

EREWASH



Erewash Borough Council Directorate of Regeneration & Community

Validation of Planning and related Applications

National Statutory Requirements

Applications for full planning permission are required to be accompanied by the following:

The standard application form

From 6 April 2008, all planning applications will need to be presented on a standard application form, which will be available electronically through the Council's website and the Planning Portal. The Government wishes to encourage applicants to submit applications electronically wherever possible, as this provides opportunities for streamlining procedures and thereby reducing costs. However applicants will retain the option of submitting paper versions of the form. In that event, the General Development Procedure Order (GDPO) 1995 requires three additional copies of the completed standard application form to be submitted. An applicant may be requested by the local planning authority to submit more than three copies, but three copies is the statutory requirement for a valid application.

The location plan

All applications must include copies of a location plan based on an up-to-date map. This should be at an identified standard metric scale typically 1:1250 or 1:2500, (but wherever possible the plan should be scaled to fit onto A4 or A3 size paper). The GDPO 1995 requires three copies plus the original (unless submitted electronically). In exceptional circumstances plans of other scales may also be required. Plans should wherever possible show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, 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.

Site and Other Plans

Copies of the site plan should be submitted. The legislation requires three copies plus the original (unless submitted electronically). The site plan 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 land adjoining the site including access arrangements;
- d) all public rights of way crossing or adjoining the site;
- e) the position of all trees on the site, and those on adjacent land that could influence or be affected by the development;
- f) the extent and type of any hard surfacing; and
- g) boundary treatment including walls or fencing where this is proposed.

In addition other plans should be submitted dependent on the type of Application. These may include:

Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries

Copies of plans should show: 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 elevations (e.g. at a scale of 1:50 or 1:100)

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.

Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)

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).

Existing and proposed site sections and finished floor and site levels (e.g. 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 (e.g. at a scale of 1:50 or 1:100)

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.

Ownership Certificates

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 7 of the GDPO, 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 property.

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

Notice(s)

A notice to owners of the application site must be completed and served in accordance with Article 6 of the GDPO.

Agricultural Holdings Certificate

This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This Certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, or express consent to display an advertisement.

The correct fee (where one is necessary)

Design and Access Statements

A Design and Access Statement must accompany applications for both outline and full planning permission unless they relate to one of the following:

- A material change of use of land and buildings, (unless it also involves operational development);
- Engineering or mining operations;
- Householder developments.
- Extensions to time limits for implementing existing planning permissions
- Development of an existing flat for any purpose incidental to the enjoyment of the flat as such, where no part of that flat is within a designated area
- The extension of an existing building used for non-domestic purposes where the floorspace created by the development does not exceed 100 square metres and where no part of the building or the development is within a designated area
- The erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure, up to 2m high or the height of the existing means of enclosure, whichever is the higher, where no part of the building or the development is within a designated area or the curtilage of a listed building
- Development on operational land consisting of the erection of a building or structure up to 100 cubic metres in volume and 15m in height and where no part of the development is within a designated area
- The alteration of an existing building where the alteration does not increase the size of the building and where no part of the building or the development is within a designated area
- The erection, alteration or replacement of plant or machinery where, as a result of the development, the height of the plant or machinery would not exceed the greater of 15 metres above ground level, or the height of the original plant or machinery, and where no part of the development is within a designated area; or
- Development of land pursuant to section 73 (determination of applications to develop land without conditions previously attached) of the Town and Country Planning Act 1990.

Design and access statements are not required for applications relating to advertisement control, tree preservation orders or storage of hazardous substances. Neither are they required for applications for prior approval for proposed development, or non-material amendments to existing planning permissions.

However, statements are required for applications where any part of a dwelling house or its curtilage fall within one of the following designated areas:

- National Park
- Site of special scientific interest
- Conservation area
- Area of outstanding natural beauty
- World Heritage Site
- The Broads

A design and access statement is a short report accompanying and supporting a planning application that should seek to explain and justify the proposal in a structured way. The level of detail required in a design and access statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly. The design and access statement should cover both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with. A design and access statement should be proportionate to the complexity of the application, but need not be long. What is required in a design and access statement is set out in "Guidance on Information Requirements and Validation" (2010) available on the CLG website

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1505220.pdf>

Applications for listed building consent will also be required to be accompanied by a design and access statement. In particular, such a statement should address:

- (i) the special architectural or historic interest of the building;
- (ii) the particular physical features of the building that justify its designation as a listed building; and
- (iii) the building's setting.

The legislative requirements are set out in regulation 3A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

NB. You should also refer to the Erewash Borough Council local list of validation requirements. Advice can be sought from the Council on 0115 9072204 or planning@erewash.gov.uk