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## **PART 1 – NATIONAL REQUIREMENTS**

### **Statutory National Validation Requirements**

The Development Management Procedure Order outlines what the mandatory national requirements are. This section provides more information on what should be included under the following headings:

- Application form
- Certificates
- Site location plan
- Site layout plan
- Detailed drawings (where applicable)
- Design and access statement (where applicable)
- Requirements for outline applications (where applicable)
- Application fee (where applicable).

Applicants are encouraged by the Government to submit applications electronically. This can be done via the Planning Portal. There are several advantages to submitting your planning applications online; this includes smaller printing costs and potentially a faster registration of your application. Paper copies of the most common type of application forms will still however be available from the Council. In addition a service will be available via the Planning Portal and the Council's website to print off particular forms and complete them off line.

#### **Application Forms**

Keep the description as accurate and concise as possible. However, for listed building applications a detailed description of the works is required, but long descriptions should be included as an attached schedule of works.

For applications for changes of use, refer to what the use had changed from and what it is changing to. If the use class is known then please include this as well.

Only include elements of the proposal in the description that require permission.

When applying for permission, where development has already taken place, use the word 'retrospective'.

When applying for a revision or amendment to an earlier approved scheme, make this clear in the description. The relevant application/file reference should also be included in the description where appropriate.

#### **Ownership Certificates**

There are two types of certificates that are required to be completed when submitting a planning application. These are a Certificate of Ownership and an Agricultural Holdings Certificate. Both certificates should accompany all planning applications except for certain types of application which are detailed below.

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The applicant (or agent acting on behalf of the applicant) is required to sign and date all certificates. By doing so they are confirming that the statements made are accurate to the best of their knowledge. It should be noted that there is a penalty for knowingly or recklessly completing a false or misleading Certificate required by Article 7 of the GDPO. The onus is on the applicant or agent to provide the correct information.

A Certificate of Ownership (Article 7 certificate) must accompany a planning application. This can be one of four certificates (explained below), which provides details of the ownership of the site. It is necessary to 'serve notice' on any owners and agricultural tenants when a proposed development is on or where it affects their land.

Under Section 65(5) of the Town and Country Planning Act 1990 and Section 5 of the Town and Country Planning (General Development Procedure) Order 1995 it states that the Council must not entertain an application for planning permission unless the correct ownership certificates have been completed.

### **Types of Ownership Certificate**

**Certificate A** should be completed if at the beginning of a period of 21 days before the date of submission of an application, if you are the owner of all the land that the application relates to. If you are not the sole owner of all the land, to which the application relates, or there are tenants on the site which have a leasehold interest of 7 years or more then you will need to complete a different certificate (see below). You will also need to complete a different certificate if the application relates to alterations to a flat or where a development overhangs the boundary with an adjoining property, or any footings encroach onto adjoining land.

**Certificate B** should be completed and Part 1 notice (see below) served where you know the names and addresses of all the owners of the land which the application relates to. The details of the names of the persons on whom notice has been served should be completed on this certificate.

**Certificate C** should be completed where you know the names and addresses of some of the owners of land to which the application relates, but not all of them. You are required to serve notice on all of the owners of the land explained above (Certificate B) and to carry out additional steps to trace the owners that are unknown as explained below (Certificate D).

**Certificate D** should be completed if you do not know any of the owners of the land to which the application relates. You will need to provide evidence of the steps that you have undertaken to find the owners. This can include carrying out a planning history or land registry search. You will also need to advertise the proposed development in the local newspaper at least 21 days prior to the submission of the application. A copy of this advertisement should be submitted with the application.

### **Part 1 Notice**

A notice to the owners of the land, where the application relates, must be used if Certificate B or C has been completed. A copy of this notice should be served on each of the known individuals identified in the relevant certificate.

### **Agricultural Land Declaration**

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Applications are required to be accompanied by an Agricultural Holdings Certificate. This certificate needs to be completed to indicate whether the site forms part of an agricultural holding. The certificate is required whether or not the site includes an agricultural holding. It is incorporated into the standard application form, and must be signed in order for the application to be valid.

This information should be indicated, on the forms, by crossing out any incorrect statements. If the land is part of an agricultural holding you are required to serve notice on the tenant of the holding. If the applicant is the sole tenant or owner then the first part should be crossed out and 'not applicable' inserted in the second part.

No agricultural land declaration is required for applications for:

- The approval of reserved matters;
- Renewal of temporary planning permission;
- Discharge or variation of conditions;
- Tree preservation orders;
- Conservation area consent for demolition;
- Listed building consent;
- Lawful development certificate;
- Prior notification of proposed agricultural or forestry development;
- A non-material amendment(s) to an existing planning permission; or
- Express consent to display an advertisement.

### **Plans and Drawings**

The DMPO specifies that a location plan is required to be submitted with all applications together with any other plans or drawings necessary to describe the development which is the subject of the application. This will include as a minimum a site layout plan.

In addition, there may be a requirement for additional plans to be submitted as detailed within the local list set out later in this document.

### **Location Plan**

Except where the application is submitted electronically, 1 original + 3 copies of the location plan must accompany every application for planning permission. The purpose of this plan is to show the location of the site and to identify any other sites, which may also be in the same ownership. We will accept location plans downloaded from the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)) so long as it meets the criteria set out below.

The location plan should be at a scale of 1:1250 unless the site is very large and cannot be shown in its entirety on a single sheet of paper in which case a smaller scale may be used, e.g 1:2500. It should be scaled to fit onto A4 or A3 size paper where possible and be based on an up-to date map. It must include the following:

- The application site outlined in red and any adjoining land owned by the applicant should be outlined in blue;
- A north arrow;
- The property/application site, should be in context with the surrounding area and the plans should include at least two adjacent road names where possible; and

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- The properties shown should be numbered or named to ensure that the exact location of the site where the application relates is clear.

The red line should include all land necessary to carry out the proposed development e.g land required for access to the site from the public highway, visibility splays, landscaping, car parking and open areas around buildings.

### **Site Plan**

Four copies of the site layout plan should accompany any application. The site plan should be at a standard scale e.g 1:200 or 1:500. The site plan should include the following:

- The direction north;
- The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries; and
- The position and crown spread of all trees (to scale) within the application site or within falling distance of the application site.
- The site plan should also include the following, unless these would not influence or be affected by the proposed development:
  - All buildings, roads and footpaths on land adjoining the site including access arrangements;
  - All public rights of way crossing or adjoining the site;
  - The extent and type of any hard surfacing; and
  - Boundary treatments including walls or fencing where proposed.

### **Floor Plans**

Floor plans should be to a scale of 1:50 or 1:100.

- Each floor plan should establish the layout of any new or revised areas and show the relevant uses for example bedrooms, kitchens and lifts;
- The floor plan to show new revisions to an existing roof or to illustrate a complex roof will be required; and
- In buildings where the public have access, including shops, work places and facilities for disabled people should be shown and described in the drawing.

### **Elevation/Section**

Elevations should be to a scale of 1:50 or 1:100 and include details of the type and colour of external materials

- Drawings showing elevations in the context of the street scene may be required to show the integration of the proposed design. This may also be achieved by three-dimensional drawings. These will be especially relevant in the conservation areas and near listed buildings; and
- Sections through your site and adjoining areas with relevant elevations will be necessary in some circumstances. This may be where a proposal is close to the boundaries of the site or there is a significant slope.

### **Design and Access Statements**

Design and Access Statements are now only required for:  
(a) development which is major development; or

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- (b) where any part of the development is in a designated area [in our District this means a Conservation Area], development 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.)

Advice on the content of Design and Access Statements and their content, layout and role can be found at [www.cabe.org.uk](http://www.cabe.org.uk). The legislation states that a 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 Statements for Listed Buildings**

Design and access statements for Listed Buildings are similar to other design and access statements, in respect of the need for a proportionate approach. However, the content will be different due to the nature of the applications.

Where a planning application is submitted in parallel with an application for listed building consent, then a single, combined statement, should be submitted. This will address both the elements required for a planning application, as well as the following for the listed building consent:

- Explanation of the design principles and concepts that have been applied to the scale, layout and appearance characteristics of a proposal (please note: Information on use, amount and landscaping is not required for listed building consent design and access statements that do not also accompany a planning permission);
- Description of the significance of the heritage assets affected and the contribution of their setting to that significance; and
- Where there are heritage assets with archaeological interest an appropriate desk based assessment or field based evaluation.

Further details of what is required are set out in the National Planning Policy Framework, paragraph 128.