months
- Whether it is possible for the community facility to be retained in the same locality, but combined with another use



- Significance of loss on the local community

### **11. Planning Performance Agreement**

The Council encourages the use of a Planning Performance Agreements (PPA) for the larger more complex planning applications. PPAs are about improving the quality of planning applications and the decision making process through collaboration and an agreed approach to project management. By taking this approach it is considered that the Council, the developer and key stakeholders are able to work through a clear framework for the delivery of major projects. The PPA agrees a timeframe for determination and is considered outside the standard 13 week time frame.

The Council are committed to Community Engagement as set out elsewhere in this document and an appropriate level of community consultation would be required as part of any large scale scheme.

The use of the PPA process will ensure that the Council's Elected Members are openly engaged in the PPA process. This will include either:

- (1) Member briefing: where relevant and the issues are sufficiently complex, a Member Briefing will be held for the Portfolio holder, The Leader & Deputy leader of the Council, and Ward Members within whose electoral ward the PPA project is situated. The purpose of the briefing will be to allow Members to gain a full understanding of the project from the applicants' project team and other pertinent issues.
- (2) Liaison with the same group of Members where due to the nature of the PPA project a Member Briefing is not appropriate.

The PPA process will be used to ensure the smooth processing of a scheme from pre-application/ conception stage, through application stage to post-application stage. **PLEASE NOTE:** a PPA will be subject to a separate fee in accordance with Section 93 of the Local Government Act 2003 however it is important to note that works that fall within a Council's statutory duties as part of a planning application will not be subject to PPA charging.

### **12. Financial Viability Assessment**

Where an application submitted which would be contrary to Core Strategy Policies (i.e. a reduced affordable housing contribution) the application will be required to be supported by a financial viability assessment containing the following information:

- Value of the land (2/3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units (in the case of affordable housing)
- Open market value of the dwellings/ value of the development
- Developer return
- Details of the proposed obligations/ specific elements of the scheme which are proposed to be included (i.e. Open Space)

The Assessment may include 3 different scenarios to demonstrate the financial impacts of the scheme which include:

1. Details of the scheme with no financial obligations/ elements which increase costs on site
2. Details of the scheme with both the financial obligations and/or specific scheme details which accord fully with Planning Policy
3. Details of the scheme as proposed including proposed financial obligations and specific details of the scheme.

Any financial viability assessment submitted will need to accord with the RICS guidance note 'Financial viability in planning' 1st edition (GN 94/2012)

### **13. Adoption Statement**

It is essential that arrangements for the future management and maintenance of new roads/ drainage facilities within developments, is addressed at the planning stage. As such any development which involves the construction of new roads, alterations/ connections to existing highways, extensions to and/ or connections to services will be required to be accompanied by a statement which details the future arrangements.

The Adoption Statement shall include:

- An Estate Road Phasing and Completion Plan setting out the development phasing and phasing of the construction of the roads (if available).
- Full details of the proposed arrangements for the future management and maintenance of the proposed streets within the development.

It is the Council's preference that developments which involve the construction of new roads shall be accompanied by a Section 38/Section 278 Agreement with Lancashire County Council Highway Authority for the adoption of the highways. Similarly any application which involves connections/extensions to existing sewers/drains shall be accompanied by a Section 104 Agreement with United Utilities.

Any application which is not accompanied by the relevant legal agreements shall have to provide clear details of how the future management and maintenance of the highways and services will be dealt with. This shall include details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

### **14. Transport Statement, Transport Assessments (TA) and Travel Plan**

Where developments will have the potential to have transport implications, the planning application shall be accompanied by a Transport Statement or a Transport Assessment and Travel Plan (dependent on the type and size of the development).

Planning applications for the following types and size of developments shall include either a Transport Statement or Travel Assessment and Travel Plan:

Land use	Unit measure	Transport Statement	Transport Assessment and Travel Plan
Food retail (A1)	GFA	>250 <800sq.m	>800sq.m
Non-food retail (A1)	GFA	>800 <1500sq.m	>1500sq.m
Financial and professional services (A2)	GFA	>1000 <2500sq.m	>2500sq.m
Restaurants and cafes (A3)	GFA	>300 <2500sq.m	>2500sq.m
Drinking establishments (A4)	GFA	>300 <600sq.m	>600sq.m
Hot food takeaw ay (A5)	GFA	>250 <500sq.m	>500sq.m
Business (B1)	GFA	>1500 <2500sq.m	>2500sq.m
General industrial (B2)	GFA	>2500 <4000sq.m	>4000sq.m
Storage or distribution	GFA	>3000 <5000sq.m	>5000sq.m
Hotels (C1)	Bedroom	>75 <100 bedrooms	>100 bedrooms
Hospitals and nursing homes (C2)	Beds	>30 <50 beds	>50 beds
Residential education (C2)	Students	>50 <150 students	>150 students
Institutional hostels (C2)	Residents	>250 <400 residents	>400 residents
Dw elling houses (C3)	Unit	>50 <80 units	>80 units
Non-residential institutions (D1)	GFA	>500 <1000sq.m	>1000sq.m
Assembly and leisure (D2)	GFA	>500 <1500sq.m	>1500sq.m
Any development w hich it is considered w ould have a significant impact on the highw ay network			

Full details of what should be included within a Transport Statement and Transport Assessment can be found at:

<https://www.gov.uk/government/publications/guidance-on-transport-assessment>

Lancashire County Council's Travel Plan Advisory Team will be able to advise on the requirements for a Travel Plan (01772 534309)

### 15. Affordable Housing Statement

For housing schemes which require an element of affordable housing (in accordance with Policy 4 of the Adopted Core Strategy) the planning submission will be required to detail how the required percentage of affordable housing will be achieved on site, the tenure of the proposed affordable units, the number of bedrooms of the proposed affordable units and details of the Registered Provider / Housing Association who will manage the affordable units (if applicable). The scheme should demonstrate how the split responds to local needs.

Unless otherwise agreed with the Council, a relaxation of the Policy requirements of Policy 4 of the Adopted Core Strategy will only be considered if it is demonstrated that this would result in the development being financially unviable based on the findings of an economic viability assessment submitted to and approved by the Council. The Assessment should include the following:

- Value of the land (2/3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units
- Open market value of the dwellings
- Developer return
- Details of the percentage of affordable units which can be accommodated on the site

Where the Council is not in agreement with the findings of the assessment an independent auditor will be appointed, at the cost of the applicant, to undertake a site-specific economic viability assessment.

Presumption will be for on-site provision however in certain circumstances the Council acknowledges that some locations are unsuitable for affordable housing and in those cases financial contributions, instead of on-site affordable housing, may be considered acceptable.

### **16. Coal Mining Risk Assessment (CMRA)**

All non-householder applications which fall within the Coal Mining Development Referral Area (advice can be sought from the Local Planning Office) require a Coal Mining Risk Assessment. Further guidance can be found at <http://coal.decc.gov.uk/en/coal/cms/services/planning/strategy/strategy.aspx>

The Assessment shall be prepared by a suitably qualified and competent person and should contain:

- Site specific coal mining information (including past/ present/ future underground mining, shallow coal workings, mine entries (shafts or adits), mine gas, within an area which has a current licence to extract coal, geological features, any recorded surface hazards, or within a former or present surface mining [old opencast] area).
- Identify what risks these coal mining issues, including cumulative effects, pose to the proposed development
- Identify how coal mining issues have influenced the proposed development and whether any other mitigation measures are required to manage those issues and/or whether any changes have been incorporated into the development
- Any development that involves intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or mine entries will require the prior written permission of The Coal Authority

If an ES is required (please see above) then the CMRA should be included within the ES.

**PLEASE NOTE:** There may be exemptions made for the nature of development, where the engineering operations are minimal and therefore would not require a Coal Authority Permit for ground works that intersect coal/ workings. Examples of such exemptions include:

- Change of use (land/ buildings) where no other built development is proposed;
- Temporary structures with no ground works;
- Means of enclosure;
- Street type furniture;
- Alterations to existing non-residential buildings that create no new floor space;
- Non-commercial private/ domestic stables

### **17. Land Stability Report**

A Land Stability Report is required where development is proposed on or adjacent to unstable or potentially unstable land. The report should establish the nature and extent of the instability and any gas emissions that might be associated with any land filling.

### **18. Statement of Community Involvement**

Planning applications for major development should include a Statement of Community Involvement [**PLEASE NOTE:** Other types of application may benefit from pre-application community involvement and this should be discussed at pre-

application stage]. The aim of the Statement of Community Involvement is to ensure that all sections of the community, from individual members of the public through to representative organisations, have the opportunity to participate in the preparation of planning proposals for the Borough's towns, villages and countryside.

Developers are encouraged to incorporate community involvement into their development programme to allow for enough time to be devoted to involve the community in a particular scheme. Options for involvement include

- Arrange a meeting with relevant Ward Councillors and Parish/ Town Council;
- Circulate a letter and statement in the locality explaining proposals with plans or a diagram;
- Circulate a specially prepared leaflet;
- Arrange an exhibition and invite local people;
- Arrange a press release/advertisement in local newspapers;
- Arrange a public meeting;
- Arrange a meeting with particular groups in the community.

The Localism Act 2011 proposed mandatory pre-application consultation with local communities for major applications and although to date this has not been activated (apart for Wind Energy Proposals as set out above) more formal pre-application consultation is encouraged where the proposal constitutes "major development". "Major development" is defined as:

- the provision of dwellinghouses where —
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development will provide 10 or more dwellinghouses;
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- development carried out on a site having an area of 1 hectare or more.

The omission of pre-application consultation may result in a major planning application being invalid on receipt where there is likely to be significant public interest in the proposals.

For small-scale proposals such as house extensions or advertisements applicants are encouraged to discuss their proposals with the occupiers of neighbouring property(ies) who will be affected and to take account of their concerns where possible. This can reduce the need for changes after the application has been submitted to the Council, increase the prospect of planning permission being granted and speed up the time taken for proposals to be dealt with.

## **19. Flood Risk Assessment**

Planning applications for development proposals of one hectare or greater in Flood Zone 1 and all proposals for new developments located in Flood Zones 2 and 3, should be accompanied by a Flood Risk Assessment (FRA). Further information on whether your site is located within a Flood Zone can be sought from the Local Planning Authority

For householder applications located within a Flood Risk Zone the planning application shall be accompanied by a simple flood risk assessment. The relevant

form which will constitute the required simple FRA can be found at <http://www.environment-agency.gov.uk/research/planning/93498.aspx>

## **20. Drainage**

If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s) along with full details of the proposed drainage arrangements within the site.

It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage.

Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory.

If the proposed development results in any changes or replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

Applications should include details of the disposal of surface water run-off. Where it is proposed to drain this to existing drains the location of those drains should be indicated and where Sustainable Drainage Solutions (SuDS) are proposed there should be sufficient engineering, geotechnical and hydrological information provided to demonstrate the feasibility and suitability of the proposed solution

## **21. Land Contamination Assessment**

Where there is reason(s) to suspect contamination of land, controlled waters, property or ecological systems (such as the existence of former industrial uses, infilled ground, or other indications of potential contamination) and for particularly sensitive end-uses such as a day nursery or housing likely to be used by families with children, a planning application shall be accompanied by either a Desk study or a Land Contamination Assessment.

Initially a desk study should be undertaken of the readily-available records assessing the previous uses of the site and their potential for contamination in relation to the proposed development. If the potential for contamination is confirmed, further studies by the intending developer to assess the risks and identify and appraise the options for remediation will be required.

Where the potential for contamination is confirmed a Land Contamination Assessment shall be submitted which includes: an assessment of ground contamination (The objectives of the investigation shall be, but not limited to,

identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary), and any necessary remediation proposals to render the site capable of development (the remediation proposals shall include an implementation timetable and monitoring proposals). Upon completion of the remediation works, a validation report containing any validation sampling results shall be submitted to and approved in writing by the Local Planning Authority.

For small scale housing developments ( no more than 3 houses) the Assessment form found at Appendix C can be should be completed and submitted as part of the planning application

## **22. Noise Impact Assessment**

Proposals which are likely to generate noise located close to noise sensitive areas (e.g. close to residential areas) are required to be accompanied by a Noise Impact Assessment. The assessment shall indicate the levels of noise expected to be created and methods for mitigating any impact.

Similarly proposals for noise sensitive developments within areas of noisy development (e.g. adjacent to a railway line/ motorway) will be required to detail measures to protect the new development from noise.

For developments located close to existing residential dwellinghouses the planning application shall be accompanied by full details of the proposed construction hours, full details of the access arrangements during construction and full details of the site compound and parking for construction traffic during the construction period.

## **23. Parking Provision Statement**

Planning applications for new development shall be accompanied by a Parking Provision Statement (which can be incorporated into the Planning or Transport Statement) detailing how the scheme shall accommodate adequate parking provision. The document shall include details of the existing and/or proposed parking layout including manoeuvring areas along with details of the access including any proposed access alterations.

The Council's parking requirements associated with proposed developments can be found within Appendix One of the Adopted Core Strategy 2011 ([http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_adopted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted)). The standards are for guidance purposes however the Local Planning Authority will also take into account the accessibility of the development, the type, mix and use of development, the availability of and opportunities for public transport, local car ownership levels; and an overall need to reduce the use of high-emission vehicles

For new housing developments 1 bedroom dwellings shall incorporate 1 off road parking space, 2/3 bedroom dwellings shall accommodate 2 off road parking spaces and 4+ bedroom properties shall accommodate 3 off road parking spaces. Details on adequate parking provision can be found in Manual for Streets 2. For garage accommodation to 'count' as a parking space it should measure 6x3 metres and driveways to the front of garages shall measure 6 metres in length to 'count' as a parking space.

For householder developments which result in additional bedroom accommodation adequate parking shall be provided within the curtilage of the site in accordance with the above requirements.

#### **24. Planning Statement**

For major planning applications a Planning Statement will be required as part of the submission. Planning Statement's may also be useful for minor planning applications, where the development is likely to be controversial or to enable the case for the development to be put forward, this can be identified at pre-application stage. The Statement shall provide an explanation of and justification for the proposals in the context of relevant national and local planning policies affecting the site. The Statement shall include: an assessment of the site and its context, a description of the development proposal, an assessment of the planning policy context and an appraisal of the proposed development against relevant planning policies affecting the site

#### **25. Tree Survey**

For proposals which have the potential to impact on trees (either within the application site or adjacent to the application site) the planning application shall be accompanied by a Tree Survey.

The survey shall indicate on a plan all of the trees and vegetation present within/ adjacent to the application site, shall indicate the species and height of the trees/ vegetation plus canopy diameter, shall indicate which trees/ vegetation will be retained as part of the development and shall indicate, including justification, which trees/vegetation are proposed to be removed.

The survey shall also incorporate a tree constraints plan, a tree retention plan and a root protection plan in accordance with BS5837:2005.

#### **26. Tree Works**

For applications which relate to works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area the following information will be required:

- Sufficient evidence to support the case for works to trees protected by a TPO in the form of a report from a qualified expert or diagnostic information (**PLEASE NOTE:** failure to provide sufficient information may result in the application being invalidated/ rejected/ refused.)
- A sketch plan clearly identifying the trees subject to the application (the plan should also identify other trees on the site clearly marked that they are not subject to the application). The sketch plan should include the site boundaries, the adjacent properties (including house names/ numbers), distances between the trees and nearby features on the site, an arrow indicating north, the position of the trees in relation to nearby buildings and the individual trees/ groups of trees should be numbered. (please see appendix D for a suitable example).
- If individual trees cannot be clearly identified (i.e. they are part of a woodland/ group on trees) the approximate location should be marked on the plan and identified as part of a site visit with the case/ tree officer.
- Photographs can be utilised to identify the trees subject to the application and/ or specific features of the trees which directly relate to the application.
- Full details of the condition of the trees and/ or the damage they are causing



- The presence and impact of pests, diseases or fungi that require work to be carried out to the trees should be described in written evidence or diagnostic information from an arboriculturist or other appropriate expert. Arboricultural evidence must be provided to support applications that suggest the tree has defects that may be of concern to the future or future safe retention of the tree or parts of the tree.

Full details as to whether a tree is subject to a TPO can be found at:

[http://www.rossendale.gov.uk/info/508/tree\\_preservation\\_orders/259/tree\\_preservation\\_orders](http://www.rossendale.gov.uk/info/508/tree_preservation_orders/259/tree_preservation_orders)

## **27. Waste Management Strategy (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 along with a regime for litter picking associated with the hot food takeaway use.

## **28. Landscape**

The Council requires the inclusion of basic information, including provision of levels at an early stage. Landscape strategies may be required for especially complex or phased developments where an overview or framework is needed.

It is recommended that landscape strategies are included either as supporting information or as part of Design and Access Statements or EIAs.

For sites that are considered to be particularly sensitive in landscape or visual terms Landscape and Visual Impact Assessment (LVIA) will be required. For example:

- where large scale developments are proposed, particularly vertical developments;
- where developments are within areas with a national or international landscape or landscape heritage designation (eg AONB);
- where developments may affect the settings of the above areas; or
- where developments will be particularly visible from publicly accessible viewpoints.

LVIAs should be carried out by qualified landscape professionals in accordance with the Landscape Institute and Institute of Environmental Management and Assessment's Guidelines for Landscape and Visual Assessment (GLVIA) 3rd Edition (2013).

## **29. Certificate of Lawfulness**

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

In accordance with article 39 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as a minimum this should include:

- a) a plan identifying the land to which the application relates drawn to an identified scale and showing the direction of north;

- b) such evidence verifying the information included in the application as the applicant can provide; and
- c) a statement setting out the applicant's interest in the land, the name and address of any other person known to the applicant to have an interest in the land and whether any such other person has been notified of the application.

This evidence required in respect of criteria (b) above may include the following:

- Existing and Proposed floor plans (for all applications involving use of a building) to a scale not less than 1:100
- Existing and proposed extensions (for all proposed building works) to a scale not less than 1:100
- Sworn affidavit(s) from people with personal knowledge of the existing use or works carried out
- Description of all uses of land within the site (if relevant)
- Supporting Planning Statement (to include statement of grounds on which the Certificate is sought)

### **30. Access Ramp Details**

Applications which include a new external access ramp shall include floor plans detailing the position and gradient of the ramp along with a plan detailing any handrails/ barriers and anti-skating measures.

### **31. Flues & Ventilation extraction details**

All applications which involve the sale or preparation of cooked food, launderettes and other uses which require air conditioning or extraction and filtration equipment shall be accompanied by full details of the proposed equipment. The details shall include the manufacturers specifications, plans detailing the location of the equipment and the dimensions of the proposed equipment.

### **32. Shopfront Details**

Applications for new shopfronts shall be accompanied by:

- A section plan detailing the projection of any signage, canopies and roller shutters,
- Elevation plans detailing the existing and proposed shopfront, at a scale of 1:10 or 1:20, and
- A section plan of proposed shopfront, at a scale of 1:1 or 1:2

Advice and guidance in respect of new shopfronts can be found in the Council's Shop Front Design Supplementary Planning Document ([http://www.rossendale.gov.uk/info/856/local\\_development\\_framework/300/extra\\_guidance\\_spds/6](http://www.rossendale.gov.uk/info/856/local_development_framework/300/extra_guidance_spds/6))

### **33. Telecommunications Development**

Applications incorporating telecommunications shall be accompanied by:

- Standard application forms
- Layout Plan (scale 1:100/1:200) detailing the position of the structure
- Elevation Plan (scale 1:50/ 1:100) detailing height and design of the structure
- Section through structure (scale 1:10/1:20) detailing width of structure
- Elevation and layout plan (scale 1:100/1:200) of associated equipment
- Certificate/ Statement confirming compliance with ICNIRP and diagram indicating beam of greatest intensity
- Existing and proposed coverage maps

- Details of alternative sites rejected (including existing masts, structures and other buildings) with justification for rejecting them.

### **34. Lighting Assessment**

Planning applications which include new external lighting shall be accompanied by a Lighting Assessment.

A lighting scheme should include the following:

- Plans detailing the location of the lighting
- Specific Site survey – including District Ambient Brightness Category
- Calculations – determining Glare, Intensity and Spill and recommendations to control these
- Risk assessment – in relation to crime and disorder and impact on light sensitive premises
- Schedule of installation
- Equipment design – must be identified & used to determine aim, glare and overspill
- Measured luminance of the proposed scheme
- Hours of illumination

### **35. Sequential Assessment and Impact Assessment**

A sequential assessment will be required for main town centre uses that are not proposed in an existing centre and are not in accordance with an up-to-date Local Plan. Proposals for main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available will out of centre sites be considered.

The assessment shall demonstrate:

- that sites have been assessed for their availability, suitability and viability.
- that all in-centre options have been thoroughly assessed before less central sites are considered
- that there are no town centre sites to accommodate a proposed development, (in these circumstances preference will be given to edge of centre locations which are well connected to the centre by means of easy pedestrian access)

For proposals on the edge of existing centre developers shall demonstrate flexibility in terms of:

- scale: reducing the floorspace of their development;
- format: more innovative site layouts and store configurations such as multi- storey developments with smaller footprints;
- car parking provision; reduced or reconfigured car parking areas; and
- the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites.

**PLEASE NOTE:** This sequential approach will not be applied to applications for small scale rural offices or other small scale rural development.

Applications for retail, office and leisure development outside of town centres, which are not in accordance with an up-to-date Local Plan, will be required to be supported by an impact assessment if the development is over 2,500 sq m.

The assessment shall include:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

### **36. Air Quality Assessment**

Regard must be had for the impact on Air Quality as a result of the development and where the development will worsen the air quality for those already living in the area mitigation measures will be required. Any such application shall be accompanied by an Air Quality Assessment setting out the identified impacts and the suggested mitigation measures.

Central Government recently released the damage costs associated with Nitrogen Dioxide levels, with the document “Valuing Impacts on Air Quality – Updates in valuing changes in emissions of Oxides of Nitrogen (NOX) and concentrations of Nitrogen Dioxide (NO2) (September 2015). Within this document it is suggested that there are health effects associated with the Nitrogen Dioxide levels below those targets set by the National Air Quality Objectives.

Additionally in accordance with National Guidance the Council is keen to promote the use of alternative fuels for transport purposes.

One suggested form of mitigation is the inclusion of electric vehicle charging within schemes for new residential dwellings.

### **37. Demolition of Buildings (including conservation areas)**

Following the Court of Appeal Judgement *SAVE Britain’s Heritage v SSCLG*, the demolition of buildings is now classed as ‘development’. As such an application is required to the planning authority to ascertain whether the authority requires prior approval of the method of demolition along with details of the future use/ restoration of the site.

Applications for prior approval shall be accompanied by:

- Details of the method of demolition
- Details of the proposed restoration of the site
- Confirmation from a licenced Ecologist that the demolition will not adversely impact on any ecological assets or protected species
- Confirmation from an accredited archaeologist that the demolition will not adversely impact on any items of archaeological significance at / adjacent to the site.

If you live in a conservation area, you will need planning permission for relevant demolition in a conservation area to do the following:

- Demolish a building with a volume of more than 115 cubic metres.
- To demolish a gate, fence, wall or railing over 1 metre high next to a highway (including a public footpath or bridleway) or public open space; or over 2 metres high elsewhere
- Any building erected since 1 January 1914 and in use, or last used, for the purposes of agriculture or forestry.

The application shall be accompanied by:

- Floor Plans and Elevations of the building/ structure to be demolished
- A structural survey.
- An Ecological survey and report (to include where necessary a bat survey).
- A tree survey/Arboricultural implication where trees exist on the site or are immediately adjacent to areas of work.

### **38. Agricultural applications**

Applications for new agricultural buildings/ horticultural enterprises/ agricultural workers dwellings will be required to be accompanied by the following information in respect of the existing and proposed site arrangements:

- Full details of all the land which forms part of the agricultural holding
- Full details of the business enterprise
- Full details of the employees of the business
- Financial details directly linked to the proposed development
- Full details of existing farm buildings and their uses

The Council have produced a pro-forma document which can be found at Appendix E which should be completed and attached to any application for new agricultural buildings/ agricultural workers dwellings (including prior notification applications)

### **39. S73 Applications and Minor Non-material amendments**

Applications for removal/ variation of condition(s) (submitted under S73 of the Town and Country Planning Act 1990) or applications for minor non-material amendments will be required to be accompanied by the following information:

- The description of the development on the application forms (question 5 on the application forms for removal or variation of a condition and question 7 on the application forms for a non-material amendment) shall list all of the amendments proposed.
- A supporting statement which specifically details all of the amendments proposed.
- A copy of the originally approved plan(s) and a copy of the amended plan(s) with the amendments clearly identified on the plan(s).

### **40. Mineral resource assessment**

Proposals located within a mineral safeguarding area should be accompanied by a minerals resource assessment. This is to ensure sufficient information is available on mineral resources to enable Rossendale Borough Council to determine the applications conformity to Joint Lancashire Minerals and Waste Local Plan Policy M2 – Safeguarding Minerals.

The mineral resource assessment should specify whether there are minerals present and, if so, whether it is practicable or sustainable to extract them.

Information could be provided on:

- the depth of overburden,
- the quantity and quality of any mineral present,
- the height of the water table,
- the proximity and nature of any surrounding land uses,
- the size of the site.

The level of detail should be appropriate to the scale and nature of the proposed development. Details of whether a site is located within a mineral safeguarding

area can be downloaded at <http://www.lancashire.gov.uk/council/planning/local-planning-policy-for-minerals-and-waste.aspx#policiesmaps>

#### **41. Householder Larger Home Rear Extensions Prior Approval Application**

Permitted development rights are a right to make certain changes to a building or land without the need to apply for planning permission. These derive from a general planning permission granted from Parliament, rather than from permission granted by the local planning authority.

Legislative changes came into force on 30th May 2013 which extended permitted development rights to make it easier for homeowners to construct larger rear extensions without the need for planning consent, although homeowners must first establish if the prior approval of the Local Planning Authority is required.

To accompany such a prior approval application the following information is required:

- a) a written description of the proposed development including—
  - (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
  - (ii) the maximum height of the enlarged part of the dwellinghouse; and
  - (iii) the height of the eaves of the enlarged part of the dwellinghouse;
- b) a plan indicating the site and showing the proposed development- a block plan, preferably at a scale of 1:200/ 1:500 or with the written dimensions on the plans, should be provided detailing the existing dwellinghouse and the proposed extension including the distances to the boundaries.
- c) the addresses of any adjoining premises;
- d) the developer's contact address; and
- e) the developer's email address if the developer is content to receive communications electronically

#### **42. Prior Approval Applications- Part 3, Classes C, J, M, N, O, P, PA, Q, R, and S of the Town and Country Planning (General Permitted Development) Order**

The Town and Country Planning (General Permitted Development) Order 2015 includes provisions to change the use of a building without the need to apply to the Local Planning Authority for planning permission (Part 3 of the GPDO, Classes C, J, M, N, O, P, PA, Q, R, and S) however prior to undertaking the development a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required.

The application must be accompanied by—

- a written description of the proposed development, which, in relation to development proposed under Class C, M, N or Q of this Part, must include any building or other operations;
- a plan indicating the site and showing the proposed development- floor plans and elevations of the existing and proposed development, preferably at a scale of 1:50/ 1:100 or with the written dimensions on the plans, should be provided.
- in relation to development proposed under Classes M, N, O, P, PA and Q of this Part, a statement specifying the net increase in dwellinghouses proposed by the development
- the developer's contact address;

- the developer's email address if the developer is content to receive communications electronically;
- a site specific flood risk assessment ( where the site is in an area within Flood Zone 2 or Flood Zone 3; or in an area within Flood Zone 1 which has critical drainage problems)
- The required fee.

**PLEASE NOTE:** The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include—

- (a) assessments of impacts or risks;
- (b) statements setting out how impacts or risks are to be mitigated; or
- (c) details of proposed building or other operations.

### **43. Wind Energy Applications<sup>3</sup>**

All wind energy applications will be required to meet the requirements listed within Appendix F. Additional information may also be requested by Rossendale Borough Council prior to the validation of wind energy applications depending on the specific details and nature of the application or the nature or character of the area within which the application site is situated. Applicants or their agents are advised to seek advice on the need for such additional information from the Council at pre-submission stage.

**PLEASE NOTE: In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 applicants/ developers carry out consultation on a proposed application for planning permission, prior to the submission of the planning application to the Local Authority, for any development involving an installation for the harnessing of wind power for energy production where—**

- (a) the development involves the installation of more than 2 turbines; or**
- (b) the hub height of any turbine exceeds 15 metres.**

**(The above requirements do not apply to applications made pursuant to section 73 of the 1990 Act or applications of the description contained in article 20(1)(b) or (c) (consultations before the grant of a replacement planning permission subject to a new time limit))**

**The application for planning permission to the Local Planning Authority must be accompanied by particulars of—**

- (a) how the applicant complied with section 61W(1) of the 1990 Act;**
- (b) any responses to the consultation that were received by the applicant; and**
- (c) the account taken of those responses by the applicant.**

***Please note that turbine height should be taken as the maximum height to the blade tip, rather than just the height of the mast or tower.***

The following information expands on some of the requirements of the validation checklist listed in Appendix F which are specific to these types of applications:

**FEE:** To calculate the fee, you must work out the total land area over which the blades of the turbine(s) can rotate (the total swept area), plus the area of any ancillary structures, engineering works and newly constructed access roads. As the fee for wind turbine developments is based on the area covered by the sweep of the turbine blades, the red line on the site location plan only needs to encompass this along with the ancillary works and new access tracks, rather than the whole site (please see appendix F)

**Transport Statement** shall include:

- The proposed total number of lorry and crane movements and routes of travel
- Details of what measures will be required to accommodate oversize loads on the road network
- Details of the proposed engineering design and construction of access tracks, including details of their permanence or removal once the wind turbine(s) are erected, and source of materials.

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<sup>3</sup> PLEASE NOTE: All references to distances from the wind turbine etc. within this section are applicable unless a different approach is fully justified by the applicant.



- Details of crane hard standings
- Details of any concrete mixing to be carried out on site, and details of disposal of excess concrete and washing out of equipment
- Location and design of construction compound where appropriate
- Design and location of any electricity transmission equipment
- Proposed hours of construction

### **Landscape and Visual Impact Assessment**

A landscape and visual impact assessment which demonstrates how visual impacts have been minimised / mitigated and how the proposed turbine(s) will fit into the landscape. The assessment should include details of the following:

- Alternative sites which have been considered for the development
- Alternative turbine amounts / layouts / configurations which have been considered
- Alternative turbine heights / models / appearances which have been considered
- Alternative access arrangements / routes which have been considered
- Landscaping arrangements which have been considered to mitigate the visual / landscape impact of the proposed turbine(s)

For the above, it should be clearly demonstrated why the chosen arrangements represent the best option in terms of visual and landscape impact minimisation. The cumulative visual impact of the proposed turbine(s) with other existing operational or permitted turbines, or turbines currently subject to a planning application should be fully addressed in the Landscape and Visual Impact Assessment.

Landscape and visual impact assessments should make reference to the Landscape Capacity Study for Wind Energy Developments in the South Pennines (Julie Martin Associates, 2010) – which is available for download on the Council's website:

[http://www.rossendale.gov.uk/downloads/WEB\\_Landscape\\_Capacity\\_Study\\_for\\_Wind\\_Energy\\_Developments\\_in\\_the\\_South\\_Pennines.pdf](http://www.rossendale.gov.uk/downloads/WEB_Landscape_Capacity_Study_for_Wind_Energy_Developments_in_the_South_Pennines.pdf)

### **Heritage Statement (which can be incorporated into the required Planning Statement):**

Applications shall include an assessment of the impacts of the proposed turbine(s) on significant cultural, recreational or heritage assets which could potentially be affected. This should include any potential sub-surface archaeological issues. For turbines with a total height of under 40m, this should cover assets within a minimum radius of ten times turbine height (the Council reserves the right to request an assessment of the impacts on significant assets outside this radius if it is deemed necessary). For proposed turbines with a total height of 40m or above, the assessment should extend to significant assets within a radius of 5km of the nearest boundary of the site. For schemes of greater than 100 metre total height the 5km distance may be extended.

**Photomontage and/or Wireframe Diagrams:** The Council will expect all wind turbine applications to be accompanied by a representative range of photomontages and/or wireframe diagrams to demonstrate how the proposed turbine(s), ancillary equipment and access roads will fit into the landscape. Photomontages and wireframe diagrams should be created by a suitably qualified

person or organisation. Locations for photomontage and wireframe diagram viewpoints should be agreed with the Council at the pre-submission stage.

**Zone Theoretical Visibility Maps:** Unless the application is for a single turbine with a height of 25m or less (which is not within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application), the Council will expect applications to be accompanied by two Ordnance Survey based maps showing the Zone Theoretical Visibility (ZTV) of the proposed turbine(s):

- The first of the maps should show the ZTV of the proposed turbine(s) only.
- The second map should show the cumulative ZTV of the proposed turbine(s) along with any other operational and permitted turbines (and those currently subject to a planning application). Applicants should contact the Council to obtain an up to date list of such turbines.

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors- please see Appendix F.

**Public Rights of Way Map:** The Council will expect a plan to be submitted which identifies all Public Rights of Way within a radius of 10 times turbine height from the centre of the turbine. The impact on locally and sub-regionally significant or recreational routes or long distance trails should be fully addressed where the turbine(s) will be located within 1km of such a route. Such routes could include the Pennine Bridleway, The Rossendale Way, The Burnley Way, etc. Other routes exist however, and applicants are advised to contact the Council's Development Control department for clarification where they are unsure if such a route exists in proximity to the proposed turbine(s).

**Noise & Shadow Flicker Assessment:** For all wind energy applications the Council will expect that a plan is submitted which identifies any occupied buildings situated within a radius of ten times turbine height from the centre of the proposed turbine. In exceptional circumstances a greater distance may be prescribed. Site-specific noise assessments for all buildings within the identified radius should be carried out and full details and recommendations included within a report accompanying the planning application. The report should demonstrate that any noise is compliant with ETSU-R-97, as amended. Depending on the size of the proposed turbine(s) and the proposed location, submission of manufacturers' standard noise output specifications for a given turbine model may or may not be sufficient, as such specifications do not generally address site-specific conditions. Applicants should contact the Council at pre-application stage to confirm the likely requirements for information relating to noise.

In terms of shadow flicker effect, the Council will expect a report to be submitted which demonstrate that the impact on occupied properties within a radius of 10 times turbine height and if necessary any mitigating measures. The effects of Shadow flicker on the users of bridleways within a 10 times turbine height radius should also be addressed. Such reports should be carried out by a suitably qualified person or organisation, and set out clear recommendations.

**Peat and Hydrology Assessment:** Peat is recognised as an important store of carbon, which if damaged can dry out - leading to oxidization of stored carbon, resulting in the release of carbon dioxide into the atmosphere. Poor siting of turbines risks damaging peat and undermining the role of wind turbines in providing energy with low carbon emissions. Peat also plays an important role in

retaining water on the Borough's moorlands, helping to prevent flooding further down in the valleys following periods of heavy rainfall.

In order to conserve the Borough's peatlands. Applications for single wind turbines over a height of 25m (or multiple turbines of any height) to identify whether peat exists on the site and demonstrate how the turbine(s) has been sited to avoid it – including details of measures proposed to avoid damage to underlying peat by any proposed access tracks. Where peat is identified on site, the Council reserves the right to request further investigation to determine its extent.

Applications will also need to demonstrate how the construction of any access tracks or trenches for cables will be achieved without substantially altering the hydrological regime of the site – i.e. how tracks, trenches and any other associated infrastructure have been designed and sited to avoid draining peat and avoid creating new channels for surface water to run off the site. Disturbance to underlying peat by wind turbines has the potential to cause adverse impacts on the quantity, quality and colour of water supplies which are replenished by water draining from moorlands. Where underlying peat is identified on site, the Council will expect applications to demonstrate how adverse impacts on the quantity, quality and colour of any potentially affected water supplies will be avoided.

**Details of Decommissioning Bond / Arrangements:** An indication of how decommissioning will be undertaken shall be provided. For all single wind turbines over a height of 40m (or multiple turbines of any height), the Council will expect that evidence is provided to demonstrate that a bond has been put in place with the Local Authority to cover the entire costs of decommissioning and removing the wind turbine(s) from site once they have reached the end of their 25 year operational period. This should be done through a Unilateral Undertaking. This is necessary to prevent redundant wind turbines from remaining in the landscape once the end of their operating life has been reached, and acts as a safeguard in case of any financial constraints which may prevent the owner / operator of the turbine(s) from carrying out decommissioning works in future.

**Details of proposed Community Benefits:** Applicants for wind energy developments with a total generating capacity of 250kW or above should indicate how consideration has been given to compensating the community for the negative effects of the proposal. Provision of a community benefit scheme to compensate the communities likely to be most heavily impacted by proposed turbines will be expected for proposals generating 1Mw of power or greater, in line with Policy 20 of the Council's Core Strategy.

**Details of impacts on communications / broadcast equipment:** The Council will consult the Ministry of Defence (Defence Infrastructure Organisation) and National Air Traffic Services (NATS) on wind turbine applications. As such, there is no requirement for applicants to consult with these two bodies prior to submission of an application. However, it is the responsibility of the applicant to demonstrate that the proposed turbine(s) will not cause any interference to the operation of any communications or broadcast equipment, through consultation with the operators of any masts or antennae which may be subject to adverse effects from the proposed turbine(s). Consultation responses from any such individuals or organisations should be submitted to the Council alongside the planning application.

Applicants should also demonstrate that any possible effects on telecommunications equipment, including television reception, have been considered and if necessary mitigation measures taken.

# **Appendix A**

Householder Applications Checklist

<b>National Requirements</b>	<b>Yes</b>	<b>N/A</b>
Standard Application Form	<input type="checkbox"/>	
Completed Ownership Certificate (one copy)	<input type="checkbox"/>	
Notice (A copy of the notice served on the owner(s) of the application site)	<input type="checkbox"/>	<input type="checkbox"/>
The appropriate fee	<input type="checkbox"/>	<input type="checkbox"/>
Design and Access Statement	<input type="checkbox"/>	<input type="checkbox"/>
Location Plan (at a scale of 1:1250 or 1:2500)	<input type="checkbox"/>	
<b>Plans, drawings and information necessary to describe the development which is the subject of the application:</b>		
<b>Site Plan</b> (at a scale of 1:200 or 1:500)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Block Plan</b> (at a scale of 1:100 or 1:200)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Elevations</b> (at a scale of 1:50/ 1:100)		
Existing front elevation	<input type="checkbox"/>	<input type="checkbox"/>
Existing rear elevation	<input type="checkbox"/>	<input type="checkbox"/>
Existing side elevation(s)	<input type="checkbox"/>	<input type="checkbox"/>
Proposed front elevation	<input type="checkbox"/>	<input type="checkbox"/>
Proposed rear elevation	<input type="checkbox"/>	<input type="checkbox"/>
Proposed side elevation(s)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Floor Plans</b> (at a scale of 1:50/1:100)		
Existing floor plans (all floors)	<input type="checkbox"/>	<input type="checkbox"/>
Proposed floor plans (all floors)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Section, Finished Floor and site levels</b> (at a scale of 1:50/ 1:100)		
Existing Site Sections	<input type="checkbox"/>	<input type="checkbox"/>
Existing Finished Floor Levels	<input type="checkbox"/>	<input type="checkbox"/>
Proposed Site Sections	<input type="checkbox"/>	<input type="checkbox"/>
Proposed Finished Floor Levels	<input type="checkbox"/>	<input type="checkbox"/>
<b>Roof Plans</b> (at a scale of 1:50/1:100)		
Existing roof plans	<input type="checkbox"/>	<input type="checkbox"/>
Proposed roof plans	<input type="checkbox"/>	<input type="checkbox"/>

<b>Local Requirements</b>	<b>Yes</b>	<b>No*</b>	<b>N/A</b>
Heritage Statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Structural Surveys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flood Risk Assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Facilities for the storage & collection of refuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Domestic microgeneration equipment/ wind turbines:</b>			
Manufacturers specification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Site plan (scale 1:100/ 1:200)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elevational plans (scale 1:50/1:100)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roof plans (scale 1:50/1:100)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Additional Plans</b>			
Boundary treatment plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscape plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Street Scene Plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*All relevant documents on the Local Requirements list will be required to be submitted with each application, unless it has been identified at pre-application stage that a document is not required. If the need for a certain document/ plan is disputed a statement should be provided setting out why this is the case.

## **Appendix B**

Timetable for works involving protected species, habitats and vegetation



## **Part 1 Local Requirements For Protected Species**

If the application involves any of the development proposals shown in Table 1 (Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The Survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available\*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

The Assessment must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

### **Exceptions for When a Full Species Survey and Assessment may not be Required:**

- a) Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species surveys and assessments are required.
- b) If it is clear that no protected species are present, despite the guidance in the above table indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).
- c) If it is clear that the development proposal will not affect any protected species present, then only limited information needs to be submitted. This information should, however,
  - (i) demonstrate that there will be no significant affect on any protected species present and
  - (ii) include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm

protected species should they subsequently be found or disturbed.

In some situations, it may be appropriate for an applicant to provide a protected species survey and report for only one or a few of the species shown in the Table above *e.g.* those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the report and which are not because exceptions apply.

**TABLE 1**

Proposals for Development that will trigger a Protected Species Survey	Species likely to be affected and for which a survey will be required									
	Bats	Barn Owls	Breeding Birds	Great Crested Newts	Otters	Water Vole	Badger	Reptiles	Amphibians	Plants
<p>Proposed development which includes conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:</p> <ul style="list-style-type: none"> <li>• agricultural buildings (<i>e.g.</i> farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams;</li> <li>• buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water;</li> <li>• pre-1960 detached buildings and structures within 200m of woodland and/or water;</li> <li>• pre-1914 buildings within 400m of woodland and/or water;</li> <li>• pre-1914 buildings with gable ends or slate roofs, regardless of location;</li> <li>• located within, or immediately adjacent to woodland and/or immediately adjacent to water;</li> <li>• Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost</li> </ul>	•	•	•							

assessment (see Chapter 8 for details) the site appears to be particularly suited to bats.										
<p>Development affecting built structures:</p> <ul style="list-style-type: none"> <li>tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; unused industrial chimneys that are unlined and brick/stone construction;</li> <li>bridge structures, aqueducts and viaducts (especially over water and wet ground).</li> </ul>	•									
<p>Floodlighting of:</p> <ul style="list-style-type: none"> <li>churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water;</li> <li>any building meeting the criteria listed in (1) above.</li> </ul>	•	•	•							
<p>Felling, removal or lopping of:</p> <ul style="list-style-type: none"> <li>woodland;</li> <li>field hedgerows and/or lines of trees with connectivity to woodland or water bodies;</li> <li>old and veteran trees that are more than 100 years old;</li> <li>mature trees with obvious holes, cracks or cavities, or which are covered with mature ivy (including large dead trees).</li> </ul>	•		•				•			•

Proposals affecting water bodies: <ul style="list-style-type: none"> <li>in or within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats.</li> </ul>	•		•		•	•			•	•
Proposals located in or immediately adjacent to: <ul style="list-style-type: none"> <li>quarries or gravel pits;</li> <li>natural cliff faces and rock outcrops with crevices or caves and swallets.</li> </ul>	• •		• •					• •		
Proposals for wind farm developments of multiple wind turbines and single wind turbines	•									
Proposed development affecting any type of buildings, structures, feature or location where protected species are known to be present	•	•	•	•	•	•	•	•	•	•
	Bats	Barn Owls	Breeding Birds	Great Crested Newts	Otters	Water Vole	Badger	Reptiles	Amphibians	Plants

## **Part 2 Local Requirements for Designated Sites and Priority Habitats**

If the application is likely to affect any of the designated sites, priority habitats or biodiversity features listed in Table 2 a survey and assessment for the relevant feature must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in these tables. The Survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available\*. The survey may be informed by the results of a search for ecological or geological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on and where appropriate around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The Assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, other biodiversity features or geological features. The Assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological/geological survey and assessment may form part of a wider Environmental Impact Assessment.

### **Exceptions When a Full Survey and Assessment May Not Be Required**

*International and National Sites:* A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

*Regional and Local Sites and Priority Habitats:* A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the Local Planning Authority's ecologist (where employed), or ecological advisor and/or the local Wildlife Trust that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

**Table 2**

<p><b>1. Designated Sites</b></p> <p>Nationally designated sites</p> <p>Regionally/ Locally designated sites</p>	<p>Sites of Special Scientific Interest (SSSI)</p> <p>Historic Parks and Gardens</p> <p>Biological Heritage Site (BHS)</p> <p>Geological Heritage Site</p> <p>Ancient Woodland</p> <p>Ancient Woodland buffer zone</p>
<p><b>2. Priority Habitats</b></p> <hr/> <p>Arable field margins</p> <hr/> <p>Traditional orchards</p> <hr/> <p>Hedgerows</p> <hr/> <p>Aquifer-fed naturally fluctuating water bodies</p> <hr/> <p>Eutrophic standing waters</p> <hr/> <p>Mesotrophic lakes</p> <hr/> <p>Oligotrophic and dystrophic lakes</p> <hr/> <p>Ponds</p> <hr/> <p>Rivers</p> <hr/> <p>Lowland calcareous grassland</p> <hr/> <p>Lowland dry acid grassland</p> <hr/> <p>Lowland meadows</p> <hr/> <p>Purple moor-grass and rush pastures</p> <hr/> <p>Upland calcareous grassland</p> <hr/> <p>Upland hay meadows</p> <hr/> <p>Lowland heathland</p> <hr/> <p>Mountain heaths and willow scrub</p> <hr/> <p>Upland heathland</p> <hr/> <p>Calaminarian grasslands</p> <hr/> <p>Inland rock outcrop and scree habitats</p> <hr/> <p>Limestone pavements</p> <hr/> <p>Open mosaic habitats on previously developed land</p> <hr/> <p>Blanket bog</p> <hr/> <p>Lowland fens</p> <hr/> <p>Lowland raised bog</p> <hr/> <p>Reedbeds</p> <hr/> <p>Upland flushes, fens and swamps</p> <hr/> <p>Lowland beech and yew woodland</p> <hr/> <p>Lowland mixed deciduous woodland</p> <hr/> <p>Upland mixed ashwoods</p> <hr/> <p>Upland oakwood</p> <hr/> <p>Wet woodland</p> <hr/> <p>Wood-pasture and parkland</p>	

**Table 3 Ecological Survey Seasons**

Optimal Time 

Extending Into 

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers		Optimal Time			Extending Into					Optimal Time	Extending Into	
Bats (Hibernation Roosts)	Optimal Time										Optimal Time	
Bats (Summer Roosts)				Extending Into	Optimal Time				Extending Into			
Bats (Foraging/ Commuting)				Extending Into	Optimal Time				Extending Into			
Birds (Breeding)			Optimal Time			Extending Into						
Birds (Over-Wintering)	Optimal Time										Optimal Time	
Great Crested Newts			TERRESTRIAL							Extending Into		
			AQUATIC									
Otters	Optimal Time											
Reptiles				Optimal Time					Optimal Time			
Water Voles			Extending Into	Optimal Time					Extending Into			
White Clawed Crayfish							Optimal Time					



Habitats/ Vegetation			WOODS			
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Points to note regarding surveys are as follows:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Table 3
- Surveys conducted outside of optimal times (Table 3) may be unreliable. For certain species (e.g. Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost is protected whether any bats are present or not).
- Local Biological / Environmental Records Centre may have useful existing information and records.
- Competent ecologists should carry out any surveys. Where surveys involve disturbance, capture or handling of a protected species, then only a licensed person can undertake such surveys (e.g. issued by Natural England). Surveys should follow published national or local methodologies.

# **Appendix C**

Small scale residential development Contamination Assessment Form

**Site Description (including grid reference)**

Include details of layout and ground covering, any evidence of former buildings or site activities, any evidence of made/ filled ground, any signs of subsidence or contamination (e.g. ground staining/ discolouration, odours, vegetation distress/ dieback)

--

**Site History (tick all that apply)**

	Domestic	Agricultural	Commercial	Industrial	Other (give details)
Proposed Land Use					
Current Land Use					
Past Land Use- last 150 years					

If the past land use has changed, please give date of changes (please use category types from previous table)	From	To	Land Use

What have the existing buildings on site been used for?		
Are there any buildings constructed from suspected asbestos containing material?	<b>Yes</b>	<b>No</b>

	<b>Yes</b>	<b>No</b>
Have any fuels been stored onsite?		
Have there been any fuel/chemical spills or leaks?		
If 'Yes' to either of the above, please state fuel./chemical, storage method and location, and details of any spillages		

Have there been any pollution incidents, either reported or unreported?	Reported		Unreported	
	Yes	No	Yes	No

Provide details of any surface water present onsite (including drains, ponds, streams and rivers)	
Provide details of any groundwater or surface water abstractions (including wells and boreholes)	

	<b>Yes</b>	<b>No</b>
Have any waste disposal activities (including the burning of waste) been carried out on site?		
Have any waste disposal activities been carried out on surrounding land within 250m of the site?		
Is there any evidence of demolition activities (e.g. rubble) onsite?		
If 'Yes' to any of the above, please provide details		

**Adjacent Land Use**

	Domestic	Agricultural	Commercial	Industrial	Other (give details)
Current Land Use					
Past Land Use- last 150 years					

Provide details of any surface water present onsite (including drains, ponds, streams and rivers)	
Provide details of any groundwater or surface water abstractions (including wells and boreholes)	

**Previous Land Contamination Reports**

Have any land contamination reports previously been completed for the site	Yes (please provide a copy)	No
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**Imported Soil**

Do you intend to import and soil or soil forming materials onto the site for use in garden areas, soft landscaped areas or to raise ground levels?	Yes (if so please refer to the YAHPAC guidance on Verification Requirements for Cover Systems)	No
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**Suspected Contamination**

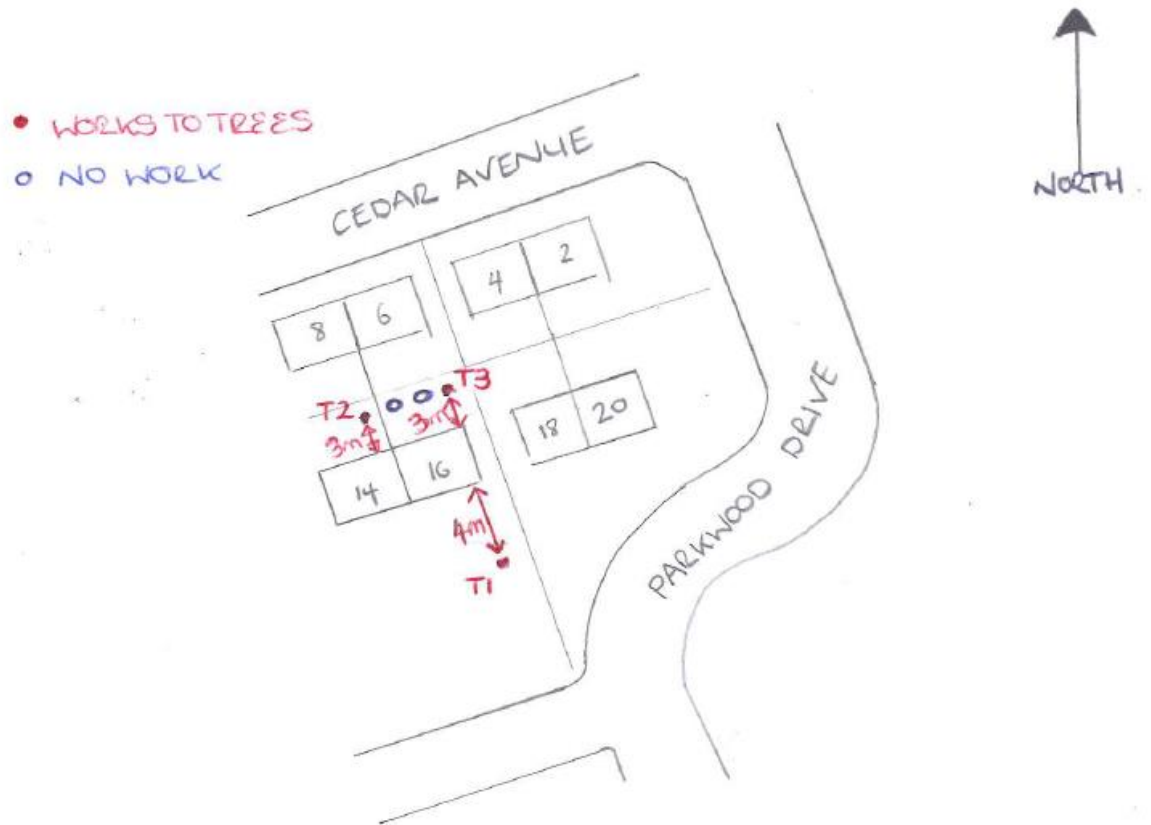
Based on the information you have provided in this form, do you think that contamination could be present at the site?	Yes	No
If 'yes' please provide details		

Please provide details of the sources of information you have used to complete this form

Signed..... Date.....

# Appendix D

Example sketch plan for applications with works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area



## **Appendix E**

Additional information for new agricultural buildings/ horticultural enterprises/  
agricultural workers dwelling



**ADDITIONAL INFORMATION  
REQUIRED FOR NEW  
AGRICULTURAL BUILDINGS,  
HORTICULTURAL ENTERPRISES  
AND AGRICULTURAL WORKERS  
DWELLINGS**



Applicant Name	
Application Site	
Proposed Development	
Planning History (Previous Applications)	

**1. Land**

Land	Total Area in Hectares	Agricultural Land Classification
Owned		
Rented		
Short-term		

Land Use (In hectares) : Pasture \_\_\_\_\_ Meadow \_\_\_\_\_ Crop \_\_\_\_\_

**2. Enterprise**

Dairy (Pedigree/ Commercial)

Type	Number	Milk Quota
Dairy Cows		
In-calf heifers		
Bulling heifers		
Calving		
Young Stock		

Beef Breeding

Type	Number
Suckler Cows	
Calving	
Heifers	
Calves	

Beef Rearing

Type	Number	Age	Age at Purchase	Age at Sale
Store Cattle				
Calves				
Bulls				

Sheep (Pedigree/ Commercial)

Type	Number
Breeding ewes	
Lambs	
Store Sheep	

Other Stock

Type	Number

Details of other site operations (e.g. storage of hay etc.)

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**3. Labour and Accommodation**

Name	Age	Basis Full-time/ part- time/ casual	Hours of Work	Main Duties	Address and length of time at address

Property	Number	Address(es)	Number of years in
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			<b>ownership</b>
Existing dwellings			
Other properties (incl occupiers)			
Previously owned properties			
Available properties in the locality			

(Continue on separate sheet if necessary)

**4. Agricultural Machinery**

Existing

<b>Type</b>	<b>Size</b>	<b>Details of storage/ garaging</b>

Proposed

<b>Type</b>	<b>Size</b>	<b>Details of storage/ garaging</b>	<b>Justification of need</b>

**5. Proposed Development Justification**

Need

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Siting

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Design

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Future Plans

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**6. Financial Details**

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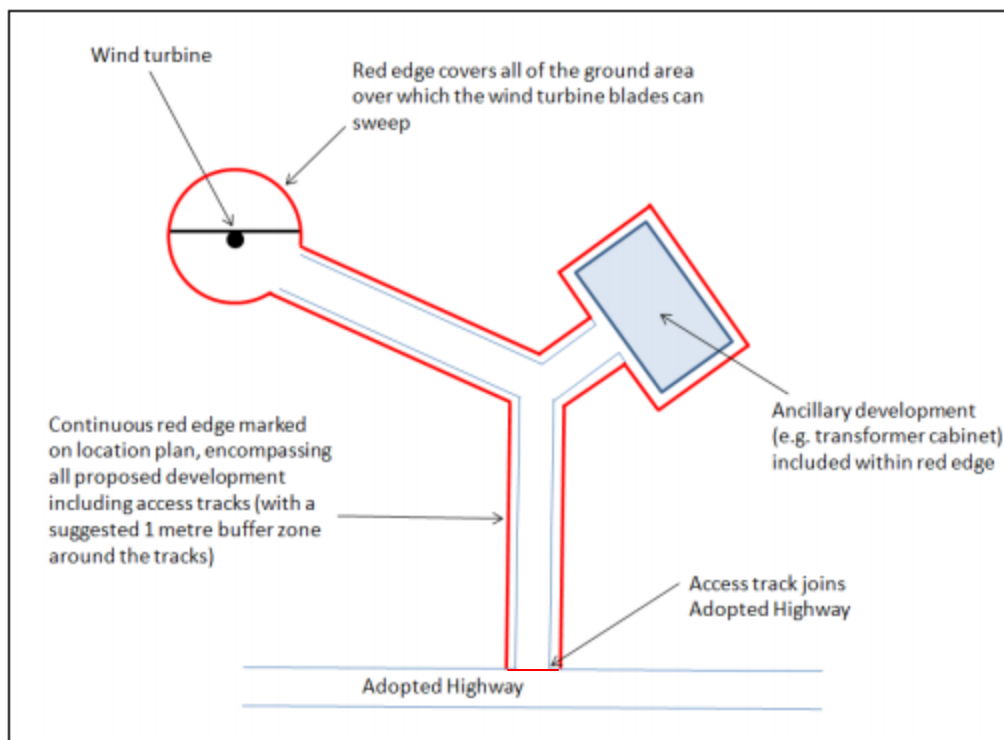
# **Appendix F**

Wind Energy Applications

**Applicants should ensure that applications include each of the items contained in the following table:**

1.	A completed application form and the correct certificates
2.	The correct planning application fee
3.	Location Plan at 1:1250 or 1:2500 scale
4.	Site / Block Plan at 1:250 or 1:500 scale
5.	Elevation Plans of Turbines and Ancillary Equipment at 1:50 or 1:100 scale
6.	Transport Statement
7.	Landscape and Visual Impact Assessment
8.	Planning Statement/ Heritage Statement
9.	Photomontage and/or Wireframe Diagrams
10.	Zone of Theoretical Visibility (ZTV) Maps
11.	Public Rights of Way Map
12.	Ecological Assessment
13.	Noise & Shadow Flicker Assessment
14.	Peat and Hydrology Assessment
15.	Pre-application Community Consultation (IF REQUIRED)
16.	Coal Mining Risk Assessment (IF REQUIRED)
17.	Details of Decommissioning Bond / Arrangements (IF REQUIRED)
18.	Details of proposed Community Benefits (IF REQUIRED)
19.	Environmental Statement / Environmental Impact Assessment (IF REQUIRED)
20.	Details of impacts on communications / broadcast equipment (IF REQUIRED)

**Example of a Correctly Drawn Red Edge on Location Plan**



## **ZTV Maps**

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors. The following table sets out the Council's general requirements:

<b>Turbine Height (to blade tip)</b>	<b>Number of Turbines</b>	<b>Is the site within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application?</b>	<b>Required Radius of ZTV Maps</b>
0-25m	1	No	Not required
0-25m	1	Yes	2km
0-25m	2-5	No	10km
0-25m	2-5	Yes	15km
0-25m	6-10	No	20km
0-25m	6-10	Yes	20km
0-25m	10+	No	20km
0-25m	10+	Yes	30km
26-60m	1	No	20km
26-60m	1	Yes	30km
26-60m	2+	No	30km
26-60m	2+	Yes	30km
Over 60m	1	No	30km
Over 60m	1	Yes	30km
Over 60m	2+	No	30km
Over 60m	2+	Yes	30km