

Supplementary Guidance – Validation Requirements for Householder Applications

National Statutory Requirements

The standard application form

The Government wishes to encourage applicants to submit applications electronically wherever possible, as this provides opportunities for streamlining procedures and thereby reducing costs.

The correct national standard application form must be used when submitting an application. If the application is made using the incorrect form it will be declared invalid and the applicant notified accordingly. The applicant is required to provide the **original and 3 copies** of their application. All of the relevant questions should be answered on the application form. Application forms that are incorrectly completed or incomplete will not be accepted. Incorrect/incomplete information will result in a delay to the application being validated and progressed.

The location plan

All applications must include copies of a location plan based on an up-to-date map. This should be at a scale of 1:1250 or 1:2500. The GDPO 1995 requires the original and three copies (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 all 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 (necessary to describe the subject of the application)

Site Plan

Copies of the site plan should be submitted. The legislation requires the original and three copies (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.
- g) Boundary treatment including walls or fencing where this is proposed.

In addition other plans should be submitted (dependent on the type of application – refer to the relevant validation requirements list for specific requirements) and may include:

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

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.

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.

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.

In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995.

Certificate A – Complete this if you are, at the beginning of a period 21 days before the date of the submission of the application, the owner of all of the land to which the application relates.

If you are not the sole owner of the land to which the application relates then you will need to complete Certificates B C or D. This includes situations where development abuts or simply overhangs the boundary with the adjoining property/land.

Certificate B – You will need to serve Notice, at the beginning of a period 21 days before the date of the submission of the application, on every person who was the owner of any part of the land to which the application relates. The names and addresses on whom notice has been served should be provided with the application.

Certificate C – Complete this if you know some of the owners of the land to which the application relates, but not all of them. You will need to comply with all those matters required by both Certificate B and D.

Certificate D – Complete this if you know none of the owners of the land to which the application relates. You will need to specify what steps you have undertaken to find the owners, for example planning history and land registry enquiries/searches. You will also need to advertise the application in a local newspaper not earlier than the beginning of the period 21 days ending with the date of submission of the application. A copy of the advert should be included with the application.

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)

A schedule of fees is available on the planning pages of the Cheshire East Council website (www.cheshireeast.gov.uk). A fee calculator is also available on the Planning Portal web site (www.planningportal.gov.uk). This is a guide only and is without prejudice to the determination of the appropriate fee following submission of the application. If you are uncertain of the fee that is payable on any application please contact the Planning Helpdesk prior to the submission of the application.

Design and Access Statements

A *Design and Access Statement* must accompany Householder applications where any part of the dwellinghouse or its curtilage falls within one of the following designated sites:

- 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 article 4C of the GDPO and Department for Communities and Local Government Circular 01/06 – *Guidance on Changes to the Development Control System*.

Further direction is available in the guidance note for developers and applicants ***Making the Best Use of Design and Access Statements*** available on the Council's website at www.cheshireeast.gov.uk

Local Requirements

Flood risk assessment

Cheshire East Council will require a Flood Risk Assessment in line with the Environment Agency Standing Advice on Development and Flood Risk which can be found at www.pipernetworking.com/floodrisk/index.html. The standing advice outlines all the circumstances where the applicant is required to supply a flood risk assessment and the extent of the details required.

For householder development **within flood zone 2 or flood zone 3**, the applicant should use the table below to identify the requirements of their application. Flood zone maps can be found on the Environment Agency

website at www.environment-agency.gov.uk and will identify whether your property is within a flood zone. The dark blue areas represent flood zone 3 and the lighter blue areas flood zone 2.

<p>Applicant to choose one or other of the flood mitigation measures below.</p>	<p>Applicant to provide the LPA with the supporting Information detailed below as part of their FRA</p>
<p>Either ;</p> <p>Floor levels within the proposed development will be set no lower than existing levels AND, Flood proofing of the proposed development has been incorporated where appropriate.</p>	<p>Details of any flood resilience and resistance techniques to be included in accordance with 'Preparing for floods' (ODPM 2003)</p>
<p>Or;</p> <p>Floor levels within the extension will be set 300mm above the known or modelled 1% (1 in 100 chance each year) river flood level or 0.5% (1 in 200 chance each year) tidal & coastal flood level.</p>	<p>This must be demonstrated by a plan that shows finished floor levels relative to the known or modelled flood level.</p> <p>All levels should be stated in relation to Ordnance Datum</p>

Tree Survey/Arboricultural Implications

Where there are (any) 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. Such trees do not have to be subject to a tree preservation order or within a conservation area; any tree that could influence or be effected by the development should be addressed. This information should be prepared by a suitably qualified and experienced arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in relation to construction – Recommendations'. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

For Householder developments Cheshire East Council will require a Tree Survey where any external works are to be carried out within 10 metres of the crown spread of a tree covered by a Tree Preservation Order or a tree within a Conservation Area.