



Halton Borough Council
**Validation Checklists
Requirements**

Advice for Officers and applicants



HALTON BOROUGH COUNCIL VALIDATION CHECKLISTS REQUIREMENTS

Advice for officers and applicants



Operational Director
Environmental and Regulatory Services
Environment Directorate
Halton Borough Council
Rutland House
Halton Lea
Runcom
WA7 2GW

1.0 INTRODUCTION

The Government is introducing a mandatory application form on 6 April 2008. Alongside this they are introducing changes to the validation process.

In response to the above Halton Borough Council have prepared the following checklists:

- z Advertisement consent
- z Approval of reserved matters
- z Applications for Prior Notification under the General Permitted Development Order 1995
- z Full planning permission
- z Householder planning applications
- z Lawful Development Certificates
- z Listed Building consent
- z Outline planning permission
- z Removal or variation of conditions
- z Tree Preservation Orders

1.1 National Requirements

Within each of the above checklist there are specified 'National Requirements' which are obligatory. If any of these are not included then an application cannot be validated. These are set out in this guidance note.

1.2 Local Requirements

The Government has also specified that each Local Authority can provide a list of 'Local Requirements', which are additional requirements that may be required for that specific development. This will be determined by the nature of the proposed development and its location.

Where any information is required by the list of

'Local Requirements' it will carry the same weight as the national requirements. This means that if an application is submitted without the required information then the Council are entitled to declare it invalid. Therefore, it is essential that the required checklists, and this note, are read in conjunction with each application.

1.3 Pre-application discussions

Pre-application discussions are encouraged with regards to 'major' and complex applications to assist in the validation process.

2.0 NATIONAL REQUIREMENTS

The following information is required to validate all applications. It should be noted that if any of these requirements are not included then the application is invalid.

2.1 Application Form

There will be a new application form from 6 April 2008, which is known as IAPP. This will mean one application form will be made available electronically, which will be used for all applications.

The application form has to be completed in its entirety.

2.2 Location Plan

All applications must include copies of a location plan based on an up to date map, on a scale of 1:1250 or 1:2500. The General Permitted Development Order 1995 requires three copies plus the original to be submitted. One copy is required if submitted electronically.

Plans at other scales may be accepted, in exceptional circumstances i.e. if the site covers a wider area. The exact location of the application site should be clear, with names of roads/properties where applicable.

The application site should be clearly marked with a red line around the site. Only red edged plans will be accepted, and no other colour. The red edge should include the whole site to carry out the proposed development e.g. land required for access from a public highway, car parking, open areas around buildings and visibility splays.

A blue line should be drawn around any other land owned by the applicant, which adjoins the application site or is close to the application site.

Location plans are available via the Planning Portal.

2.3 Application Fee

The fee for an application submitted to any local planning authority depends on the type of application submitted. Please check the details on the Halton Council website prior to submission.

There is a fee calculator available through the Planning Portal website, which will also help calculate the fee prior to submitting any application.

2.4 Plans and Drawings

2.4.1 Site Plan

Three copies, plus the original, of the site plan are required, unless submitted electronically. The site plan should be accurate and provided at 1:500 or 1:200 scale and should show the following:

The direction North;

the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries;

all the buildings, roads and footpaths on land adjoining the site including access arrangements;

all public rights of way (footpath, bridleway, restricted byway or byway open to all traffic);

the position of all trees on the site on the site, and those adjacent land and could influence or to be affected by the development;

the extent and type of any hard surfacing; and

boundary treatment including walls or fencing where this is proposed.

2.4.2 Block Plan

Copies of block plans should show site boundaries, the type and height of boundary treatment (walls, fences etc); the position of any building or structure on the other side of such boundaries.

It may be possible to provide all the information on either a site plan or block plan. This can be shown at 1:200 scale and should state that the information is for both requirements.

2.4.3 Existing and Proposed Elevations

These should be shown at a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

2.4.4 Existing and Proposed Floor Plans

These should also be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should be shown in context with adjacent buildings (including property numbers where applicable).

2.4.5 Existing and Proposed Site Sections and Finished Floor and Site

The plans should be drawn at a scale of 1:50 or

1:100 and should show a cross section (s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished floor levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified. Levels should also be taken into account in the formulation of design and access statements (see also section 2.6 on Design and Access Statements).

2.4.6 Roof plans

A roof plan is used to show the shape of the roof and should be drawn at a scale smaller than the scale used for the floor plans (e.g. 1:50 or 1:100). Details such as the roofing material and their location are typically specified on the roof plan.

2.5 Ownership Certificates

Under Section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 7 of the General Permitted Development Order, the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the

ownership of the application site have been completed. All applications must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

2.5.1 Notice(s)

A notice to owners of the application site must be completed and served in accordance with Article 6 of the General Permitted Development Order.

2.5.2 Agricultural Holdings Certificate

This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of condition, tree preservation orders, or express consent to display an advertisement.

2.6 Design and Access Statements

A Design and Access Statement must accompany applications for both outline and full planning permission unless they relate to one of the following:

A material change of use of land and buildings, (unless it also involves operational development);
Engineering or mining operations;
Householder developments.

However, statements are required for householder applications where any part of a dwelling house or its curtilage falls within one of the following designated areas:

- z National Park
- z Site of special scientific interest
- z Conservation area
- z Area of outstanding natural beauty
- z World Heritage Site
- z The Broads

A Design and Access Statement is a short report accompanying and supporting a planning application that should seek to explain and justify the proposal in a structured way. The level of detail required in a Design and Access Statement should cover both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with. What is required in a Design and Access Statement is set out in Article 4C of the General Development Permitted Order and Department of Communities and Local Government Circular 01/06-Guidance on Changes to the Development Control System. Halton also has a guidance note available on the website.

Applications for listed building consent will also be required to be accompanied by a Design and Access Statement. In particular, such a statement should address:

The special architectural or historic interest of the building;
the particular physical features of the building that justify its designation as a listed building; and
the building's setting.

The legislative requirements are set out in regulation 3A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

2.7 Information requirements for applications for outline planning permission

Applications for outline planning permission generally need not give details of any proposed reserved matters (Article 4E(3) of the General

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

Department of 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. The requirements relating to Design and Access can also be found as a separate note on the Halton Borough Council website.

3.0 LOCAL REQUIREMENTS

In addition to the information above the following list of requirements Halton Borough Council will require the following information to accompany certain applications:

3.1 Air Quality Assessment



Where the development is proposed inside, or adjacent to an air quality management area (AQMA) or where the development could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan, applications should be supported by such information as is necessary to allow full consideration of the impact of the proposal.

Where Air Quality Management Areas cover regeneration areas developers should provide an air quality assessment as part of their planning application. Further advice is available in Planning Policy Statement 23: Planning and Pollution Control. The Council's Environmental Health Officer will also be able to assist in these issues.

Halton Unitary Development Plan Policy PR1 Air Quality is also of relevance.

3.2 Archaeological Assessment



An archaeological assessment will be required where the site is of archaeological interest or adjoins a site of archaeological interest. Please contact us and the Cheshire Archaeologist prior to submission.

There is also additional information available on the English Heritage website. Halton Unitary Development Plan Policy BE6 Archaeological Evaluations is also of relevance.

3.3 Biodiversity Survey and Report



Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts.

Where proposals are being made for mitigation and/or compensation measures information to support these proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Protection of Badgers Act 1992.

Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to include assessments of impacts and proposals for long-term maintenance and management. This information might form part of an Environmental Statement, where one is necessary.

Certain proposals which might 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. Information on potential impacts and any mitigation on such impacts also need to be provided. Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) and accompanied Government Circular Biodiversity and Geological Conservation-Statutory obligation and their impact within the planning system (ODPM Circular 06/2005 and Defra Circular 01/2005 and Planning for Biodiversity and Geological Conservation: A Guide to Good Practice is of relevance).

The Council's Nature Conservation Officer will be able to provide advice on these issues. There are a number of Unitary Development Plan policies of relevance in Chapter 3 The Green Environment.

3.4 Daylight/Sunlight Assessment



In circumstances where there is a potential adverse impact upon the current levels of daylight/sunlight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may also need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in BRE guidelines on daylight assessments.

3.5 Environmental Impact Assessment (EIA)



The Town and Country Planning (Environmental

Impact Assessment) Regulations 1999 set out the circumstances in which an Environmental Impact Assessment is required. Where an EIA is required, Schedule 4 to the regulations sets out the information that should be included in the Environmental Statement.

The local planning authority has to take into consideration the information within the Environmental Statement when processing the application.

If an Environmental Impact Assessment is not required, we may still require environmental information to be provided.

It may be helpful for a developer to request a 'screening opinion' to determine whether an EIA is required, under the Regulations prior to submitting an application. The DETR Circular 02/99 provides details on this.

3.6 Flood Risk Assessment



A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or more 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, in some instances for minor development, if it is in a designated critical drainage area. The Environment Agency website provides information on whether the site is in a flood risk area. Also, Halton's Strategic Flood Risk Assessment also highlights the areas of greater risk. Halton Unitary Development Plan Policy PR16 Development and Flood Risk should also be referred to prior to submitting an application.

A FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be

managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding, and include the design of Sustainable Drainage Systems (SUDS) and address the requirement for safe access to and from development in areas at risk of flooding.

The FRA should form part of an Environmental Statement when one is required by the Town and Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Planning Policy Statement 25: Development and Flood Risk, and the practice guidance, provide comprehensive guidance in relation to FRA's. Halton Unitary Development Plan Policy PR16 Development and Flood Risk are also of relevance.

3.7 Flue & Ventilation Extraction Details



Details of the position and design ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes with Use Class A3 (i.e. restaurants and cafes-use of the sale of food and drink for consumption on the premises), A4 (i.e. drinking establishments-use as a public house, wine-bar or other drinking establishment), A5 (i.e. Hot food takeaways-use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial).

The above information, excluding the 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.

3.8 Foul Sewage Details



All new buildings need separate connections to foul and storm water sewers. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s).

It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers.

Where the development involves changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required.

If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land (see section 2.5.1 on Notice(s)).

3.9 Heritage Statement



The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss their proposal prior to submitting an application.

For applications for listed building consent a written statement, that includes a schedule of

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

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

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required. Photographs are a useful way to show this detail.

Planning Policy Guidance Note 15 Planning and the Historic Environment provides advice on heritage assets.

3.10 Landscaping Details/Plans



Applications may be accompanied by landscaping details and include proposals for long-term maintenance and landscape maintenance.

Existing trees and other vegetation should where practicable be retained in new developments and protected during the construction of the development. The details within any tree survey should also be incorporated/cross referenced (see Section 3.27 Tree Survey).

There should be reference to landscaping and the

detailed landscape proposals for the development, which follow from the design concept in the Design and Access Statement (see Section 2.6 Design & Access Statement).

3.11 Lighting Assessment



Proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a listed building or conservation area, or open countryside, where external lighting would be provided or made necessary by the development, should be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design.

Lighting in the countryside: Towards good practice (1997) is a valuable guide for local planning authorities, planners, highways 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/urban areas as well as the countryside.

3.12 Noise Assessment



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. Further advice is provided in Planning Policy Guidance 24: Planning and Noise (September 1994).

3.13 Parking Provision/Details



Applications will be required to show details of existing and proposed parking provision. These details should be shown on a site layout plan.

The plans need to include building(s) in relation to access/egress as well as turning areas. Provision for parking details for cyclists/motorcycles, disabled users and pedestrian should also be shown.

3.14 Photographs and Photomontages

The use of these can help show how large developments can be satisfactorily integrated into the street scene and surrounding environment.

3.15 Planning Statement

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority, the community, statutory consultees that were undertaken prior to submitting an application.

3.16 Retail Impact Assessment

Planning Policy Statement 6: Planning for Town Centres sets out the key considerations for which applicants should present evidence. This should be proportionate to the scale and nature of the proposal.

3.18 Site Waste Management Plan

Proposed new developments should be supported by site waste management plans (regulations are expected to come into force in

April 2008). These do not require formal approval by planning authorities but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed.

3.19 Site Investigations (Contaminated Land Report)

Applications may be required to be accompanied by a report that has assessed the contamination on the site. This is in line with Planning Policy Statement 23: Planning and Pollution Control and Halton Unitary Development Plan Policy PR 14 Contaminated Land.

Due to the significant amount of contaminated land in the Borough it is important that the possible remediation measures are also considered at an early stage. Where contamination is known or suspected then the information should be provided with the application to determine whether the application can proceed. The Council's Environmental Health Contaminated Land Officer will be able to advise accordingly.

3.20 Section 106 (Planning Obligations)

Planning Obligations known as Section 106 Agreements are agreements negotiated between the local planning authorities and people with an interest in a piece of land or the provision of off site contributions to open space, provision of trees etc. which would make the development acceptable.

This should be looked at through pre-application discussions, as early discussion will determine whether a Section 106 needs to be entered into. Where possible a draft obligation should be submitted alongside an application along with details of the applicant's solicitor who will progress the agreement.

3.21 Statement of Community Involvement

A separate statement on pre-application consultations may be required. Please refer to Halton's Statement of Community Involvement to find out the appropriate information that should accompany the application. This is available on Council's website.

3.22 Street Scene Elevation

These should be provided to accompany the planning application where proposals are to be integrated into the existing street scene.

3.23 Structural Survey

A structural survey may be required in support of an application if the proposal involves substantial demolition, e.g. barn conversions.

3.24 Transport Assessment



Planning Policy Guidance 13 Transport 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.

The TA should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to

mitigate transport impacts. Further guidance is available in Guidance on Transport Assessment published by the Department of Transport.

3.25 Travel Plan



A travel plan should be submitted alongside planning applications which are likely to have significant transport implications, as advised by Planning Policy Guidance Note 13: Transport (DETR 2001) paragraph 87-91.

Further advice is available in 'Using the planning process to secure travel plans: Best practice guide' ODPM and Dft 2002. Also, 'Making residential travel plans work: Good practice guidelines for new development: Dft and A guide to development related travel plan (Addison & Associates).

Advice can also be obtained from the Council's Transportation Policy Section. Policy TP16 Green Travel Plans in the Halton Unitary Development Plan is of relevance.

3.26 Tree Survey



Where there are trees within the application site, or on land adjacent to it that could influence or be affected by development (including street trees), information will be required detailing which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist and accompany any planning application.

Full guidance on the survey information,

protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in relation to construction-Recommendations'. Using the methodology set out in the British Standard should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

The Council's Trees and Woodland Officer can be contacted prior to any application being submitted to provide any advice.