

Supplementary Guidance – National and Local Requirements for the Validation of Planning Application

This supplementary guidance is designed to offer more detailed information about the national and local requirements for the validation of planning applications. The national requirements have been set nationally and are the core requirements needed for a valid application. The national list of local requirements is drawn upon to establish the requirements set by Cheshire East Council, known as the local requirements, for each type of application. This document will detail where you can find further information on the requirements for an application.

The individual lists of requirements by application type are available from the Cheshire East Council website, www.cheshireeast.gov.uk or paper copies can be obtained from the Local Planning Authority using the contact details above. The local requirements set by Cheshire East Council are shown in the individual lists which also identify the triggers for each item. A table is provided at Appendix A which will help you identify which of the validation lists is relevant to the application you are making (i.e. dependant on the application form you are using).

The validation requirements solely refer to the information required in order to validate an application and applicants should be aware that the Local Planning Authority may still require and request further information or supporting documentation post validation where it is considered necessary to determine the application. Applicants should also be aware that an application could still be refused on the grounds of inadequate information. The validation checklist is not exhaustive and simply aims to capture the basic and most common requirements for your application.

Where an application is not accompanied by 'Local list' requirements a written justification must be produced by a suitably qualified person(s) giving reasons why it is not appropriate in that particular circumstance. In such cases the Council will consider the justification and where it is agreed, the application will be registered. However, if insufficient justification is provided, the Council will declare the application invalid and provide written reasons for the decision.

Cheshire East Council has been formed by the joining of the former Borough's of Congleton, Crewe and Nantwich and Macclesfield and Cheshire County Council. Development proposals will continue to be considered against the adopted development plans of the former boroughs and the saved policies from the Cheshire Structure Plan or the Cheshire Minerals and Waste Plans dependant on where the development is or the type of development proposed until the Cheshire East Local Development Framework is formally adopted. As a consequence the local requirements for applications may differ depending upon the development plan under which it falls to be considered, due to variations in policy requirements. Where there are any variations this is clearly indicated on the individual forms and will relate to the former administrative areas of Congleton Borough Council, Crewe and Nantwich Borough Council and Macclesfield Borough Council.

Pre-application discussions

Cheshire East Council encourage applicants to seek pre-application advice which will help to identify all information requirements for their application. This is particularly useful for larger and more complex schemes and can help the applicant by identifying the information and details that should be submitted with their application. Such an approach can help to minimise delays later in processing the application.

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. However applicants will retain the option of submitting paper versions of the form. In that event, the GDPO 1995 requires the original and 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.

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 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.

It is sometimes necessary to submit two or more applications for the same development. For example to apply to partially demolish, extend or alter a listed building it may be necessary to submit two individual applications— a planning application and a listed building consent application. It should be noted that these are separate applications and it is necessary to submit the appropriate number of copies of forms, plans and documents for each of the applications. (This is when submitting paper versions of the application. If you are submitting your application electronically via the Planning Portal then two applications will be made for you automatically).

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

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.
- 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 hard surfacing.
- f) 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.

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.

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. Further guidance is also available in Communities and Local Government *Circular 04/2008: Planning Related Fees* which can be downloaded from their website www.communities.gov.uk. If you are uncertain of the fee that is payable on any application please contact the Local Planning Authority prior to the submission of the application.

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:

- (i) A material change of use of land and buildings, (unless it also involves operational development);
- (ii) Engineering or mining operations;
- (iii) Householder developments. 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 article 4C of the GDPO and Department for Communities and Local Government Circular 01/06 – *Guidance on Changes to the Development Control System*.

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.

When a planning application is submitted in parallel with an application for listed building consent a single combined statement should address the requirements of both.

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

Information requirements for applications for outline planning permission

Applications for outline planning permission generally need not give details of any proposed reserved matters (Article 4E(3) of the GDPO) unless the matters include layout, scale or access. However if a local planning authority receives an application for outline planning permission, but decides that the application ought not to be considered separately from all or any of the reserved matters, it must notify the applicant within one month from the receipt of the application that further details must be submitted. The local planning authority should also specify what further details are needed (see Article 3(2) of the GDPO). Although the GDPO allows the local planning authority one month in which to notify the applicant that further details are required, as a matter of best practice local planning authorities should aim to notify applicants within 5 working days. This situation should not be confused with applications where inadequate information is submitted.

DCLG Circular 01/2006 sets out the scope of information to be submitted with an outline application. Even if layout, scale and access are reserved, an application will still require a basic level of information. As a minimum, applications should always include information on:

- **Use** – the use or uses proposed for the development and any distinct development zones within the site identified.
- **Amount of development** – the amount of development proposed for each use.
- **Indicative layout** – an indicative layout with separate development zones proposed within the site boundary where appropriate.
- **Scale parameters** – an indication of the upper and lower limits for height, width and length of each building within the site boundary.
- **Indicative access points** – an area or areas in which the access point or points to the site will be situated.

In addition to the information above, applications for outline planning permission should also include a Design and Access Statement. The requirements relating to Design and Access Statements are explained on page 4 of this document.

Lawful Development Certificates

Applications for Lawful Development Certificates should always be supported by factual evidence wherever possible. This includes information such as statutory declarations (sworn statements), photographs, invoices/payment records, historical maps and similar. Lawful Development Certificates are legal documents and can only be issued where the Local Planning Authority is satisfied on the balance of probability that what has been applied for has occurred as a matter of fact. This can only be achieved where sufficient supporting information has been provided that demonstrates what has been applied for.

Recommended national list of local requirements

This section offers more detailed information on all of the requirements which may be included in the local list. Triggers have been set for the information this Council will require which are identified on each individual validation checklist.

Local planning authorities will continue to be able to request further information during the determination process and an application could still be deemed valid, and then refused on the grounds of inadequate information, if the documentation submitted was subsequently found to be inadequate.

Affordable housing statement

Where local plan policies or Supplementary Planning Document guidance requires the provision of affordable housing the local planning authority may require information concerning both the affordable housing and any market housing e.g. the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The affordable housing statement should also include details of any Registered Social Landlords acting as partners in the development.

Where Local Plan Policies require the provision of affordable housing or the proposal is for a 'rural exceptions site', the LPA will require information concerning the proposed affordable housing.

For outline planning applications the information required will include the following –

A schedule to show the proposed number of affordable dwellings, by house type and tenure; anticipated Open Market Values of the affordable units; the proposed phasing of the development and distribution of the affordable housing within it; the proposed sale price to the Registered Social Landlord (RSL); the proposed first purchase share for any Shared Ownership units; any likely service charges; which RSL is to deliver the scheme, if the RSL will sign the S106 and if the RSL will voluntarily restrict 'staircasing' on any schemes that are not 'rural exceptions sites' (if a scheme is a 'rural exceptions site' then 'staircasing' to full value will not be allowed.)

For full planning applications the information required will include that set out above however it will also need to set out exactly which plots are proposed as the affordable housing.

If a proposal is for a 'rural exceptions site', the application will need to include information to show how the criteria of Policy RES.8 will be met; this may need to include a Housing Needs Survey, specifically undertaken to show that there is a need for such a development, in that area.

N.B – The above is not an exhaustive list of information; further details may also be requested, if deemed to be appropriate.

In accordance with development plan policies Cheshire East Council will require an affordable housing statement when a proposal is for residential development where the development is within a village where the population is 3000 or less and the proposal is for more than 1 unit or if the proposal is for rural exceptions housing.

An Affordable Housing Statement will also be required when the development is for 15 or more units, or the site is greater than 0.5 Hectares in size when the development falls within the areas of the Crewe and Nantwich Borough Council Replacement Local Plan 2011 and the Macclesfield Local Plan 2004.

If the development falls within the area of the Congleton Borough Council Local Plan First Review an Affordable Housing Statement is required when the development is for 25 units or more, or the site is greater than 1 hectare in size.

Population figures are available from the Council's webpage www.cheshireeast.gov.uk

Air quality assessment

Where the development is proposed inside, or adjacent to an air quality management area (AQMA), or where the development could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Where AQMAs cover regeneration areas, developers should provide an air quality assessment as part of their planning application. Further advice is available in **Planning Policy Statement 23: Planning and Pollution Control**. (November 2004).

Air Quality Assessments will be required where a development is proposed within an existing Air Quality Management Area or where it is considered to have an impact on an existing Air Quality Management Area. Therefore an Air Quality Assessments is also required for:

- Residential developments of 100 dwellings or more within 100 metres of an Air Quality Management Area
- Non residential developments within 100 metres of an Air Quality Management Area with more than 10 parking spaces or within 500 metres with more than 300 parking spaces.
- The development is for extraction of above ground minerals, waste applications involving such as landfilling/raising or thermal treatment if the proposal is within 500 metres of housing developments.

Information about AQMAs in Cheshire East is available on the Council's website www.cheshireeast.gov.uk

Biodiversity and Geodiversity Conservation Statement

Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts. Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Protection of Badgers Act 1992. Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long-term maintenance and management. This information might form part of an Environmental Statement, where one is necessary. Certain proposals which include work such as the demolition/conversion of buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts. Government planning policies for biodiversity are set out in **Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)** (August 2005), PPS9 is accompanied by a Government Circular: *Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system* (ODPM Circular 06/2005, Defra Circular 01/2005 and *Planning for Biodiversity and Geological Conservation: A Guide to Good Practice*.

The Council's **Guidance on Local Requirements: Biodiversity and Geodiversity Conservation Statement** sets out the requirements for a Biodiversity and Geodiversity Conservation Statement and when such a statement will be required. Table 1 of the document identifies the situations where a protected species survey will be required and Part 2 shows where a statement will be required in relation to designated sites, priority habitats and geological conservation. Applicant should use the above document to inform their application.

Designated sites within Cheshire East are identified in the various development plans and any development affecting these sites will require a Biodiversity and Geodiversity Conservation Statement to accompany the application.

Climate Change and Sustainability

Planning Policy Statement: Planning and Climate Change (Supplement to PPS1) introduced key objectives for the delivery of sustainable development. These key objectives should be considered in developments (of an appropriate scale) to address matters of climate change.

Applicants should use Design and Access Statements to provide the necessary information to show the Local Planning Authority how their proposed development will contribute to the Key Planning Objectives. The North West Regional Spatial Strategy provides the policy framework for assessing such applications.

Where the development is within the area of the Macclesfield local Plan 2004 residential developments should address the advice in PPS3: Housing and should complete housing sustainability assessments.

Daylight/Sunlight assessment

In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may also need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in, for example, BRE guidelines on daylight assessments. (Please be aware that planning permission would not confer any immunity on those whose works infringe another's property rights, and which might be subject to action under the Rights of Light Act 1959.)

Economic Statement

Applications may also need to be accompanied by a supporting statement of any regeneration benefits from the 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.

Economic statements will be beneficial for all major employment-generating proposals and should be used to set out the economic development and regeneration benefits of the scheme. Applicants should demonstrate how their proposals will contribute, where appropriate, to the delivery of economic development and regeneration strategies at regional, sub-regional and local levels.

Environmental Statement

The Town and Country Planning (Environmental Impact Assessment) Regulations (SI 1999/293), as amended, set out the circumstances in which an Environmental Impact Assessment (EIA) is required. EIA may obviate the need for other more specific assessments.

Where an EIA is required, Schedule 4 to the regulations sets out the information that should be included in an Environmental Statement. The information in the Environmental Statement has to be taken into consideration when the local planning authority decides whether to grant planning consent. It may be helpful for a developer to request a 'screening opinion' (i.e. to determine whether EIA is required) from the local planning authority before submitting a planning application. In cases, where a full EIA is not required, the local planning authority may still require environmental information to be provided.

Flood risk assessment

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. A FRA will also be required for any development other than minor development in a designated critical drainage area which has been notified to the Local Planning Authority by the Environment Agency. Flood zone maps can be found on the Environment Agency website at www.environment-agency.gov.uk

The FRA 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. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) and address the requirement for safe access to and from the development in areas at risk of flooding.

The FRA should be prepared by an applicant in consultation with the local planning authority with reference to their published local development documents and any Strategic Flood Risk Assessment. The FRA should form part of an Environmental Statement when one is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. **Planning Policy Statement 25: Development and Flood Risk (December 2006)** and its associated *Practice Guide* provide comprehensive guidance for both local planning authorities and applicants in relation to the undertaking of FRAs and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

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.

Foul sewage and utilities assessment

All new buildings need separate connections to foul and storm water sewers. 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). 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. Guidance on what should be included in a non-mains drainage assessment is given in **DETR Circular 03/99 and Building Regulations Approved Document Part H and in BS6297**.

If the proposed development results in any changes/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.

An application should indicate how the development connects to existing utility infrastructure systems. 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, 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.

The applicant 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 (including Historical, archaeological features and Scheduled Ancient Monuments)

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with a planning officer, a conservation officer or the Borough's archaeological advisors, before any application is made. The following is a guide to the sort of information that may be required for different types of application.

For applications affecting scheduled monuments, a written statement detailing the procedure that has been followed to ascertain whether scheduled monument consent is needed, will be required. The details of any agreed programme of mitigation and a copy of the scheduled monument consent form may be required.

For applications for listed building consent, a written statement that includes a schedule of works to the listed building(s), an analysis of the significance of archaeology, history, development and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. A condition survey and/or a structural survey may be required in support of an application for listed building consent.

For applications for conservation area consent, a written statement that includes a structural survey, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area may be required.

For applications either related to or impacting on the setting of designated sites (scheduled monuments, listed buildings and structures, conservation areas, historic parks and gardens, and historic battlefields) a written statement that includes plans showing historic features that may exist on or adjacent to the application site including all designated sites and all non-designated sites (e.g. locally listed buildings and sites in the Historic Environment Record) and an analysis of the significance of archaeology, history and character of the designated site, the principles of and justification for the proposed works and their impact on the special character and appearance of the designated site or structure, its setting and the setting of adjacent designated sites may be required.

For all applications involving the disturbance of ground within an Area of Archaeological Potential as defined in the development plan or in other areas in the case of a major development proposal or significant infrastructure works, or where a proposal affects an area, site or feature of known or suspected historic environment interest as identified in the Historic Environment Record, an applicant may need to commission an assessment and if necessary field evaluation of the site and submit the results as part of the Heritage Statement.

All Heritage Statements should assess the impact or potential impact of the proposed development and any proposals to avoid, mitigate or compensate for such impacts, to ensure that there is no net loss of the historic environment resource.

The various development plans identify historic assets within Cheshire East.

For heritage assets, advice is provided in **Planning Policy Guidance Note 15 Planning and the Historic Environment**, (September 1994). For archaeological remains, advice is provided in **Planning Policy Guidance Note 16: Archaeology and Planning** (November 1990).

Land Contamination Assessment

Applications may also need to be accompanied by a land contamination assessment which should include an extended assessment of contamination in line with **Planning Policy Statement 23 'Planning and Pollution Control'** (November 2004). 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.

Examples of sites/activities that would require a Land Contamination Assessment include:

- Analysts - laboratory sites
- Any area where persistent pesticide treatments may have been applied
- Areas where biological materials have been bred, used or stored
- Battery manufacturers including any site where lead cell accumulators were destroyed for scrap
- Brake lining manufacturers or repairers
- Chemical manufacturers
- Industrial: glues, paints, household cleaners, bleaches, sprays, pool chemicals, bitumen, oils and greases, petroleum, petrochemicals, stores.
- Agricultural: fertilisers, garden sprays, pesticides, herbicides, cat and dog dusting powders
- Warehousing and storing
- Defence works
- Dry cleaning establishments
- Electroplaters
- Fuel depots
- Galvanisers
- Gas works
- Gun clubs
- Industrial cleaners
- Landfills
- Lime burners
- Market gardens, other areas where agricultural chemicals may have been used
- Metal foundries

- Metal spraying or Metal treatment, heat treatment, picklers
- Mining and extractive industry
- Patent medicine producers and stores
- Pest controllers in particular chemical stores and areas where vehicles and tanks are washed
- Petroleum and petrochemical industries
- Pharmaceutical drug manufacturers
- Plaster manufacturers and moulders
- Printers
- Railway yards
- Scrap yards
- Service stations (including mechanical repairers)
- Stock dipping (e.g. sheep, cattle)
- Tanners, curriers and fellmongers
- Transport depots
- Underground storage tanks for fuel, chemical storage and liquid waste
- Waste storage, treatment and/or disposal
- Wood treatment
- Wool hide and skin merchants (e.g. drying, scouring)

NOTE: This list is not exhaustive and other potentially contaminating activities must be considered.

Landfill applications

Applicants should provide sufficient information to enable the waste planning authority to fulfill its requirements under the Landfill (England and Wales) Regulations 2002. This information may be provided as part of the Environmental Impact Assessment.

Landscaping details

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the Design and Access Statement, if required. Existing trees and other vegetation should, where practicable, be retained in new developments and protected during the construction of the development.

Development should be informed by and be sympathetic to landscape character and quality and should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected. Proposals with landscape and visual implications should also be informed by the *Landscape Assessment of Cheshire: 1994*. The Cheshire County Council Building Development: *Design Matters in Cheshire* guide may also be relevant.

Lighting assessment

Proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area, or open countryside, where external lighting would be provided or made necessary by the development, should be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design. ***Lighting in the countryside: Towards good practice*** (1997) is a valuable guide for local planning authorities, planners, highway engineers and members of the public. It demonstrates what can be done to lessen the effects of external lighting, including street lighting and security lighting. The advice is applicable in towns as well as the countryside.

Noise impact assessment

Application proposals that raise issues of disturbance or are considered to be a noise sensitive development in what are considered noise sensitive areas should be supported by a noise impact assessment prepared by a suitably qualified acoustician. As an example an application for a business concerning animals may require a noise impact assessment. Further guidance is provided in ***Planning Policy Guidance note 24: Planning and Noise*** (September 1994).

Applications for proposals of residential premises adjacent to any noise source should undertake a PPG 24 noise assessment. This Council requires a noise impact assessment where residential development is proposed adjacent to a railway line, a busy road (defined as a motorway, a dual carriageway or an A-road), or adjacent to premises falling within use class B1(c), B2 or B8.

Applications for proposals of commercial or industrial premises adjacent to residential premises should undertake a BS4142 noise assessment as agreed with Environmental Health. This Council will therefore require a noise assessment where the proposal will result in the use of the premises for purposes within Use Class B1(c), B2 or B8 adjacent to a residential use.

A noise impact assessment will also be required where the proposal is for a change of use or built development that will result in a mineral or waste development adjacent to housing, or if the proposal is for mineral extraction or landfill/landraising development.

Open Space assessment

For development within open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. Planning consent is not normally given for development of existing open spaces which local communities need. However, in the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application.

In addition where development of more than 20 residential units is proposed (including flats) in the area of the Crewe and Nantwich Replacement Local Plan 2011, the applicant should show how the proposal addresses the requirements of policy RT.3 of that plan.

Likewise, where the development is within the area of the Congleton Borough Council Local Plan First Review, the applicant should address the requirements set out in the Congleton Borough Council *SPG1: Provision of Public Open Space in New Residential Development*.

National planning policy is set out in ***Planning Policy Guidance note 17: Planning for open space, sport and recreation*** (July 2002).

Parking Provision

Most applications will be required to provide details of existing and proposed parking provision and access arrangements. These details could also be shown on a site layout plan.

Photographs and Photomontages

These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. This is particularly important if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.

Planning obligations - Draft Head(s) of Terms

Planning obligations (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.

For development in the area of the Macclesfield Local Plan 2004, a statement of the proposed Heads of Terms and Certificate of Title should be submitted with the application. Further guidance and advice and model Section 106 agreements are available in the Macclesfield Borough Council *Supplementary Planning Guidance on s106 (Planning) agreements*.

Where the development lies within the area covered by the Congleton Borough Council Local Plan First Review, Draft Heads of Terms will be required where a S106 contribution is required in accordance with policy in the Local Plan and associated Supplementary Guidance.

Further advice is available in ODPM Circular 05/2005, ***Planning Obligations*** and the model section 106 agreement, both of which are available on the Communities and Local Government website www.communities.gov.uk

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/statutory consultees

undertaken prior to submission. However, a separate statement on community involvement may also be appropriate.

Retail Assessment (Town centre uses – Evidence to accompany applications)

An application should be accompanied by an assessment of the need for the proposal where this would be in an edge of centre or out of centre location, and where it is not in accordance with an up to date development plan document strategy. But it is not necessary to demonstrate the need for retail proposals within the primary shopping area or for other main town centre uses located within the town centre. Evidence should be provided to show that there are no sequentially preferable sites. Policy advice on the policy tests for town centre uses is provided in **Planning Policy Statement 6: Planning for Town Centres (March 2005)** which sets out the main town centre uses to which the policy applies, in paragraph 1.8. Subject to the policies set out in the document, paragraph 3.4 lists the key considerations for which applicants should present evidence. The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal.

In accordance with paragraph 3.4 of *PPS6: Planning for Town Centres* Cheshire East Council will require a Retail Assessment where the scale and nature of the proposal requires it.

Site Waste Management Plan

Proposed new development should be supported by site waste management plans of the type encouraged by the code of practice published in 2004 by the Department of Trade and Industry now the Department for Business Enterprise and Regulatory Reform **Site Waste Management Plans: guidance for construction contractors and clients**. These do not require formal approval by planning authorities, but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed.

Site Waste Management Plans will be required for validation purposes if the proposal falls into the developments listed in Policy 10 of the Cheshire Replacement Waste Local Plan 2007. The purpose of this policy is to minimise waste during the construction and development process. Consideration should also be given to Policy 11 which seeks to facilitate waste recycling in new developments.

Statement of Community Involvement

Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation set out in the local planning authority's **adopted statement of community involvement** (available on the planning pages of the Council's website) and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals. Further guidance on Statements of Community Involvement is available in **Planning Policy Statement 12: Local Spatial Planning (2008)**.

Structural survey

A structural survey may be required in support of an application if the proposal involves substantial demolition, for example, barn conversion applications and replacement dwellings in the open countryside. Structural Surveys will also be required for applications for Listed Building Consent or Conservation Area Consent for Demolition in a conservation area.

Telecommunications Development – supplementary information

Planning applications for mast and antenna development by mobile phone network operators in England 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.

Planning 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). Further guidance on the information that may be required is set out in the **Code of Practice on Mobile Network Development (2002)**.

The local planning authority encourages applicants to submit details in line with those outlined in paragraphs 70-82 of the Code of Best Practice on Mobile Phone Network Development. This includes the additional

information identified in the Supplementary Information Template as set out in Annex F of the above document.

Transport assessment/statement

Planning Policy Guidance 13 'Transport' (March 2001) advises that a Transport Assessment (TA) or Transport Statement (TS) should be submitted as part of any planning application where the proposed development has significant transport implications. The coverage and detail of the TA/TS should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA/TS should simply outline the transport aspects of the application, while for major proposals, the TA/TS should illustrate accessibility to the site by all modes of transport, and the likely modal 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. Further guidance will be found in **Guidance on Transport Assessment**, published by the Department for Transport (March 2007).

The thresholds set out in Appendix B of **Guidance on Transport Assessment** outline when a TA/TS will be required for different land uses and Cheshire East Council will require a TA/TS inline with those guidelines. The table also sets out the type of assessment that will be required.

Travel Plan

A travel plan 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.

Paragraph 89 of *PPG13: Transport* states that the Government considers that travel plans should be submitted alongside planning applications which are likely to have significant transport implications including major developments using the thresholds set out in Annex D of the aforementioned document. Therefore where a development meets the thresholds in Annex D, Cheshire East Council will require a *draft* travel plan to accompany the application.

Further advice is available in *Using the planning process to secure travel Plans: Best practice guide ODPM and DfT, 2002 (forthcoming revised guidance), also *Making residential travel plans work: Good practice guidelines for new development: DfT and A guide to development related travel plan (Addison & Associates)*.*

Please also see the Cheshire County Council *Guidance on Travel Plans for Business and Employment Sites (2008)* available on the Council's website www.cheshireeast.gov.uk

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.

Ventilation/Extraction statement

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within Use Classes A3 (i.e. Restaurants and cafes - use for the sale of food and drink for consumption on the premises), A4 (i.e. Drinking establishments – use as a public house, wine-bar or other drinking establishment) and A5 (i.e. Hot food takeaways - use for the sale of hot food for consumption off the premises). This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

Appendix A – Standard Application Form and Validation Requirements Form Reference Table

The table below identifies which of the individual Validation Requirements forms should be used to correspond with the type of application you are making, based on the Standard Application form that is being used. Where the table states *to be reviewed at a later date* this indicates that there are currently no local requirements for the validation of the corresponding application however the applicant should be aware that any national requirements must still be adhered to.

Standard National Application Form	Validation Requirements Form Number
Householder application for planning permission for works or extension to a dwelling	V1
Application for Planning Permission	V2 (Residential) OR V3 (Non-Residential) OR V13 (Minerals and Waste)
Application for outline planning permission with some matters reserved	V4
Application for outline planning permission with all matters reserved	V4
Application for approval of reserved matters following outline approval	V5
Application for Listed Building Consent for alterations, extensions or demolition of a listed building	V6
Application for consent to display an advertisement(s)	V7
Application for removal or variation of a condition following grant of planning permission	To be reviewed at a later date
Application for approval of details reserved by a condition (Discharge of condition)	To be reviewed at a later date
Application for a lawful development certificate for an EXISTING use or operation or activity including those in breach of a planning condition	V8
Application for a lawful development certificate for a PROPOSED use or development	V8
Application for prior notification of proposed development by telecommunications code system operators	V9
Application for prior notification of agricultural or forestry development – Proposed building	V10
Application for prior notification of agricultural or forestry development – Proposed road	V10
Application for prior notification of agricultural or forestry development – Excavation/waste material	V10
Application for prior notification of agricultural or forestry development – Proposed fish tank (cage)	V10
Application for conservation area consent for demolition in a conservation area	V11
Application for prior notification of proposed demolition	V12
Application for tree works , works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in conservation areas	To be reviewed at a later date
Application for hedgerow removal notice	To be reviewed at a later date