

Validation Requirements and Guidance for all planning applications

April 2021



Introduction

The Council adopted its Local Validation list in January 2019, however, the Council has determined to revert to National Requirements, with effect from 1st April 2021. This follows feedback from various sources over the period, and in particular a desire to ensure that information requirements are reflective of the nature of the scheme proposed and the relevant issues to be considered. Particularly in light of Covid-19 recovery, it is important to ensure that Applicants are not put to undue expense. However, this must be carefully balanced with the need to ensure that the Council has all relevant and necessary information to enable an informed decision to be made on proposals.

A planning application cannot start to be considered or made valid until it has been received in a completed form; the purpose of this document is to provide the necessary information and guidance so that applicants and agents can be efficient in submitting applications in a correct and completed form.

To that end, whilst the Council will be utilising the National Requirements, we do actively encourage applicants to provide a comprehensive submission from the outset, and include information relevant and proportionate to the scheme submitted. A good quality initial submission has many benefits;

- reduces the need for requesting further information during the course of the application;
- avoids delays in the decision making process;
- reduces the need for requests for extensions of time;
- reduces the likelihood of the need for 'Pre-commencement' conditions to be applied to Planning Permissions; and
- reduces the risk of an unfavourable planning decision based upon lack of information.

Applicants and Agents are therefore encouraged to consider the full content of this document in order to ensure that submissions are comprehensive and include relevant information.

This document is split into 4 parts

- A. Minimum National Information requirements for all Planning applications these are mandatory
- B. Additional information required by legislation
- **C. Recommended supporting information specialist drawings -** this is a list of recommended plans and drawings, which are likely to be required for certain development and application types, and in those situations, we recommend that you include these with a planning application submission.
- **D.** Recommended supporting information Statements and Reports this is a list of recommended Statements and Reports, which are likely to be required for certain development and application types, and in those situations, we recommend that you include these with a planning application submission.

Submitting Applications

We recommend that submissions are made using the Planning Portal's comprehensive application service – <u>www.planningportal.co.uk</u>. Any such submissions will require payment to be made via the Planning Portal (please note there is an additional administration charge for the majority of application types submitted via the Planning Portal). It is however the most efficient way to submit proposals to us.

Applications can also be submitted directly to the department by email to - planning@boston.gov.uk

Payment over the phone by credit or debit card (01205 314305), is the preferred method of payment when submitting directly to the council. Alternatively, payment can be made by BACS with details provided on request.

You can help us to process your application more quickly by:

- Submitting your application online and making payment electronically
- Including all the necessary information
- Avoiding the use of large file sizes (Maximum file size of 10MB)
- Including a schedule of the documents submitted
- Clearly annotating all document files accordingly
- Agreeing the information requirements with us prior to submission, including the submission of additional copies of documents or CDs if required
- Corresponding with us by email (planning@boston.gov.uk)

The Validation Process

If you do not submit an application in accordance with the national requirements we will declare that there is something missing from the application and this will make it invalid. If this happens, we will set out our reasons for doing so and specify the information required in order to make the application valid. Wherever possible we will seek to do this via email and within 3 working days of receiving your application for minor and other applications and 5 working days for major developments. If you do not agree that a particular piece of information is required to accompany your application, please provide written justification with the application and this will be considered. The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Article 12) sets out the procedure if there is disagreement regarding the information required to make an application valid. If we do not hear from you within 21 days, or the requested information is not received, your submitted application and any associated documents will be returned to you.

If an apparently valid application is later found to be invalid because of a factual or legal inaccuracy or the planning fee is returned as unpaid, the original start date for processing the application will be disregarded. The time from application to decision will start again on the revised validation date.

The time period from application to decision begins the day immediately after a valid planning application (including the fee) has been received by the Local Planning Authority. The day a valid application is received counts as day zero. If the application is submitted electronically, outside of the council's business hours (i.e. 8.45am-5.15pm Mon-Thurs and 8.45am - 4.45pm Fri), it will be treated as being received the following working day, in accordance with the Development Management Procedure Order 2015 (as amended). We will send a letter to you confirming the validity of the application and the start date of the statutory period for determination.

The notification of a valid application does not determine that an application is acceptable or not, or indeed that additional information is not required. You may wish to contact the Case Officer following the end of the consultation period to ascertain if additional information is required. We will, where possible, endeavour to work with Applicants and Agents to address any issues that arise; this is within the context of local and national planning guidance.

Personal or Sensitive information

It is requested that any personal or sensitive information is removed / redacted from applications/reports etc. prior to their submission. Such information includes signatures, personal phone numbers, personal email addresses and photographs containing images of children and vulnerable adults and vehicle registration numbers.

Any information you consider should be withheld from the public register should be brought to our attention.

Applications will not be invalidated if they have such information, however it might lead to a delay in its registration.

For more information regarding how we process data and our retention policy, please refer to the 'Privacy Notice' at <u>www.mybostonuk.com/development-</u> <u>management</u>.

Other Application and Notification Types

This guidance generally focuses on applications for Planning Permission; there are many other application and notification types handled by the Development Management Team, and these are covered by their own legislation, for example;

Applications for Prior Notification – The information requirements and respective process are set out within the Town and Country (General Permitted Development) Order 2015 (as amended) - https://www.legislation.gov.uk/uksi/2015/596/contents/made

Notification of Works to Trees in a Conservation Area or Protected by a Tree Preservation Order - The information requirements and respective process are set out within The Town and Country Planning (Tree Preservation)(England) Regulations 2012 - https://www.legislation.gov.uk/uksi/2012/605/contents/made

Please contact the Development Management Team for guidance in relation to other submissions if you require guidance on the information needed.

A. Minimum National Information requirements for all Planning applications

These requirements are set out in The <u>Town and Country Planning (Development Management Procedure) (England) Order 2015</u> and are relevant for applications across England and Wales. Further guidance is also set out within the <u>National Planning Practice Guidance</u>.

All plans and drawings must:

- Be at a recognised metric scale
- Show a north point (plans)

We also request for clarity that drawings;

- Include a linear scale bar or at least key dimensions
- A North point or identifier through labelling is also beneficial on other drawings such as elevations

All drawings should have a unique identifier and we encourage the use of individual reference numbering (including highlighting revisions as applicable) as these are referred to in planning conditions

National Information Requirement	Required for;	Relevant Legislation / Policy	Requirement and further information link –
Completed Application Form	All applications	Town and Country Planning (Development Management Procedure) (England) Order 2015	The preferred method of submission is electronically through the <u>Planning Portal</u> but emailed or paper copies will be accepted. Applicants should ensure they select the correct forms for the type of application that is being made. An applicant's name and address should be completed as well as agent details where applicable. Contact details for the applicant (or agent where applicable) should include an email address. <u>All</u> relevant questions should be answered and if not relevant to the application, then the words 'not applicable' should be inserted for clarity.
Required fee	All applications – unless exemptions apply	The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visit (England) Regulations 2012 (as amended)	Where a fee is necessary it must be provided in accordance with the statutory fee scale. If you consider that no fee is necessary, you should specify the reasons for this view. If, no fee is required because the application is a resubmission of a previously refused or withdrawn proposal (and this exemption has not previously been sought by the applicant at any time in the past for the application site), the planning reference number of the previous application should be provided. An up-to-date schedule of fees can be viewed on the Planning Portal's website: <u>Planning Portal fee guidance</u>

Ownership Certificate and Agricultural Land Declaration	All applications	Town and Country Planning (Development Management Procedure) (England) Order 2015	 The Planning Practice Guidance contains further information regarding; When an application is eligible for a free go One of the following Certificates A, B, C or D must be completed stating the ownership of the property: Certificate A: When the applicant is the soleowner; Certificate B: When person(s) other than the applicant are known to own part or all of the application site; Certificates C and D: When not all or none of the owners of the site are known. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years Notice must be served on any owners of the application site, other than the applicant if Certificate B has been completed. It may also be required if Certificate C has been completed. A copy must be served
Location Plan	All applications	Town and Country Planning	 required in Certificate C has been completed. A copy must be served on each of the individuals identified in the relevant certificate. Templates are available at; <u>https://www.legislation.gov.uk/uksi/2015/595/schedule/2/made</u> <u>https://ecab.planningportal.co.uk/uploads/1app/notices/notice1.pdf</u> This should: Be up to date and of Ordnance Survey quality;
		(Development <u>Management</u> <u>Procedure) (England)</u> <u>Order 2015</u>	 Be at a scale of 1:1250 or 1:2500; Show a north point; Show at least two named roads; Show surrounding buildings which are named or numbered; Clearly identify the application site with a red edge which should include all the land required to carry out the proposed development (such as land required for access to the site from a public highway); Show any other land in the control or ownership of the applicant which is close to or adjacent to the application site with a blue edge; and Show the exact location of the application site.
Any other plans, drawings and <u>information</u>	All application types – to ensure that the local authority have adequate	<u>Town and Country</u> <u>Planning</u> (Development	 Block Plan - (scale 1:500) or Site Plan (scale 1:200) – if the proposal will alter an existing building footprint or create a new building footprint.

necessary to describe the <u>development</u> which is the subject of the application;	information necessary to be able to describe the development.	<u>Management</u> <u>Procedure) (England)</u> <u>Order 2015</u>	 This plan should; Show the direction of North; Show the proposed development in relation to the site boundaries and other existing buildings and features on the site; and Include written/annotated dimensions between new buildings and site boundaries.
			 It should also include the following, unless these would not influence or be affected by the proposed development: All the buildings, roads and footpaths on land adjoining the site including access arrangements; All public rights of way crossing or adjoining thesite; Any watercourses; Any bridges, retaining walls; The position of all trees on the site, and those on adjacent land that could influence or be affected by the development; The extent and type of any hard surfacing; and Boundary treatment including walls or fencing where this is proposed.
			 Site Levels (scale 1:200) – if the proposal will lead to a change in the level of the land or the proposed development is on land of differing levels Floor Plans – Existing and Proposed (scale 1:50 or 1:100) – if the
			 proposal will create, alter or add to a floorspace Elevation Drawings – Existing and Proposed (scale 1:50 or 1:100) if the proposal will create, alter or add to a building Roof Plans – Existing and Proposed (scale 1:50 or 1:100) where
			new roof details are proposed
A basic level of information is required on;	Outline Planning Applications	<u>Town and Country</u> <u>Planning</u> (Development	https://www.gov.uk/guidance/making-an-application#Outline- planning-applications

 use amount of development indicative layout scale indicative access points Design and Access Statement	 Major Development All development within a Conservation Area which involves the creation of a dwelling; or development involving the creation of a building or buildings with a new floor space of 100m² 	Management Procedure) (England) Order 2015 Town and Country Planning (Development Management Procedure) (England) Order 2015	 Where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated. 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. (For retail this should be the gross retail floor space expressed as square metres) 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 All drawings for outline applications should be marked indicative methods are and complexity of the application, and the length of the statement will vary accordingly. When an application is submitted in parallel with an application requiring a heritage statement, a single combined Design and Access Statement, a single combined Design and Access
	100m²Listed Building Consents		Guidance; National Planning Practice Guidance Planning Portal – Design and Access StatementGuidance
Environmental Statement	Required for development listed under Schedule 1 and may be required for developments defined within Schedule 2 of The Town and Country Planning (Environmental Impact	Town and Country Planning (Environmental Impact Assessment) Regulations 2017	The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes these into account in the decision making process. The Regulations only apply to certain types of development and/or projects; they set out a procedure for identifying those projects which should be subject to an Environmental Impact

Assessment) Regulations 2017	Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
	Guidance: National Planning Practice Guidance

B. Additional information required by legislation and/or Policy under specific circumstances

Information	Required for;	Relevant Legislation /	Requirement and further information link
Requirement		Policy	
Flood Risk	Required for all developments	National Planning Policy	A Flood Risk Assessment (FRA) should:
Assessment	within Flood Zones 2 and 3, for	Framework 2019	• Assess the risks from all forms of flooding to and from the
	developments with an		development
	application site of 1 hectare or		 Demonstrate how those flood risks will be managed or
	more in Flood Zone 1 and for		mitigated
	other developments that may be		 Identify opportunities to reduce the probability and
	affected by specific localised		consequences offlooding
	flooding issues or contribute to		• Address the requirement for safe access to and from the
	flooding problems within or		development in areas at risk of flooding
	outside the application site		 Take account of local and national planning policy and
			guidance and the best available information on local flood
			risk
			 Be proportionate to the scale and nature of the
			development.
			Further information/policy background:
			Policy 4: Approach to Flood Risk of the <u>South East</u>
			Lincolnshire Local Plan - 2011-2036
			 South East Lincolnshire Strategic Flood Disk Assessment (Marsh 2017)
			Risk Assessment (March 2017) -
			http://www.southeastlincslocalplan.org/water/
			 <u>National Planning Policy Framework 2019 – Section 14</u> National Planning Practice Guidance -
			5
			https://www.gov.uk/guidance/flood-risk-and-coastal-
			<u>change</u> The Environment Agency can provide local fleed risk data to
			 The Environment Agency can provide local flood risk data to assist with the propagation of EBAs and offers a pro-
			assist with the preparation of FRAs and offers a pre-

			 application FRA advice and review service. Environment Agency - <u>https://www.qov.uk/quidance/developers-get-</u> <u>environmental-</u> <u>advice-on-your-planning-proposals</u> Link to the Environment Agency Flood Maps is available <u>here</u> <u>Householder Development</u> There is a form available for Householder development - <u>here</u>
Habitat Regulations Assessment	 all major housing proposals within 10km of The Wash and the North Norfolk Coast European Marine Site, including the Sustainable Urban Extensions in Boston (site Sou006 & Wes002), Spalding (site Pin024/Pin045) and Holbeach West If a proposed plan or project is considered likely to have a significant effect on a protected habits site (either individually or in combination with other plans or projects) 	The Conservation of Habitats and Species Regulations 2017	In accordance with the Habitats Regulations, a formal assessment of the implications of a development that may be capable of affecting the designated interest features of European Sites is required before determining the application. The Assessment is required to be submitted by the applicant and comprises several distinct stages collectively described as a 'Habitats Regulations Assessment' (or HRA) Further information/policy background: Policy 28: The Natural Environment of the <u>South East</u> <u>Lincolnshire Local Plan</u> - 2011-2036
Historic Environment Assessments and Evaluations	 Applications to: Alter, demolish, extend a listed building or a building within a conservation area Works that may affect a Scheduled Ancient Monument or its setting Works to a historic park or garden Development that may affect 	<u>National Planning Policy</u> <u>Framework 2019 -</u> Paragraph 189	The degree of detail provided in the Assessment should be proportionate to the importance of the heritage asset(s) that may be affected and the works proposed. For example, works to listed buildings or demolition of a building/structure in a conservation area will require greater detail than for example, the replacement of a boundary wall in a conservation area. A Historical Environment Assessment and Evaluation can form part of a Design and Access Statement.

the setting of a listed	Further information/policy background:
building, a conservation area,	 More detailed guidance contained within the
Register Park and Garden,	Supplementary Guidance
Scheduled Ancient	Policy 29: The Historic Environment of the <u>South East</u>
Monument and any other	Lincolnshire Local Plan 2011-2036
designated (and non-	 Conservation Area Appraisals
designated) heritage asset.	National Planning Policy Framework 2019 – Section 16 –
*suggested starting point	Conserving and enhancing the historic environment
within a 50m radius of a	Lincolnshire Historic Environment Record
heritage asset.	
 Works affecting a known or 	
suspected archaeological site	

C. <u>Recommended supporting information – specialist drawings</u>

The <u>Supplementary Guidance</u> contains more detailed information regarding the following drawings, which may be required under certain circumstances;

Drawings / details	Application type/common scenario
Advertisement Details	Advertisement Consent
Scale of 1:50 or 1:100	
Block Plan or Site Plan	If the proposal will alter an existing building footprint or create a new building footprint
Scale 1:500 or Scale 1:200	
Elevation Drawings (existing and proposed)	If the proposal will create, alter or add to a building
Scale 1:50 or 1:100	
Floor Plans (existing and proposed)	If the proposal will create, alter or add to a floor
Scale 1:50 or 1:100	
Site Levels	Particularly where existing levels would be changed or where the site is sloping, even for matters such as
Scale 1:200	flood risk. On site levels for both existing and proposed, including finished floor levels, related to an established and clear datum point should be provided.
Plant and Flue drawings	Installation of plant, flues, ventilation, extraction or air conditioning equipment.
Scale of 1:50 or 1:100	
Roof Plans	Where new roof details are proposed
Scale 1:50 or 1:100	
Section details	Alterations to a Listed Building
Scale 1:50 or 1:100	 Replacement windows New Shop fronts (i.e. security grills or shutters)
	 Signage
Shop Front Details	Required for developments proposing new or alterations to shop fronts
Scale 1:50 or 1:100	

D. <u>Recommended Supporting Information – Statements and Reports</u>

Statements and Reports	Application type/common scenario	
Affordable Housing Statement	 For major housing schemes as defined within the NPPF 2019 	
Agricultural Workers Statement	 Proposals for an agricultural workers dwelling 	
	 Applications to remove an Agricultural Habitation Condition 	
Air Quality Assessment	• For applications within the current Air Quality Management Areas (AQMA) where proposals of	
	any scale may result in air quality issues either directly or in-directly as a result of the	
	development.	
	 Outside of AQMA developments which include the following: 	
	Where development requires an EIA or HRA;	
	Major residential schemes;	
	New non-residential floorspace;	
	Change of use to non-residential.	
Biodiversity Survey and Report	 Developments which may impact on biodiversity and ecological networks or affect protected species 	
	Barn Conversions	
	 Demolition of Buildings 	
	 Alterations to buildings that affect roof spaces 	
	• Proposals resulting in the removal or replacement of landscaping, planting etc. including proposals of	
	any scale which would result in biodiversity net gain.	
Car and Cycle Parking and Access	For all applications:-	
Arrangements	 which will generate traffic or increase demand for car 	
	 will require servicing 	
	 will result in the loss of existing parking or servicing provision 	

The <u>Supplementary Guidance</u> contains further detailed information regarding the requirements for the following;

	 will result in the loss of existing parking or servicing provision
Construction Management Plan	Major Residential Developments
	 Minor and Major New Commercial Schemes
	 Major Renewable Energy Schemes
Contaminated Land Assessment	Requirement A
Requirement A – Phase I Desk Study	 Contamination is known or suspected
Report. A Phase II Site Investigation	 Development is proposed within 250m of a current or former landfillsite

Report and/or a Remediation Statement may also be required. Requirement B – Phase I Desk Study Report.	 The proposed use involves residential, schools or hospital development, allotments or other uses that are vulnerable to ground contamination Requirement B Low vulnerability such as offices, shops and industrial
Daylight / Sunlight Assessment	 Applications that may cause significant issues of overshadowing of existing or proposed buildings or adjoining land
Landscape and visual impact assessments	 Major and minor residential / non-residential developments in the rural area Development of wind turbines and renewable technologies that is likely to have a significant impact on the landscape in the open countryside.
Landscaping scheme	 Recommended for the following (apart from outline applications where landscaping has been accepted as a reserved matter): New dwellings Institutional, training, educational or residential accommodation Industrial, commercial, office, retail or leisure development New car parks Large extensions to existing premises Works by statutory undertakers where existing and proposed landscaping would contribute to the acceptability of the proposed scheme
Lighting assessment	 For schemes that involve substantial external lighting near sensitive areas such as: residential areas; heritage assets where designated sites or protected or priority species of wildlife may be affected. Sensitive landscapes
Marketing Statement	 Suggested for applications:- involving the loss of unallocated employment land or buildings to non- employment uses involving the loss of as Asset of Community Value, such as a village shop, post office, public house, community centre, theatre etc.

Noise Impact Assessment	 For applications:- which involve noisy uses (including vibration) and may cause of a loss of amenity which involve the introduction of a noise sensitive use to an existing noisy area i.e. busy roads, airports, industry, railway stations developments near wildlife habitats.
Open Space Assessment	 For applications:- which involve the loss or partial loss of existing open space, including areas of public open space and major open areas Loss of playing fields; Major residential developments
Planning Obligation / Draft Heads of Terms	Recommended for all applications which require a Planning Obligation / Section 106 agreement
Planning Statement	 All major planning applications Applications that are not in accordance with the development plan proposals that require detailed policy consideration
Public Rights of Way Statement	For applications affecting a public right of way
Reference to Pre-application Advice	When pre-application advice is sought and given, the applicant is encouraged to show how regard has been made to that advice in the formal application.
Retail Impact Assessment	 Retail and leisure developments over 2,500sqm not in a defined centre and not in accordance with the Local Plan. Retail and leisure developments under 2,500sqm not in a defined centre and not in accordance with the Local Plan that would be likely to have a significant impact on other centres. Main town centre uses (as defined by the policy) in an existing centre, which are not in accordance with the Local Plan and would substantially increase the attraction of the centre to an extent that the development could have an impact on other centres.
Retail and other Main Town Centre Use Assessment	 Required for: A sequential assessment is required for all applications for main town centre uses* that are not in an existing centre and are not in accordance with the South East Lincolnshire Local Plan 2011-2036; or An Impact Assessment is required for all applications for main town centre uses of 500sqm or more located outside of Boston's Town Centre (except for sites located within Kirton but outside

	Kirton's Town Centre, where the threshold is 250 sqm or more)
Statements/Assessments – proportionate and relevant to the scale of the development and nature of the site	 Transport Statement / Travel Plan
Statement of Community Involvement	For applications where pre-application consultation has taken place with the local community
Structural Survey	 Applications to convert and re-use buildings such as barn conversions or historic assets (listed or locally listed buildings or buildings within a conservation area) Applications which involve substantial or total demolition of listed, locally listed or other buildings within a conservation area
	 Applications to replace existing dwellings in the countryside
Surface water drainage assessment	 Major applications Minor applications Most rural developments (including farm buildings, stables) Developments that will lead to the disposal of trade waste or foul sewage effluent Developments that create new areas of hardstanding (relates to surface water)
Sustainable Drainage Assessment	For Major Developments
Sustainability Statement	 Residential major and minor developments Non-residential major development
Telecommunications Development Supplementary Information	For planning applications for telecommunications development
Tourism Statement	For all applications for tourist facilities and developments
Transport Assessment / Statement	 See Appendix 1 for thresholds (to follow). These are guidance only and the level of assessment should be agreed with the highway authority prior to starting work

Travel Plan	 See Appendix 2 for thresholds (to follow). These are guidance only and the level of assessment should be agreed with the highway authority prior to starting work
Tree Survey/Arboricultural Implications Assessment	 Required for all developments affecting trees within or adjacent to the application site
Utilities Statement and Foul Sewage Assessment (including Surface Water)	 Required for: All major applications Most rural developments (including farm buildings, stables) Developments that will lead to the disposal of trade waste or foul sewage effluent Developments that create new areas of hardstanding (relates to surface water)
Ventilation / extraction details	 Required for all applications for: the cooking of food (Classes A3, A4 and A5 of the Use Classes Order) Significant retail, business, office, industrial, leisure, hotel, flats in large building or similar development where substantial ventilation and extraction equipment is required
Viability Assessment	 For applications where an applicant is claiming that certain infrastructure requirements are unable to be provided due to the financial marginality of a scheme.

Please be aware that if information is considered to be required for the purposes of determining an application, but is not submitted, the case officer is likely to request during the course of the assessment of the application – this could potentially lead to delays in being able to finalise a recommendation and issue a decision.