



## Planning Services

Town and Country Planning Act 1990

# Validation Checklist

**Application for Planning Permission including Advertisement, Listed Building and Conservation Area Consents and Telecommunications Applications** (excluding applications for discharge or compliance with conditions and applications for certification of lawfulness).

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This document has been produced in accordance with the Government publication "Guidance on Information Requirements and Validation" (March 2010). **Please note the mandatory National requirements are identified with the prefix N. Local requirements are identified with the prefix DD.**

# Introduction

Derbyshire Dales District Council is committed to providing a quicker, more predictable and efficient planning service. As part of this initiative, the Council have adopted this Validation Checklist, the purpose of which is to ensure that applicants are aware at the outset of the information requirements for their particular application. In order for an application to be considered 'valid' in accordance with the provisions of section 42 of the Planning and Compulsory Purchase Act 2004, it must satisfy the relevant national and local information requirements. Until the requirements are met, the application will not be processed.

This guidance note covers the following types of applications:-

- Householder consents.
- Outline and full planning permission and approval of reserved matters.
- Listed Building consent.
- Conservation Area consent.
- Advertisement consent.
- Applications for Prior Notification under the General Permitted Development Order 1995.

The purpose of the new validation arrangements is:-

- To provide advice and create certainty for applicants and agents by setting out clearly what information is required.
- To create a 'level playing field' for all applicants.
- To assist interested parties in their consideration of applications by ensuring that each application contains a basic level of consistent information.
- To minimise the number of invalid applications received.
- To minimise the need to request additional information either before or after registration of an application.
- To improve determination times for applications in accordance with central Government targets.

The Council acknowledges that different types and scale of applications will require different levels of information and supporting documentation to be submitted. However, the Council will require all applications to meet the statutory minimum requirements in all cases. Should an applicant consider particular information not to be required for a particular submission, the Council will consider the reasons put forward and respond to the applicant or their appointed agent.

However, the failure to submit the information required by this 'Validation Checklist' will result in an application being treated as invalid under Article 5(4) of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

# Validation Process

If an applicant submits an application not in accordance with both the national and local lists, the Authority will declare the application invalid and so decline to determine it.

An application will be invalid if:-

- the application form and its Certificates have not been completed correctly; or
- the necessary fee has not been provided; or
- the necessary plans, drawings and supplementary information have not been provided in accordance with the requirements of this checklist.

If an application is invalid, we will contact the applicant or agent (by telephone, by e-mail or by letter) to explain what is required to create a valid application. Where an application is considered invalid, the Authority will notify the applicant as soon as possible of its reasons. In complex cases, the Authority will set out its reasons in writing to avoid any confusion and will specify the information required in order to make the application valid. Where an application is not accompanied by information required by the Planning Authority, applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances.

If, after 14 days, the requested information has not been received, an invalid application will be treated as 'finally disposed of'. Any fee that has been paid will be refunded if an application is withdrawn before it is registered.

An invalid application will not be registered and will not be considered until all of the requested information has been received.

It is recognised that the electronic submission of supporting documents may not always be possible because of the volume and variety of information. In these circumstances, documents can be submitted in hard copy even if the application itself has been submitted electronically.

In circumstances where applicants do not agree with the requirement for information or plans set out by the Local Planning Authority, they may wish to challenge the decision not to validate an application. In such cases, applicants have the right of appeal for non-validation under Section 78 of the Town and Country Planning Act 1990. The relevant ground for the appeal would be non-determination within the 8 or 13-week determination period (depending upon whether the application is minor or major).

# Valid Applications (Registration)

An application will be valid:-

- if the application form and its Certificates have been completed correctly (and ideally includes the full OS grid reference);
- if the necessary fee has been provided;
- if the necessary plans, drawings and supplementary information have been provided.

Once a valid application has been received it will be registered with a start date that equals the day of receipt (which is day 0). The time period from application to decision begins the day after a valid application and the correct fee (where a fee is payable) have been received. If the application has been submitted electronically it will be treated as having been delivered at 9 a.m. on the next working day after the day on which it is transmitted. The statutory period for determination will then commence. Upon registration, an acknowledgement letter will be sent to the applicant or agent.

When registered, full details (including the application form, plans, drawings and supporting information) about, and progress on, an application will be made available to view on the Council's website [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk)

## Registered Applications – Requests for Additional Information

Whilst this document seeks to ensure that all the necessary information is provided before an application is registered, there will be occasions during the consideration period when more information will be required. The formal procedures that may be used to request additional information are set out below.

### Outline Planning Applications

If it is considered that additional necessary information is required before an outline application can be determined then we will formally notify the applicant or agent, under Article 4(2) of the Town and Country Planning (Development Management Procedure) Order 2010, of the additional information required. No further consideration of the application will be made and the application will not be treated as 'valid' until the additional information has been received.

Department for Communities and Local Government 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.

## **Full and Reserved Matters Applications**

If it is considered that additional information is required before a full or reserved matters application can be determined, then we will formally notify the applicant or agent under Article 4 of the Town and Country Planning (Applications) Regulations 1988 and Article 10(2) of the Town and Country Planning (Development Management Procedure) Order 2010, of the additional information required.

## **Listed Building Applications**

If it is considered that additional information is required before a listed building application can be determined then we will formally notify the applicant or agent under Regulation 3(3) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990, of the additional information required.

The Council will, however, only request such information as is reasonably required to adequately consider the effect of the proposed works on the listed building as one of architectural and historic interest. In practice, this may mean that minor works to the interior may only require photographs of the existing interior it is proposed to alter, together with adequately detailed drawings of the works that are proposed.

## **Timescales**

The decision to request additional information under Article 4(2) can be made up to 28 days after the initial registration of an application for outline planning permission. For all the other applications, the request for additional information will be made as soon as is reasonably practicable.

The Council recommends that applicants and agents discuss their proposals with a member of the Registration Team prior to the submission of their application if they are unsure about what information should be provided.

## MAJOR APPLICATIONS - GENERAL ADVICE TO APPLICANTS

An application will be classed as a major application if it: -

- comprises development of 10 or more dwellings; or
- has a proposed residential site area of 0.5 hectare (or more); or
- proposes the creation of 1000m<sup>2</sup> (or more) of floor space; or
- has a non-residential site area of 1 hectare (or more).

We recommend that applicants and/or agents discuss their major proposals with the Council and key consultees before submitting an application. We also encourage applicants and agents to undertake appropriate pre-application consultations with other relevant consultees.

In practice, pre-application discussions are likely to be more appropriate for 'major' applications than for householder or small-scale proposals that are likely to be non-contentious. However, in certain instances, pre-application discussions with specialist consultees may still be appropriate for even minor proposals.

Targeting pre-application consultations to major applications will also assist the Council in responding to such requests in a timely manner. If we are approached at the **Pre-Application Stage** we will offer to:-

- facilitate joint meetings with key consultees and stakeholders (for large/complex applications);
- set up a 'development team' with an identified lead 'Case Officer' for large/complex applications that will oversee the decision making process;
- provide advice on the relevant policies and other applicable legislation;
- evaluate draft supporting information (e.g. affordable housing statement);
- provide a template for a Section 106 Agreement and unilateral undertaking with standard clauses.

Once a major application has been registered the Case Officer will:-

- continue with the work started at the pre-application stage;
- outline the decision making process and likely timetable for the application;
- contact relevant Members so that their involvement can be identified and addressed at an early stage in the decision making process;
- send the applicant and or agent copies of relevant consultation responses and other information considered necessary to progress the proposal.

## CERTIFICATION OF APPLICATIONS

The Council recommends that agents ask their clients (i.e. the applicant) to sign the ownership Certificates that accompany applications for planning permission. This will ensure that Section 65 of the 1990 Planning Act and Articles 11 and 12 of the Development Management Procedure Order 2010 are complied with. This will also ensure that an agent will be protected from committing a criminal offence under Section 65(6) of the Act. This Section states that if any person recklessly issues a Certificate, which contains a statement that is false or misleading, he shall be guilty of an offence for which the maximum penalty is £5,000. Unless an agent has actually investigated the title to the property, and can, therefore, sign with surety, the Courts might conclude that the agent has recklessly issued a Certificate.

If an agent does sign the Certificates on their clients' behalf, then an individual (i.e. a director, partner or another member of the company that has been authorised to sign on behalf of that company) must sign the Certificates. Writing or typing a company name is not acceptable. It is recognised that when an agent signs a Certificate they are usually doing so as an employee of the company they work for and not in a personal capacity.

If in doubt as to what information is required to accompany an application, please contact the Registration Team to discuss the matter on 01629 761358 or [planning@derbyshiredales.gov.uk](mailto:planning@derbyshiredales.gov.uk) .

# VALIDATION CHECKLIST

Validation Number	Information Required (From V17 onwards x4 copies of these documents will be required, unless previously agreed)	Types of application that need this information	Guidance	Policy Driver (Policy drivers will be updated as and when new policy is adopted)	Tick Box <input checked="" type="checkbox"/>
N1	<b>Relevant Application Form</b> x4 copies if submitted by post x1 original and x3 copies (x2 copies for an advertisement application) x1 copy if submitted electronically	All applications	<ul style="list-style-type: none"> <li>• 1 original and 3 copies (2 copies for an advertisement application) of the completed relevant application form (paper).</li> <li>• Full contact details of the applicant and/or agent (where appropriate) must be completed.</li> <li>• <b>All</b> questions must be answered.</li> <li>• Declaration must be signed and dated.</li> </ul>	The Town and Country Planning (Development Management Procedure) (England) Order 2010 Town and Country Planning (Application) Regulations 1988. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007	<input type="checkbox"/>
N2	<b>Ordnance Survey Location Plan</b> x4 copies if submitted by post x1 original and x3 copies (x2 copies for an advertisement application) x1 copy if submitted electronically	All applications	<ul style="list-style-type: none"> <li>• Based on an up-to-date OS map at an appropriate metric scale of 1:1250 or 1:2500. In exceptional circumstances, plans of other scales may also be required.</li> <li>• Plans should, wherever possible, be submitted using A4 or A3 paper.</li> <li>• 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.</li> <li>• 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.</li> </ul>	The Town and Country Planning (Development Management Procedure) (England) Order 2010 Town and Country Planning (Application) Regulations 1988. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007	<input type="checkbox"/>

			<ul style="list-style-type: none"> <li>• A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.</li> <li>• Must show the direction of North.</li> <li>• Identifies the proposed position of any advertisements proposed.</li> </ul>		
<b>N3</b>	<p><b>Block/Site Plan</b></p> <p>x4 copies if submitted by post</p> <p>x1 original and x3 copies if submitted by post</p> <p>x1 copy if submitted electronically</p>	<b>All applications</b>	<ul style="list-style-type: none"> <li>• Based on an up-to-date OS map at an appropriate metric scale of 1:200 or 1:500. In exceptional circumstances, plans of other scales may also be required.</li> <li>• Wherever possible plans submitted should use A4 or A3 paper.</li> <li>• Must clearly show boundaries of the plot, position of all the existing and proposed buildings, positions and width of existing and proposed means of access, the extent and type of hard surfacing, any adjoining properties, position and spread of all existing trees and shrubs, type of wall, fence or other means of enclosure and provision of car parking unless these would not influence or be affected by the proposed development.</li> <li>• All plans must be clearly and logically named and given titles which refer to their content and details must be clear enough so that the quality of detail is not compromised when scanned and viewed electronically e.g. faint lines are unacceptable.</li> <li>• Must show the direction of North.</li> </ul>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2010</p> <p>Town and Country Planning (Application) Regulations 1988.</p> <p>The Town and Country Planning (Control of Advertisements) (England) Regulations 2007</p>	<input type="checkbox"/>

<p><b>N4</b></p>	<p><b>Existing and Proposed Elevations</b>  x4 copies if submitted by post (x3 copies for an advertisement application)  x1 copy if submitted electronically</p>	<p><b>All applications proposing new buildings or alterations to the exterior of existing buildings (Including consent to display advertisements)</b></p>	<ul style="list-style-type: none"> <li>• Drawn to an appropriate metric scale e.g. 1:50 or 1:100.</li> <li>• Wherever possible plans submitted should use A4 or A3 paper.</li> <li>• These should show full elevations of the proposal from all aspects.</li> <li>• Existing elevations should be shown separately. This should include the proposed building materials and the style, materials and finish of windows and doors.</li> <li>• 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. The level of the ground floor and of the site should be shown in relation to the level of the adjoining street.</li> <li>• All elevations and plans must be clearly and logically named and given titles which refer to their content and details must be clear enough so that the quality of detail is not compromised when scanned and viewed electronically e.g. faint lines are unacceptable.</li> <li>• Advertisement applications require the following:- <ul style="list-style-type: none"> <li>• existing and proposed elevations to a scale of 1:50 or 1:100</li> <li>• a drawing to a scale of 1:50 or 1:100 showing advertisement size, siting, materials and colours to be used</li> <li>• height above ground</li> <li>• extent of projection and details of method and colours of illumination (if applicable).</li> </ul> </li> </ul>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2010  Town and Country Planning (Application) Regulations 1988.  The Town and Country Planning (Control of Advertisements) (England) Regulations 2007</p>	<div style="border: 1px solid black; width: 20px; height: 20px; margin: 0 auto;"></div>
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<p><b>N5</b></p>	<p><b>Existing and Proposed Floor Plans</b></p> <p>x 4copies if submitted by post x1 copy if submitted electronically</p>	<p><b>All applications proposing new or amended floorspace and/or proposals to alter existing buildings</b></p>	<ul style="list-style-type: none"> <li>• Drawn to an appropriate metric scale e.g. 1:50 or 1:100.</li> <li>• Wherever possible plans submitted should use A4 or A3 paper.</li> <li>• These 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).</li> </ul>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2010</p> <p>Town and Country Planning (Application) Regulations 1988.</p>	<input type="checkbox"/>
<p><b>N6</b></p>	<p><b>Existing and Proposed Site Sections and Finished Floor and Site Levels</b></p> <p>x 4 copies if submitted by post x1 copy if submitted electronically</p>	<p><b>All applications proposing changes to site levels or where existing levels across the site vary more than 0.3m</b></p>	<ul style="list-style-type: none"> <li>• Show a cross section(s) through the proposed building(s).</li> <li>• Drawn to an appropriate metric scale e.g. 1:50 or 1:100.</li> <li>• Wherever possible plans submitted should use A4 or A3 paper.</li> <li>• In all cases, where a proposal involves a change in ground levels, drawings should be submitted to show both existing and finished levels to include details of foundations, retaining structures and how eaves relate to adjacent land and boundaries. Details should also be submitted explaining how encroachment onto adjoining land is to be avoided.</li> <li>• 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.</li> <li>• 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 extensions would be modified.</li> </ul>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2010</p> <p>Town and Country Planning (Application) Regulations 1988.</p>	<input type="checkbox"/>

			<ul style="list-style-type: none"> <li>• In all cases where a proposal involves a change in ground levels, drawings should be submitted to show both existing and finished levels.</li> <li>• Plans should show existing site levels and finished site levels (preferably by the use of colour differentiating them from the existing levels) with levels related to a fixed datum point either off site but nearby, or at some point on the site which will not be affected by the works proposed.</li> <li>• Plans must also show the proposals in relation to adjoining land and buildings.</li> <li>• Where no changes to site levels are proposed, and finished floor levels are not to be raised, stating this on plans will be acceptable.</li> </ul>		
<b>N7</b>	<b>Roof Plans</b> x4 copies if submitted by post x1 copy if submitted electronically	<b>All applications where alterations to the roof are proposed</b>	<ul style="list-style-type: none"> <li>• Drawn to an appropriate metric scale e.g. 1:50 or 1:100.</li> <li>• Wherever possible plans submitted should use A4 or A3 paper.</li> <li>• Must show the shape of the existing and proposed roof (preferably by the use of colour differentiating them from the existing roof).</li> <li>• All elevations and plans must be clearly and logically named and given titles which refer to their content and details must be clear enough so that the quality of detail is not compromised when scanned and viewed electronically e.g. faint lines are unacceptable.</li> <li>• Must show details of the roofing material, vents and their location on the roof.</li> </ul>	Town and Country Planning (Application) Regulations 1988.	<input type="checkbox"/>
<b>N8</b>	<b>Agricultural Holding Certificate</b> x1 original and x3 copies if submitted by post x1 copy if submitted electronically	<b>All applications (except for consent to display advertisements)</b>	<ul style="list-style-type: none"> <li>• Delete those parts that are not applicable.</li> <li>• Sign and date.</li> </ul>	Town and Country Planning Act 1990. The Town and Country Planning (Development Management Procedure) (England) Order 2010).	<input type="checkbox"/>

<b>N9</b>	<b>Ownership Certificate</b> x1 original and x3 copies if submitted by post x1 copy if submitted electronically	<b>All applications (except for consent to display advertisements)</b>	<ul style="list-style-type: none"> <li>• If the applicant is the sole owner of the site (and there are no long leases) then Certificate A must be completed.</li> <li>• If the applicant is not the owner of the site (or only owns part) and the applicant knows who owns the site (or the other parts) then Certificate B must be completed (see V10 below).</li> <li>• Certificate C should be completed if there is more than one owner and the applicant knows some but not all of the owners of the site. (See V10 below).</li> <li>• Long leaseholders (more than 7 years remaining) are treated as owners for these purposes.</li> <li>• Certificate D should be completed if the applicant does not know any of the owner(s) of the site (see V10 below).</li> </ul>	Town and Country Planning Act 1990. The Town and Country Planning (Development Management Procedure) (England) Order 2010	<input type="checkbox"/>
<b>N10</b>	<b>Article 6</b> x1 original and x3 copies if submitted by post x1 copy if submitted electronically	<b>All applications where Ownership Certificates B, C or D have been completed</b>	<ul style="list-style-type: none"> <li>• A notice must be served on all owners and / or published in the press in accordance with the instructions on the Certificate.</li> <li>• A copy of the Article 6 notice must be included in the application submission, a copy of which can be obtained via <a href="http://www.derbyshiredales.gov.uk">www.derbyshiredales.gov.uk</a></li> <li>• Where Certificates C or D have been completed, a copy of the article published in the newspaper must also be provided.</li> </ul>	Town and Country Planning Act 1990. The Town and Country Planning (Development Management Procedure) (England) Order 2010	<input type="checkbox"/>
<b>N11</b>	<b>Appropriate Fee</b>	<b>All applications</b>	<ul style="list-style-type: none"> <li>• If your planning application is submitted on line via the Planning Portal <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a> you can also pay on line via a secure web site.</li> <li>• Alternatively, if submitting a paper submission you should call the District Council's payment line on 01629 761166 or make a BACS payment.</li> <li>• Check correct fee and fee exemptions at <a href="http://www.derbyshiredales.gov.uk/planning_and_building_control/planning_documents_and_forms/default.asp">http://www.derbyshiredales.gov.uk/planning_and_building_control/planning_documents_and_forms/default.asp</a></li> </ul>	Town and Country Planning Fees Regulations 2009	<input type="checkbox"/>

<p><b>N12</b></p>	<p><b>Design and Access Statement (DAS)</b>  x4 copies if submitted by post  x1 copy if submitted electronically</p>	<p><b>Required for all applications except those set out in adjacent guidance column</b></p>	<p>A Design and Access Statement is required for all applications unless the proposal is for:-</p> <ul style="list-style-type: none"> <li>• engineering or mining operations;</li> <li>• development of an existing dwellinghouse or development within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse where no part of that dwellinghouse or curtilage is within a designated area;</li> <li>• a material change in the use of land or buildings unless it involves operational development;</li> <li>• extensions to the time limits for implementing existing planning permissions;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> </ul>	<p>Section 42 of the 2004 Town and Country Planning Act.  The Town and Country Planning (Development Management Procedure) (England) Order 2010  PPS1 : Delivering Sustainable Development (paragraphs 13, 33 – 35)  PPS1 Supplementary : Planning and Climate Change (paragraphs 41 – 42).</p>	<div style="border: 1px solid black; width: 20px; height: 20px; margin: 0 auto;"></div>
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			<ul style="list-style-type: none"> <li>• 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;</li> <li>• 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</li> </ul> <p>“<i>designated area</i>” means a World Heritage Site or a Conservation Area.</p> <p>“<i>operational land</i>” is defined at Section 263 of the Town and Country Planning Act 1990.</p> <p>The CABE publication “Design and Access Statements : <i>How to Write, Read and Use Them</i>” gives advice on how best to use and prepare a DAS, and can be downloaded at:-</p> <p><a href="http://www.cabe.org.uk/publications/design-and-access-statements">http://www.cabe.org.uk/publications/design-and-access-statements</a></p> <p>Where required, a DAS should explain the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with. The DAS must include information on the amount of development, layout, scale, landscaping and appearance, prevention of crime and a detailed explanation of how climate change mitigation and adaptation measures have been considered in the design of the proposal. The context of the development needs to be appraised and an assessment made of how the design takes account of that context.</p> <p>For outline applications the statement should justify the principles of design and access and detail the use, the amount of development, scale parameters, indicative layout and access points.</p> <p>For reserved matters proposals a DAS is required, demonstrating how the principles of the outline stage statement have been applied and adhered to.</p>		
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DD13	<b>Draft Heads of Terms – Planning Obligation (Section 106 Agreement or Unilateral Undertaking)</b>	<b>Major applications requiring infrastructure improvements and some minor residential applications</b>	<p>Planning obligations (or “Section 106 Agreements” are private agreements negotiated between Local Planning Authorities and persons with an interest in a piece of land (or “developers”), and are intended to make acceptable, development which would otherwise be unacceptable in planning terms. Where Development Plan policies give details of likely Section 106 requirements, a statement of the proposed Heads of Terms should be submitted with the application.</p> <p>The draft heads of terms will need to be accompanied by up-to-date land title information, and an undertaking to pay the Council’s reasonable legal costs.</p>	<p>Section 106 of the Town and Country Planning Act 1990 as amended by Planning and Compensation Act 1991 Section 12. Government Circular 05/2005.</p>	<input type="checkbox"/>
DD14	<b>Planning and Sustainability Statement</b>	<b>All major applications, major change of use applications</b>	<p>The statement should identify the context and need for a proposed development and should include an assessment of how the proposed development accords with relevant national and local planning policies. Planning Statements should specifically address issues of sustainability, including proposals for renewable energy in accordance with Planning Policy Statement 1 – Delivering Sustainable Development and Planning Policy Statement 22 – Renewable Energy, both of which are available on the Communities and Local Government website at <a href="http://www.communities.gov.uk">www.communities.gov.uk</a></p> <p>It should also include details of consultations with the Local Planning Authority and wider community/statutory consultees undertaken prior to submission, alternatively, a separate statement on community involvement may be appropriate.</p>	<p>PPS1 : Delivering Sustainable Development (December 2007), paragraphs 38 – 44.</p>	<input type="checkbox"/>
DD15	<b>Environmental Impact Assessment (EIA) Screening Opinion / Scoping Opinion</b>	<p><b>Major developments which are of more than local importance</b></p> <p><b>Developments which are proposed for particularly environmentally sensitive or vulnerable locations; and</b></p>	<p>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.</p> <p>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</p>	<p>Circular 02/99 : Environmental Impact Assessment. Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. EIA Directive 97/11/EC.</p>	<input type="checkbox"/>

Derbyshire Dales District Council, Planning Services Section, Town Hall, Bank Road, Matlock, Derbyshire, DE4 3NN

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		<p><b>Developments with unusually complex and potentially hazardous environmental effects</b></p>	<p>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.</p> <p><b>Where an EIA is mandatory</b> An EIA must be undertaken for development proposals that fall within the types listed in Annex I to the EIA Directive.</p> <p>Applicants are advised to seek a scoping opinion from the Local Planning Authority prior to commencing work on the EIA. An Environmental Statement should be submitted alongside the planning application.</p> <p><b>Where an EIA may be required</b> Where an applicant is uncertain whether a development proposal requires an EIA (development proposal types listed in Annex II to the EIA Directive), they should seek a Screening Opinion from the Local Planning Authority prior to submitting the planning application. If it is agreed that an EIA is required, the applicant should seek a scoping opinion from the Local Planning Authority and an Environmental Statement should be submitted alongside the planning application.</p> <p><b>For a Screening Opinion or Scoping Opinion you should submit:-</b></p> <ol style="list-style-type: none"> <li>i) a brief description of the nature and purpose of the proposal and its possible environmental effects, giving a broad indication of their likely scale;</li> <li>ii) a plan indicating the proposed location of the development which should:- <ul style="list-style-type: none"> <li>• be based on an up-to-date map;</li> <li>• be drawn to an appropriate metric scale e.g. 1:1250, 1:2500;</li> <li>• use A4 or A3 paper where possible;</li> <li>• show at least two named roads and surrounding buildings;</li> <li>• clearly show edges of site boundaries with a red line. (Include all land necessary to carry out the proposed development – e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings);</li> </ul> </li> </ol>		
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			<ul style="list-style-type: none"> <li>• show the direction of North;</li> <li>• be clearly and logically named and given titles which refers to its content, and details must be clear enough so that the quality of detail is not compromised when scanned and viewed electronically e.g. faint lines are unacceptable.</li> </ul> <p><b>Where an Environmental Statement is required</b>, it should (as a minimum) include all information set out in Annex C of Circular 02/99 : Environmental Impact Assessment.</p>		
<b>DD16</b>	<b>Sequential Assessment for Town Centre Uses/Retail Impact Assessment</b>	<b>Applications for extensions to Town Centre uses over 200m<sup>2</sup> gross floorspace, and new retail/leisure uses over 2,500m<sup>2</sup> gross floorspace that are currently outside a designated centre</b>	<p>A Sequential Assessment should look at whether there are any sequentially preferable sites that exist and demonstrate why such sites are not practical in terms of their availability, suitability and viability. Further guidance can be found in the PPS 4 Practice Guidance which is available on the Communities and Local Government website at:- <a href="http://www.communities.gov.uk">www.communities.gov.uk</a></p> <p>Retail Impact Assessments should assess in summary, the following:-</p> <ol style="list-style-type: none"> <li>1. The impact on existing investment within centres.</li> <li>2. The impact on the vitality and viability of town centres.</li> <li>3. The impact on allocated sites outside town centres.</li> <li>4. The impact of the proposal in-centre trade/turnover and trade in the wider area.</li> <li>5. Current and future consumer expenditure capacity in the catchment area.</li> <li>6. Whether the proposal is of an appropriate scale and what effects it may have on locally important impacts.</li> </ol> <p>A Sequential Assessment may also be required for a development that would substantially increase the attraction of a centre to the detriment of other centres.</p>	PPS 4 : Planning for Sustainable Economic Growth	<input type="checkbox"/>
<b>DD17</b>	<b>Telecommunications Supporting Information</b>	<b>All applications including prior notifications</b>	<p>All applications and notifications 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.</p>	PPG 8 : Telecommunications	<input type="checkbox"/>

			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 <i>Code of Practice on Mobile Network Development (2002)</i> .		
<b>DD18</b>	<b>Statement of Significance and Impact – Conservation Areas</b>	<b>All development proposals in or adjacent to a designated Conservation Area</b>	<p>Applications for development within or adjacent to a designated Conservation Area should include a statement summarising the key characteristics of the development and its impact on the special interest, character and appearance of the area. This may form part of the Design and Access Statement.</p> <p>The statement should evaluate the development in terms of the following:-</p> <ul style="list-style-type: none"> <li>• How the proposal contributes positively to the special interest, character and appearance of the Conservation Area.</li> <li>• Loss or alteration of property or feature e.g. wall, which makes a positive contribution to the special interest, character and appearance of the area.</li> <li>• Impact of any proposed new buildings on the special interest, character and appearance of the area.</li> <li>• Justification for the scale, massing, siting, layout, design and choice of materials, and impact of these on the special interest, character and appearance of the area.</li> <li>• Justification for the proposed use and impact on the special interest, character and appearance of the area in terms of anticipated levels of traffic, parking and other activity that would result.</li> </ul> <p>Where a Character Appraisal or Conservation Area Document has been prepared for the Conservation Area, applicants will be expected to have regard to this when evaluating the impact of a proposal on the area. The Council's Adopted Conservation Area Character Appraisals can be viewed at:-  <a href="http://www.derbyshiredales.gov.uk">www.derbyshiredales.gov.uk</a></p>	PPS5 : Planning for the Historic Environment (March 2010), Derbyshire Dales Local Plan Conservation Area Character Appraisals and Documents	<input type="checkbox"/>

DD19	<b>Statement of Significance and Impact – Listed Buildings</b>	<b>All development proposals directly or indirectly affecting a statutorily Listed Building (Grade II, II* or I)</b>	<p>Applications for development affecting a statutorily Listed Building should include a statement summarising the key characteristics of the development and its impact on the character and appearance of the building. Such an assessment should include appropriate photographs and schedule of works for new or restored features of architectural and historic importance. The assessment should evaluate the development in terms of the following:-</p> <ul style="list-style-type: none"> <li>• The current status of the building and the contribution it makes towards the character of the surrounding area with reference to the current listing description.</li> <li>• The impact of the proposal on the special architectural or historic interest of the building and/or its setting – such as proposed alterations, extensions or demolition.</li> <li>• Justification for any proposed change of use, and impact of the proposed use and any physical alterations required to adapt the building for the new use.</li> <li>• Justification for demolition of all or part of a building</li> <li>• Justification for “enabling development” required to fund the conservation, repair, restoration or adaptation of a building (where relevant).</li> <li>• Mitigation for loss of all or part of a building such as preservation by record or relocation elsewhere.</li> </ul> <p>Please see link to listed building descriptions here:- <a href="#">Heritage Gateway</a></p>	<p>PPS5 : Planning for the Historic Environment (March 2010), Policy HE6 – HE9 of PPS5 and the PPS5 Practice Guide.</p> <p>Derbyshire Dales Local Plan</p>	<input type="checkbox"/>
DD20	<b>Tree Survey / Arboricultural Assessment</b>	<b>All applications relating to works to protected trees or affecting existing trees</b>	<p>Where there are trees within the application site or on land adjacent to it that could be influenced or affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a suitably qualified and experienced 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 ‘<i>Trees in relation to construction – Recommendations</i>’.</p>	<p>PPS9 : Biodiversity and Geological Conservation</p> <p>Derbyshire Dales Local Plan</p> <p>TPO Regulations and Best Practice Guide</p> <p>BS 5837 : Trees in relation to construction</p>	<input type="checkbox"/>

			<p>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.</p> <p>The Assessment shall identify the physical condition of the tree and give precise details of all works proposed e.g. 30% crown thinning or raise crown by 1 metre. Vague terms such as lopping/pruning are not acceptable.</p> <p>If removal is necessitated by structural damage to adjoining buildings a structural survey will be required.</p>		
<b>DD21</b>	<p><b>Transport Assessment and Traffic Statement</b></p> <p>x1 original and x3 copies if submitted by post</p> <p>x1 copy if submitted electronically</p>	<p><b>All applications likely to generate very significant traffic movements associated with developments</b></p>	<p>Planning Policy Guidance 13 : <i>Transport</i>, advises that a Transport Assessment (TA) should be submitted as part of any planning application where the proposed development has significant transport implications. The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes, the TA should simply outline the transport aspects of the application while, for major proposals, the TA 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.</p> <p>Further guidance can be found in <i>Guidance on Transport Assessment</i> (March 2007), published by the Department for Transport which is available at:-  <a href="http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta">http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta</a></p>	<p>PPG 13 : Transport (paragraphs 23-27).  PPS 1: Delivering Sustainable Development Manual for Streets.</p>	<input type="checkbox"/>
<b>DD22</b>	<p><b>Travel Plan</b></p> <p>x1 original and x3 copies if submitted by post</p> <p>x1 copy if submitted electronically</p>	<p><b>All applications likely to generate significant traffic movements</b></p>	<p>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 : <i>Transport</i> (DETR, 2001), paragraphs 87-91. A Travel Plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts.</p>	<p>PPG 13 : Transport (paragraphs 87-91).  PPS 1 : Delivering Sustainable</p>	<input type="checkbox"/>

			<p>The Travel Plan should have a strategy for its implementation that is appropriate for the development proposal under consideration. It should identify the travel plan co-ordinator, the management arrangements for the plan, e.g. a steering group and the development timetable. The strategy should also include activities for marketing and promoting the plan to occupiers, users, visitors and residents of the site.</p> <p>Further advice is available in 'Good Practice Guildelines - Delivering Travel Plans through the Planning Process' : Best (DfT, 2009) and 'Making Residential Travel Plans Work (DfT, 2007).</p> <p>Further guidance on Travel Plans is available at <a href="http://www.dft.gov.uk/pgr/sustainable/travelplans/top/">http://www.dft.gov.uk/pgr/sustainable/travelplans/top/</a> Applicants are advised to seek specialist expertise and to discuss their proposals with the Local Highway Authority on 01629 538648 at an early stage in the design process.</p>		
<b>DD23</b>	<b>Ventilation / Extraction Statement</b>	<b>All applications for the use of premises within Use Classes A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), B1 (general business) and B2 (general industrial) where the proposals would involve the cooking of food or for commercial and industrial activities that produce fumes, vapours, gases, odours, particulate matter or use volatile chemicals</b>	<p>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, including:-</p> <ul style="list-style-type: none"> <li>• Elevations to show position, location and height (where external).</li> <li>• Proposed external finishes and fixings.</li> <li>• Means of vibration isolation.</li> <li>• Extraction fan acoustic performance (including noise emission in terms of sound power and sound pressure levels, and narrow-band and/or one-third octave band frequency spectra).</li> <li>• Predicted odour and/or particulate concentrations.</li> </ul> <p>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. This will be required for applications that include commercial extraction flues or that require special sound insulation measures.</p>	PPS 23 : Planning and Pollution Control Noise Policy Statement for England, March 2010.	<input type="checkbox"/>

DD24	<b>Flood Risk Assessment and Sustainable Drainage</b>	<b>Flood Risk Assessment:</b> <b>Planning applications on sites of 1 hectare or more in Flood Zone 1 and all proposals for new developments located in Flood Zones 2 and 3</b> <b>Sustainable Drainage:</b> <b>All major applications (10 or more dwellings or 1000 sq.m. or more of new floorspace)</b>	<p>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 that has been notified to the Local Planning Authority by the Environment Agency.</p> <p>The FRA must demonstrate:-</p> <ul style="list-style-type: none"> <li>• whether any proposed development is likely to be affected by current or future flooding from any source;</li> <li>• that the development is safe and where possible reduces flood risk overall;</li> <li>• whether it will increase flood risk elsewhere; and the measures proposed to deal with these effects and risks;</li> <li>• designs which reduce flood risk to the development and elsewhere, by incorporating sustainable drainage systems and where necessary, flood resilience measures; and identifying opportunities to reduce flood risk, enhance biodiversity and amenity, protect the historic environment and seek collective solutions to managing flood risk;</li> <li>• Sequential and Exception tests may be required for all development in Flood Zones 2 and 3 other than changes of use.</li> </ul> <p>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.</p> <p>For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences 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.</p>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2010 PPS25 : Development and Flood Risk (March 2010)</p>	<input type="checkbox"/>
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			<p>Details must also accompany all major planning applications setting out how Sustainable Urban Drainage Systems (SUDS) are proposed to be incorporated in the scheme to alleviate sewer/flooding problems by preventing or minimising surface water entering the sewerage system and should clearly demonstrate that the scheme is consistent with the relevant planning policies. Further information regarding Flood Risk Zones can be found at:-</p> <p><a href="http://www.environment-agency.gov.uk/maps/info/floodmaps/">http://www.environment-agency.gov.uk/maps/info/floodmaps/</a></p>		
<b>DD25</b>	<b>Affordable Housing Statement</b>	<b>All applications for 15 or more dwellings or residential developments within the settlement framework boundaries of 'Other Settlements'</b>	<p>Local Plan policy and the Council's Affordable Housing Supplementary Planning Document (Adopted July 2006) requires affordable housing to be provided for schemes comprising 15 or more dwellings (or sites with an area of 0.5ha or more) in Matlock, Wirksworth, Ashbourne.</p> <p>Where applications are received for residential development on sites within the Settlement Framework Boundaries of Other Settlements (which include Brailsford, Hulland Ward, Cromford, Matlock Bath, Darley Dale, Middleton Doveridge, Tansley) that exceeds the thresholds set out in Policy H11 in the adopted Derbyshire Dales Local Plan, the applicant will be advised that the need for affordable housing will be a material consideration in the determination of a planning application.</p> <p>The Supplementary Planning Document provides detailed guidance on the application of policies H10 (Affordable Housing within the Settlement Framework of Market Towns); H11 (Affordable Housing within the Settlement Frameworks of Other Settlements), H12 (Alternative Provision for Affordable Housing Outside Settlement Frameworks) and H13 (Affordable Housing Exception Sites in Rural Areas) of the Derbyshire Dales Local Plan (Adopted November 2005).</p> <p>A copy of the Affordable Housing Supplementary Planning Document 2006 can be viewed and downloaded from the Council's website at <a href="http://www.derbyshiredales.gov.uk">http://www.derbyshiredales.gov.uk</a></p>	<p>PPS3 : Housing (paragraph 29). Derbyshire Dales Local Plan Affordable Housing Supplementary Planning Document (2006)</p>	<input type="checkbox"/>

			The affordable housing statement should include details of any Registered Social Landlords acting as partners in the development together with details of 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.		
DD26	<b>Biodiversity Survey and Report</b>	<b>All applications meeting the criteria set out in the adjacent guidance column</b>	<p>Ecological surveys must be carried out in very specific time periods, and developers should be aware of this in relation to the following items. Not doing a study at the appropriate time can be a major issue for the planning application.</p> <p>Where a proposed development may affect protected species, designated sites, semi-natural habitats or geological features, the applicant must submit an appropriate ecological survey and an assessment of possible impacts on them to allow full consideration of those impacts, this includes:-</p> <ul style="list-style-type: none"> <li>• All planning applications with the potential to destroy, damage or adversely affect any site, habitat or earth heritage feature should be supported by an impact assessment to a nationally recognised standard.</li> <li>• All planning applications on sites where protected or important species have been recorded, reported or can reasonably be expected to be present should be supported by survey work to properly demonstrate presence or absence.</li> <li>• Planning applications which are not supported by an adequate impact assessment are likely to be refused.</li> </ul> <p>Where proposals are being made for mitigation and/or compensation measures, information to support those proposals will be needed.</p> <p>Standing advice produced by Natural England is available at:-  <a href="http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx">www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx</a></p>	<p>PPS 9 Biodiversity and Geological Conservation Wildlife and Countryside Act 1981.</p> <p>Protection of Badgers Act 1992.</p> <p>Habitats Regulations 2010.</p> <p>Circular 6/2005 : Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System</p>	<input type="checkbox"/>

			<p>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.</p> <p>The Biodiversity Survey:-</p> <ol style="list-style-type: none"> <li>a) should be undertaken and prepared by suitably qualified, competent persons with relevant experience;</li> <li>b) must be carried out at an appropriate time of year in suitable weather conditions;</li> <li>c) must use nationally recognised survey guidelines/methods where available;</li> <li>d) must be to an appropriate level of scope and detail;</li> <li>e) must record which species are present and identify their numbers (may be approximate) and map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding);</li> <li>f) must record which habitats and features are present on and, where appropriate, around the site and identify the extent/area/length of habitats present</li> </ol> <p>The assessment must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards), or the designated sites, priority habitats, other listed biodiversity features or geological features.</p> <p>Where harm is likely, evidence must be submitted to show:-</p> <ol style="list-style-type: none"> <li>a) how alternatives designs or locations have been considered;</li> <li>b) how adverse effects will be avoided wherever possible;</li> <li>c) how unavoidable impacts will be mitigated or reduced;</li> <li>d) how impacts that cannot be avoided or mitigated will be compensated.</li> </ol>	<p>Planning for Biodiversity and Geological Conservation : A Guide to Good Practice.</p>	
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			<p>The Assessment should also indicate whether there is likely to be a net loss or gain in species numbers after development or whether there will be a net loss or gain in the area (in hectares) of priority habitat on the site after development.</p> <p>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.</p> <p>This information might form part of an Environmental Statement where one is necessary. Certain proposals which include work such as the demolition of older 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.</p> <p><u>Exceptions When a Full Survey and Assessment May Not Be Required</u></p> <p>International and National Sites and Local Nature Reserves : A survey and assessment will not be required where the applicant can provide pre-application correspondence with Natural England, confirming that Natural England is satisfied that the proposed development will not adversely affect an ecological or geological interest of national or international importance.</p> <p>Local Sites and Habitats : A survey and assessment will not be required where the applicant can provide pre-application correspondence with the Local Planning Authority's ecologist and/or the local Wildlife Trust or with appropriate local geological experts confirming that the proposed development will not affect any local sites designated for their local nature conservation importance or other significant features.</p>		
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DD27	Noise Assessment	<p><b>All applications likely to have an impact on noise and/or vibration-sensitive development(s).</b></p> <p><b>All applications that introduce or expose noise and/or vibration-sensitive development(s) into areas and locations where noise and/or vibration is likely to have an adverse impact</b></p>	<p>Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician.</p> <p>Applicants are advised to seek specialist expertise and to discuss their proposals in the first instance with the Council's Pollution Control Team on 01629 761227 at an early stage in the design and planning process to establish whether a Noise and Vibration Appraisal is required to be submitted alongside the planning application.</p> <p>Guidance, procedures, recommendations and information to assist in the completion of a suitable noise and/or vibration survey and assessment may be found in the policies and guidance set out in the adjacent column. Additional technical information in support of proposed noise surveys will be available from the Pollution Control Team.</p>	<p>Noise Policy Statement for England, March 2010.</p> <p>PPG 24 Planning and Noise, 1994.</p>	<input type="checkbox"/>
DD28	Structural Survey	<p><b>All applications where conversion or replacement of redundant buildings is proposed or where a protected tree is to be felled due to impact on adjoining buildings</b></p>	<p>A structural survey will be required for all applications that propose the conversion of a historic building or farm buildings in accordance with the Council's Conversion of Farm Buildings Supplementary Planning Document (Adopted November 2005).</p> <p>The statement should include full details of the structural integrity of all elements of the building to be converted or demolished and outline any repairs or demolition works necessary to facilitate the conversion.</p> <p>A copy of the Conversion of Farm Buildings Supplementary Planning Document can be viewed and downloaded from the Council's website at <a href="http://www.derbyshiredales.gov.uk">http://www.derbyshiredales.gov.uk</a></p> <p>If removal of a protected tree is necessitated by structural damage to adjoining buildings a structural survey will be required.</p>	<p>PPS 7 : Sustainable Development in Rural Areas</p> <p>PPS 3 : Housing Conversion of Farm Buildings Supplementary Planning Document (2005).</p> <p>TPO Regulations and Best Practice Guide BS 5837 : Trees in relation to construction</p>	<input type="checkbox"/>

DD29	<b>Statement of Agricultural Need</b>	<b>All new agricultural buildings (including extensions)</b>	<p>An application should be accompanied by a statement demonstrating the need for the building. The statement should include the following information:-</p> <ul style="list-style-type: none"> <li>• Size of agricultural holding on which the building is to be erected.</li> <li>• Details of any additional rented land, these details should include the basis on which the land is rented (i.e. how long it has been rented for, including start and end contract dates and what type of contract there is for each piece of land).</li> <li>• Details of other buildings used, including those on the rented land (details should include the floor space of the building and what each part of the building is currently used for).</li> <li>• Precise details of the proposed use of the building, including details of the floor area for each proposed use.</li> <li>• Details of the number of animals kept at the site (where relevant).</li> <li>• Details of those employed at the site, and whether this is on a full or part time basis and their only source of income.</li> <li>• If proposing a new agricultural workers dwelling then applicants are advised to consult Annex A to PPS 7 for details of the tests that the Council will apply and these should be addressed in your Statement.</li> </ul>	PPS 7 : Sustainable Development in Rural Areas	<input type="checkbox"/>
DD30	<b>Foul and Surface Water Drainage Assessment</b>	<b>All applications for the construction of new dwellings and commercial/ industrial properties</b>	<p>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.</p> <p>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</p>	PPS 23 : Planning and Pollution Control DETR Circular 03/99 Building Regulations Approved Document Part H BS6297	<input type="checkbox"/>

		<p>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 <i>DETR Circular 03/99 and Building Regulations Approved Document Part H and in BS6297</i>.</p> <p>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.</p> <p>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.</p> <p>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.</p>		
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			<p>The applicant should demonstrate:-</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures;</li> <li>• that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;</li> <li>• where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.</li> </ul> <p>Applications must be accompanied by landscaping details and include proposals for long-term maintenance and landscape management.</p>		
<b>DD31</b>	<b>Landscaping Details</b>	<b>All applications proposing the construction of new buildings</b>	<p>There should be reference to landscaping and detailed landscaping proposals that follow from the design concept in the Design and Access Statement, if required.</p> <p>The Council has prepared a Landscape Character and Design Supplementary Planning Document (Adopted July 2007) that compliments Policies NBE8 (<i>Landscape Character</i>) and NBE26 (<i>Landscape Design in Association with New Development</i>) of the Adopted Derbyshire Dales Local Plan. The SPD provides detailed guidance on how new development can meet the aims and objectives of Local Plan policies and seeks to raise awareness of the design issues related to landscape character. It provides an important reference point for developers on design standards ensuring that future development protects or enhances the character and local distinctiveness of the landscape.</p> <p>A copy of the Landscape Character and Design Supplementary Planning Document can be viewed and downloaded from the Council's website at <a href="http://www.derbyshiredales.gov.uk">http://www.derbyshiredales.gov.uk</a></p>	<p>PPS 1 : Delivering Sustainable Development (2005)</p> <p>PPS 7 : Sustainable Development in Rural Areas</p> <p>Derbyshire Dales Local Plan</p> <p>Landscape Character and Design Supplementary Planning Document (2007)</p>	<input type="checkbox"/>

DD32	<b>Land Contamination Assessment</b>	<b>All applications for development on sites where land contamination can reasonably be due to previous activities including sites previously used for industrial purposes or near a watercourse, major developments (10 or more residential units, 1,000 m<sup>2</sup> non-residential floorspace) and those on or adjoining public open space</b>	<p>A Land Contamination Assessment is required. The information should include an extended assessment of contamination in line with Planning Policy Statement 23 : <i>Planning and Pollution Control (November 2004)</i>.</p> <p>Sufficient information should be required to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level.</p> <p>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.</p> <p>Applicants are advised to seek specialist expertise and to discuss their proposals in the first instance with the Council's Pollution Control Team on 01629 761227 at an early stage in the design and planning process.</p>	PPS 23 : Planning and Pollution Control	<input type="checkbox"/>
DD32	<b>Waste Audit and Site Waste Management Plan (SWMP)</b>	<p><b>Waste Audit:</b></p> <p><b>Applications for 10 or more dwellings or 1000m<sup>2</sup> or more of new Floorspace.</b></p> <p><b>Site Waste Management Plan:</b></p> <p><b>Applications where estimated construction costs are greater than £300,000</b></p>	<p>A Waste Audit is required for all major applications. This should include details of the following:-</p> <ul style="list-style-type: none"> <li>• Management of waste generated by the development process, i.e. construction, demolition and excavation;</li> <li>• Use of recycled and renewable building materials in the construction of the development;</li> <li>• Provision for in-house storage, recycling, treatment and disposal of waste generated by the development once in use;</li> <li>• Access arrangements for collection of waste or waste derived end products generated by the development;</li> <li>• Provision for energy recovery from waste and use of waste derived energy within the new development (where feasible/ appropriate).</li> </ul> <p>It is a legal requirement for a SWMP to be prepared for any project involving construction work* with an estimated cost greater than £300,000 (excl VAT). Applications should include a copy of the latest version of each SWMP prepared for the application site, or failing that, there should be a statement explaining why copies of the SWMP(s) cannot be provided.</p>	The Site Waste Management Plan Regulations 2008. PPS10 : Planning for Sustainable Waste Management (July 2005), paragraphs 3, 33 – 34.	<input type="checkbox"/>

			<p>Applicants are encouraged to use the waste auditing and benchmarking tools/SWMP templates developed by BRE and WRAP, details of which can be found at the following links: -</p> <p><a href="http://www.smartwaste.co.uk">www.smartwaste.co.uk</a></p> <p><a href="http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html">http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html</a></p> <p>* As defined in the SWMP Regulations 2008.</p> <p><a href="http://www.legislation.gov.uk/ukxi/2008/314">http://www.legislation.gov.uk/ukxi/2008/314</a></p>		
<b>DD33</b>	<b>Lighting Assessment</b>	<b>All applications where lighting is proposed</b>	<p>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.</p> <p><i>Lighting in the Countryside : Towards Good Practice (1997)</i> 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. Further information regarding Lighting Assessments can be found at:-</p> <p><a href="http://www.communities.gov.uk/archived/publications/planning_andbuilding/lighting">http://www.communities.gov.uk/archived/publications/planning_andbuilding/lighting</a></p>	<p>PPS1 : Sustainable development</p> <p>Lighting in the Countryside : Towards Good Practice (1997)</p>	<input type="checkbox"/>
<b>DD34</b>	<b>Coal Mining Risk Assessment</b>	<b>All applications (excluding householder) which fall within the Coal Mining Development Referral Areas as defined by The Coal Authority and held by the Local Planning Authority</b>	<p>A Coal Mining Risk Assessment (CMRA) should be prepared by a suitably qualified and competent person (see PPG14 for definition). It should contain:-</p> <ol style="list-style-type: none"> <li>1. Site specific coal mining information including past/present/future underground mining, shallow coal workings, mine entries (shafts or adits), mine gas, within an area which has a current licence to extract coal, geological features, any recorded surface hazards, or within a former or present surface mining [old opencast] area.</li> </ol>	<p>PPG14 : Development on Unstable Land.</p>	<input type="checkbox"/>

			<p>2. Identify what risks these coal mining issues, including cumulative effects, pose to the proposed development.</p> <p>3. Identify how coal-mining issues have influenced the proposed development and whether any other mitigation measures are required to manage those issues and/or whether any changes have been incorporated into the development.</p> <p>4. Any development that involves intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or mine entries will require the prior written permission of The Coal Authority.</p> <p>If an Environmental Statement is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended, it is suggested that the CMRA is included within the ES.</p> <p>Planning Policy Guidance 14 : Development on Unstable Ground and its associated Appendices and Annexes provides comprehensive guidance in relation to development in areas that may be affected by land instability issues. The Coal Authority website:-</p> <p><a href="http://www.coal.gov.uk/services/planning">www.coal.gov.uk/services/planning</a></p> <p>The Coal Authority Planning and Local Authority Liaison Department can be contacted by:-</p> <p>Telephone: 01623 637119 (direct)</p> <p>Email: <a href="mailto:planningconsultation@coal.gov.uk">planningconsultation@coal.gov.uk</a></p>		
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