

Planning Section

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Local Planning Application Validation Requirements for North Norfolk District Council - Guidance Notes

One or more of the following Local Planning Application Requirements might need to be satisfied before a planning application can be validated. To find out which requirements are needed for a particular type of application see the checklist of Local Requirements included with the Application Forms.

The 1998 Local Plan has been superseded by the new Core Strategy. **Development Control Policies** can be viewed at:

http://northnorfolk-consult.limehouse.co.uk/portal/planning/cs/cssdpd?pointId=chapter_344#chapter_344

• **Affordable Housing Statement**

Necessary in the case of housing and mixed development proposals which by virtue of their size or location are required by the Council's Core Strategy planning policies to provide affordable housing.

In principal and secondary settlements (Core Strategy Policy SS 1) the affordable housing requirement threshold is for schemes of 10 or more dwellings or sites of more than 0.33 ha (Core Strategy Policy HO 2)

In service and coastal villages (Core Strategy Policy SS 1) the affordable housing requirement threshold is for schemes of 2 or more units or sites of more than 0.1 ha (Core Strategy Policy HO 2).

Elsewhere, (i.e. in the Countryside) all dwellings should be affordable. (Core Strategy Policy HO 3)

In addition to the information supplied on the application form the statement should refer to the location of the affordable units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The statement should also include details of any Registered Social Landlords acting as partners in the development.

• **Biodiversity Survey and Report**

Required if there are any of the following present or adjacent to the application site:-

Protected species (all species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats, &c.) Regulations 1994 and the Protection of Badgers Act 1992).

Designated sites, important habitats or other biodiversity features (Sites of Special Scientific Interest, Special Areas of Conservation, Special Protection Areas, Ramsar Sites, County Wildlife Sites and habitats and species listed in the UK Biodiversity Action Plan).

Features of geological importance (quarries and pits, coastal cliffs and foreshore, river and stream sections and road and rail cuttings).

A protected species survey and assessment should be submitted in the case of proposals referred to in column 1 of North Norfolk District Council's Local Requirements for Protected Species Survey checklist. It should be noted that this includes barn conversions.

A survey and assessment should be submitted in the case of proposals on or immediately adjacent to any of the designated sites, habitats or features listed in column 3 of North Norfolk District Council's Requirements for Designated Sites, Priority Habitats and other significant features checklist.

The above survey and assessments should follow the procedures set out in the checklists.

Also see Core Strategy Policy EN 9

- **Economic Statement**

Such a statement may be required to demonstrate any regeneration benefits from a proposed development, including; details of any new jobs that might be created or supported; the relative floorspace totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal.

- **Environmental Statement**

The Town and Country Planning (Environmental Impact Assessment) Regulations (1999) set out the circumstances in which an Environmental Impact Assessment (EIA) is required. Where an EIA is required, an Environmental Statement in the form set out in Schedule 4 to the regulations must be provided.. Where an EIA is not required the Council may still require environmental information to be provided.

An applicant may request a 'screening opinion' to determine whether an EIA is required before submitting an application.

- **Flood Risk Assessment**

An appropriate site specific Flood Risk Assessment (FRA) is required in the case of all planning applications for development proposals of 1 hectare or greater in Flood Zone 1, and all proposals for new development in Flood Zones 2 and 3. FRA's should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences of flooding.

The North Norfolk Strategic Flood Risk Assessment distinguishes between zones 3a and 3b in certain locations. Information as to which flood zone a site is located in is available from the Environment Agency and Local Planning Authority. Planning Policy Statement 25: Development and Flood Risk (PPS25) provides comprehensive guidance in relation to the undertaking of FRA's. Information is also available on the Environment Agency website (visit www.pipernetworking.com/floodrisk/). Applicants are also advised that Local Planning Authorities (under the guidance in PPS25) are required to apply a 'sequential test' to certain developments within Flood Zones 2 and 3. This means that planning permission can be refused, irrespective of a FRA on the basis of there being other areas of less risk to flooding being available for the type of development proposed. Before undertaking a FRA applicants should discuss the issue with the Local Planning Authority.

See Planning Policy Statement 25: Development and Flood Risk (2006) and

Planning Policy Statement 25: Development and Flood Risk (2006) Practice Guide (June 2008)

also see Core Strategy Policy EN 10

- **Foul Sewerage and Utilities Assessment**

Required in the case of developments which involve the disposal of trade waste or foul sewerage other than to a public sewer. Details should include the proposed method of storage, treatment and disposal. The assessment should also include details of the site, its location and suitability for storing, transporting and treating sewage. It should demonstrate why a connection to a main sewer is not practical. If a proposed development results in changes/replacement to an existing foul drainage system detailed plans should be provided.

See DETR Circular 03/99 and Building Regulations Approved Document Part H in BS6297

Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and also needs connection to foul and surface water drainage and disposal. Two planning issues arise, firstly, whether the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, (Core Strategy Policy SS 6) and secondly, whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

Applicants should demonstrate:

(a) that, following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community;

(b) that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures;

(c) that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;

(d) where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

- **Heritage Statement**

Required in the case of development proposals which affect or may affect listed buildings, conservation areas, historic parks and gardens, and sites subject archaeological remains. The scope and degree of detail necessary in the statement will vary according to particular circumstances of each application. Applicants are advised to discuss the level of detail required by such a statement with the District Council before any application is made.

See Planning Policy Guidance Note 15: Planning and the Historic Environment (1994) and Planning Policy Guidance Note 16: Archaeology and Planning (1990) .

- **Land Contamination Assessment**

Required in the case of new development proposals where contamination is known or suspected or the proposed use would be particularly vulnerable. (Core Strategy Policy EN 13) The District Council maintains a record of all known sites which are potentially contaminated.

Sufficient information should be provided to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed.

See Planning Policy Statement 23: Planning and Pollution Control (2004)

- **Landscaping Details**

In addition to plans illustrating landscaping as part of a development, in some cases a statement with regard to proposals for long term maintenance and management will be required. Such statements should also make reference to the detailed landscaping proposals which follow on from the design concept in the Design and Access Statement, as well as the measures to protect any existing features during the course of development.

- **Lighting Assessment**

Required in the case of proposals in the vicinity of a residential property, a listed building or a conservation area, or in the countryside, where (other than of a minor nature) external lighting would be provided or made necessary by the development. The assessment should include details of the lighting and when it would be switched on. These details should include a layout plan with beam orientation and a schedule of the equipment in the design.

See Lighting in the Countryside: Towards good practice (1997)

- **Noise Assessment**

Required in the case of proposals which would raise issues of noise disturbance to the occupants of nearby existing sensitive buildings, and of proposals for noise sensitive forms of development which are close to existing sources of noise. Sensitive buildings/developments include all forms of residential use, schools, offices etc. The assessment should be prepared by a suitably qualified acoustician.

See Planning Policy Guidance 24: Planning and Noise (1994)

- **Open Space Assessment**

Required in the case of development proposals within existing open spaces. The applicant would need to demonstrate through an assessment that the land is surplus to local community requirements.

See Planning Policy Guidance 17: Planning for open space, sport and recreation and Core Strategy Policy CT 1

- **Photographs and Photomontages**

These can provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building (in particular works to the interior).

See Planning Policy Guidance Note 15: Planning and the Historic Environment

- **Section 106 Planning Obligations - Draft Head(s) of Terms**

Planning obligations (or "Section 106 Agreements") are private agreements negotiated between local planning authorities and persons with an interest in a piece of land (or "developers"), and are intended to make acceptable development which would otherwise be unacceptable in planning terms. Planning obligations will be required for developments requiring the provision of or contributions towards affordable housing.

See Circular 05/2005 Planning Obligations and Core Strategy Policy CT 2.

- **Planning Statement**

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority and wider community consultees undertaken prior to submission. Alternatively, a separate statement on community involvement may also be appropriate (see below).

- **Statement of Community Involvement**

Necessary in the case of 'major' development proposals which are required by the District Council's adopted Statement of Community Involvement to be the subject of pre-application consultation.

Major developments are defined as those comprising 10 or more dwellings or residential development on sites of at least 0.5 ha; proposals involving 1000 sq.m or more floorspace, or any other proposals which in the view of the Council are likely to give rise to significant planning considerations.

Such statements should demonstrate how the views of the local community have been sought and taken into account in the formulation of development proposals.

- **Structural Survey**

Required in the case of proposals which could affect the stability or involve demolition of a valued building (e.g. listed buildings or one within a conservation area). In addition all applications for barn conversions in the countryside should include a structural survey.

- **Telecommunications Development - Supplementary Information**

Applications for mast and antenna development by mobile phone network operators should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure, and technical justification and information about the proposed development.

Applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

See Core Strategy Policy CT 4

- **Town Centre/Retail Impact Assessment**

Required in the case of retail and commercial leisure proposals which exceed the locational requirements floorspace thresholds adopted by the District Council's Core Strategy.

See Core Strategy Policy EC 5 and

Planning Policy Statement 6: Planning for Town Centres

- **Transport Assessment and Travel Plan**

Required in the case of development proposals which would have significant transport implications. (Core Strategy Policy CT 5) The coverage and detail of a Transport Assessment (TA) should reflect the scale of the development and the extent of the transport implications of the proposal.

For smaller schemes the TA should simply outline the transport implications of the application, while for major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely model split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts.

National guidance on TA's is provided in 'Guidance on Transport Assessments' published in March 2007. A TA is required for developments comprising 50 or more dwellings. For a full list of thresholds requiring a TA see Appendix B of the above document.

Similarly, Travel Plans should be submitted alongside planning applications which are likely to have significant transport implications, as advised by Planning Policy Guidance Note 13: Transport (DETR, 2001), paragraphs 87-91

- **Tree Survey / Arboricultural Implications**

Required where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees). Information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a suitably qualified and experienced arboriculturalist using the methodology contained in BS 5837:2005 Trees in Relation to Construction - Recommendations.

- **Ventilation/Extraction Statement**

Required in the case of proposals for commercial premises involving the sale of food and significant retail, business, industrial, storage or leisure or similar developments where substantial ventilation or extraction equipment is proposed to be installed. Details should include the position and design of ventilation and extraction equipment including odour abatement, techniques and noise characteristics. For some developments a condition imposed on the grant of planning permission could require the submission of these details. However, in the case of development proposals close to residential properties, or where the proposals could result in external alterations to a building (e.g. an extraction flue) then such details should be submitted at the application stage

- **Energy Consumption Statement**

Completion of the District Council's Energy Consumption Statement is required for all proposals involving over 1000m² floorspace or more than 10 dwellings (new build or conversions).
See Core Strategy Policy EN 6

- **Sustainable Construction Statement**

Completion of the District Council's Sustainable Construction Checklist is required in the case of proposals involving the erection of new buildings, extensions to buildings and building conversions (e.g. barn conversions). The following types of development do not require completion of the checklist:-

- Extensions to dwellings and domestic outbuildings
- Agricultural and equestrian buildings
- Changes of use

See Core Strategy Policy EN6.