

Tendring
District Council



LOCAL VALIDATION LIST

TENDRING DISTRICT COUNCIL

Local Validation List

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Application Form

This would apply to the following applications:-

• Full Applications	• Householder Applications
• Reserved Matters	• Listed Building Applications
• Lawful Development Certificates	• Advert Consent Applications
• Tree Applications	• Planning In Principle Applications
• Technical Details Consent	• Outline (Some Matters Reserved)
• Outline (All Matters Reserved)	• HMO Applications
• S73 Planning Applications	• Deed of Variation Applications
• Non Material Amendment	• Discharge of Conditions and Compliance with Conditions

All applications.

Summary

The Application Form covers various details of the application, including specific details of the proposal.

National Requirements

The form outlines what information is necessary for each element, you are required to complete all questions in full, quoting N/A when not applicable. This includes signing the relevant 'Certificate of Ownership' and declaration . This includes the full name and address of the applicant and any agent.

Local List Requirements

- If your application requires a legal agreement, the applicant and owner details shown on the up to date Land Registry Title must match those on the application form or this could delay your application considerably.
- C/o Agent within the applicant's details will not be accepted.
- **Mains Sewer Connection?**

For all new development consisting of new dwellings (any net gain of residential units) and commercial/industrial units where the development is not proposed to use a main sewer, but proposes a non-mains foul drainage system or 'unknown' (as may also be declared on the application form), you MUST complete in full a FDA1 Form with your application in line with Policy PPL5 Section 2 Tendring District Local Plan 2022

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>.

Failure to complete this form will render the application invalid.

Any Policy Links

None.

Further Advisory Information

<https://www.planningportal.co.uk/planning/planning-applications/how-to-apply/ways-to-apply>

Descriptions of development

Where an application for outline consent with all matters reserved is being sought, it is advised to broadly describe the proposed development. Being too precise at this stage may cause issues with the reserved matters stages by being too restrictive.

Good example:

'Residential development of up to 8 dwellings'.

Poor example:

'Residential development of 8 no.3 bedroom detached bungalows with detached single garages'.

For any description, avoid any personal information and focus on the development proposed. Internal changes or alterations are not required in the description unless it is a Listed Building Consent. For caravans the proposal will be for the siting of and/or change of use of land as caravans are not buildings. Remember to include any new access arrangements.

Certificate of Ownership & Agricultural Land Declaration

This would apply to the following applications:-

• Full Applications	• Householder Applications
• Technical Details Consent	• Outline (Some Matters Reserved)
• Outline (All Matters Reserved)	• HMO Applications
• S73 Planning Applications	• Deed of Variation Applications

When required, it is built into the application form.

Summary

An ownership certificate must be completed stating the current ownership of the land to which the application relates under Article 14 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

It is an offence, knowingly or recklessly, to complete a false or misleading certificate.

'Owner' means a person having a freehold interest or a leasehold with at least seven years unexpired.

'Agricultural tenant' means a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

National Requirements

- Certificate A - Sole Ownership and no agricultural tenants

Certificate A should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants. If the application involves a leasehold flat then certificate A does not apply as the applicant is not the sole owner. Similarly, Certificate A does not apply if there are agricultural tenants of the land to which the application relates. Therefore, in these circumstances, the applicant should complete certificate B, C or D (see details below).

- Certificate B - Shared Ownership (All other owners/agricultural tenants known)

Certificate B should be completed if the applicant is not the sole owner or if there are agricultural tenants and the applicant knows the names and addresses of all the other owners and/or agricultural tenants (e.g. this certificate will need to be served if the proposals encroach onto adjoining land).

Notice 1 must also be completed and sent to all known owners/agricultural tenants.

Although not essential for validation purposes, it would be useful if a copy of the notice was sent with the application to the local authority.

- Certificate C - Shared Ownership (Some other owners/agricultural tenants known)

Certificate C should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants.

Notice 1 must be completed and sent to all known owners and/or agricultural tenants.

Where the owners or agricultural tenants are unknown, Notice 2 must be published in a local newspaper.

Although not essential for validation purposes, it would be useful if a copy of the notice was sent with the application to the local authority.

- Certificate D - Shared Ownership (None of the other owners/agricultural tenants known)

Certificate D should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

Notice 2 must be published in a local newspaper.

Although not essential for validation purposes, it would be useful if a copy of the notice was sent with the application to the local authority.

Local List Requirements

Most applications will require a legal agreement. Part of the legal agreement process requires the submission of up to date Land Registry Title Documents. The owner of the land / site must match the applicant's name and address.

If there is more than one owner detailed on the title deed then care must be taken to complete the correct Certificate of Ownership and serve notice as necessary (part of the application form).

Any Policy Links

None.

Further Advisory Information

None.

Fee

This would apply to the following applications:-

• Full Applications	• Householder Applications
• Reserved Matters	• Lawful Development Certificates
• Advert Consent Applications	• Planning In Principle Applications
• Technical Details Consent	• Outline (Some Matters Reserved)
• Outline (All Matters Reserved)	• HMO Applications
• S73 Planning Applications	• Deed of Variation Applications
• Non Material Amendment	• Discharge of Conditions and Compliance with Conditions

As regulations dictate.

Summary

The fee is required for all Applications, however there are some exemptions.

For outline applications the fee is based on the site area.

Please see the link to the Guide to the Fees for Planning Applications in England:

https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf

National Requirements

As regulations dictate.

Local List Requirements

None.

Any Policy Links

None.

Further Advisory Information

https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf

Site Location Plan

This would apply to the following applications:-

• Full Applications	• Householder Applications
• Reserved Matters	• Listed Building Applications
• Lawful Development Certificates	• Advert Consent Applications
• Tree Applications	• Planning In Principle Applications
• Technical Details Consent	• Outline (Some Matters Reserved)
• Outline (All Matters Reserved)	

For all development proposals.

Summary

The Site Location Plan shall identify the extent of the proposed site area on an ordnance survey style map.

National Requirements

A location plan should be based on an up-to-date map. The scale should typically be 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper.

A location plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.

The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).

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

Local List Requirements

The plan shall:

- Identify the proposed site area on an ordnance survey style map and be outlined in one continuous red line.
- Any other land in the applicant's ownership shall be outlined in a blue line.
- Include at least one access to the public highway (to the metalled carriageway) within the red line.
- Be scaled at 1:1250 or 1:2500 (including the relevant scale bar).
- Include a north point.
- Include at least one named road.
- Must include any part of the land or building required to access the site or building within the red line (i.e. shared entrance, stairwells or foyer areas and notice served on the relevant owner).

- Under article 5(3) of the Development Management Procedure Order 2015, an application for outline planning permission must also indicate the area or areas where access points to the development will be situated, even if access has been reserved.

Any Policy Links

None.

Further Advisory Information

<https://www.gov.uk/guidance/making-an-application#Plans-and-drawings>

Block Plan / Site Layout Plan

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Listed Building Applications
<ul style="list-style-type: none">• Lawful Development Certificates	<ul style="list-style-type: none">• Advert Consent Applications
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)
<ul style="list-style-type: none">• Outline (All Matters Reserved)	

All applications for development proposed that include change or new external layouts for new development.

Summary

The Block Plan / Site Layout Plan shall identify the layout of the site and identify the extent of change with both existing and proposed details.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

All applications shall submit an existing and proposed Block Plan / Site Layout Plan (for any change in the external layout of the site) at a scale of 1:200 or 1:500 that shall include the following:-

- Shows the proposed development in relation to the site boundaries and other existing buildings.
- Include written dimensions to boundaries from any proposed development as relevant.
- All buildings, roads and public rights of way on land adjoining the site.
- All public rights of way crossing or adjoining the site (in green).
- Shall include the direction of North.
- The position of all trees and hedgerows on the site and adjacent land.
- The extent and type of existing and proposed hard surfacing.
- The type and height of existing and proposed boundary treatment (e.g. walls/fences).
- Landscape features proposed for removal or inclusion (e.g. additional planting).
- Spot heights and levels. (Topographic survey).
- The precise location of existing, and where appropriate, proposed vehicular accesses including written dimensions and visibility splays.
- Cycle Storage Details and EV Charging Details (all commercial and net increase in residential development) (Policy CP1 as needed).
- The drawings shall show parking (car and cycle parking) provision and space for bin storage for new housing/commercial schemes and/or if the development affects parking.

Please note that drawings are placed on the relevant Council's website, therefore written dimensions are important for members of the public to understand what is being proposed.

For outline applications with all matters reserved, an indicative site layout plan demonstrating how the proposed development could be accommodated within the site will be required.

For outline applications considering access or layout (all other matters reserved), the block plan / site layout plan provided must provide full details of the reserved matter sought.

It may be more appropriate to include some of the details listed above within other supporting plans and drawings to ensure the proposal is clear.

Any Policy Links

Policies may vary, but may be supported by LP3, LP4, LP11, PP5, PP11, PPL10, SPL3, SP6, CP2.

Further Advisory Information

None.

Roof Plan

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Listed Building Applications
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

Required where there are new extensions to roof forms and new roof / buildings proposed.

Summary

A roof plan is a drawing that shows the proposed development of a roof (view from above). It contains information about the roof structure, including everything from draining and ventilation locations to the size, shape, and placement of the components.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

The Roof Plans shall show any roof that would be created or altered by the proposed development, showing the shape of the roof and its location and should include the following:-

- Scale at 1:50 or 1:100 (including the relevant scale bar).
- The roof plan may be shown on the proposed block plan. In this case it should be scaled at 1:200 or 1:500.
- Any features that the existing and proposed roof may include (i.e. chimney, guttering, solar panels, roof lights/dormers).

Existing and proposed roof plans can be on same plan if it is clear what is proposed and what is existing.

Please note: Despite the national requirement of plans needing to show the direction of North, this is not required on Roof Plans.

Any Policy Links

Policies may vary, but may be supported by LP3, LP4, PP11, PPL10, SPL4, SP6.

Further Advisory Information

None.

Access Drawing

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

All applications where access is being created or altered and forms part of the application for consideration.

Under article 5(3) of the Development Management Procedure Order 2015, an application for outline planning permission must also indicate the area or areas where access points to the development will be situated, even if access has been reserved.

Summary

The Access Plan should provide details of any new access, or any changes made to an existing access in a proposed development.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

The Access Plan should show the access arrangements to the site, including visibility splays and turning heads (where applicable).

- If access includes the routes around the development site then this arrangement should also be shown.
- Access Plans must be drawn to a scale of 1:100, 1:200 or 1:500, and include the direction of North.
- Visibility splays should be clearly labelled (if visibility splays cross land that is not within the control or ownership of the applicant, the appropriate certificate must be provided)
- Access Plans and Parking Plans can be combined.
- Indication of land ownership and control may be useful.

Any part of the works to the access (creation, width, vis splays) must be included in the red line application site (as required by Site Location Plan requirements).

Any Policy Links

Policies may vary, but may be supported by LP3, LP4, LP7, LP8, LP11, PP5, PP11, PP13, PPL10, SPL5, SP6, CP2.

Further Advisory Information

<https://www.legislation.gov.uk/uksi/2015/595/article/7/made>

Internal Sections

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Listed Building Applications
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

For all development, including new buildings/dwellings that include:

- Additional upper floor.
- Insertion of roof lights.
- Insertion of dormer windows.
- Any internal changes to a listed building (addition or removal of walls, doorways etc.).

Summary

An Internal Section drawing showing the internal configuration (i.e. finished floor level and ceiling heights).

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

Internal Sections plans should:

- Be to an appropriate scale (i.e. 1:20, 1:50 or 1:100), and should include a scale bar.
- These must also include any change in materials proposed.

Please note: Despite the national requirement of plans needing to show the direction of North, this is not required on Internal Section plans.

Any Policy Links

None.

Further Advisory Information

<https://www.legislation.gov.uk/ukxi/2015/595/article/7/made>

Elevations / External Views

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Listed Building Applications
<ul style="list-style-type: none">• Lawful Development Certificates	<ul style="list-style-type: none">• Advert Consent Applications
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

All development where elevations are created or altered.

Summary

Elevations are what a building or structure looks like from the outside. These may consist of both external elevations showing views of all sides of the development / building(s).

External Section Plans should show the elevation(s) which are obscured (not shown on the standard elevational drawings).

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

Existing and proposed elevations should show what the structure / building looks like before and after development.

- Elevation drawings should be drawn to an appropriate scale, 1:50 or 1:100.
- Should include at least two key dimensions (in metric).
- Drawings should include a scale bar to accurately reflect the scale that the plan is drawn to.
- The materials to be used should be annotated on the drawings.
- Details shown on the elevation drawings should be consistent with the associated floor plans, i.e. position/size of windows and doors.

Please note: Despite the national requirement of plans needing to show the direction of North, this is not required on Elevations.

Any Policy Links

Policies may vary, but may be supported by SPL3.

Further Advisory Information

<https://www.legislation.gov.uk/uksi/2015/595/article/7/made>

Floorplans

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Listed Building Applications
<ul style="list-style-type: none">• Lawful Development Certificates	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• HMO Applications

All development where floor area is being created / altered.

If the application is for change of use and the floor layout is unaltered then one floor plan labelled as existing and proposed will be acceptable.

Summary

The Floor Plans should show the floor area / rooms / internal layout that would be created or altered by the proposed development.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

- Floor plans must be labelled with use of room (i.e. bedroom).
- Floor plans should be drawn to an appropriate scale, 1:50 or 1:100.
- Should include at least two key dimensions (in metric).
- Floor plans should include a scale bar to accurately reflect the scale that the plan is drawn to.
- Details shown on the floor plan(s) should be consistent with the associated elevations, i.e. position/size of windows and doors.
- These should highlight the relationship between rooms, and show any existing walls or buildings that are to be demolished (where applicable).
- Where the development includes new or altered door way openings, the dimensions shall be shown.

Please note: Despite the national requirement of plans needing to show the direction of North, this is not required on Floor Plans.

Any Policy Links

Policies may vary, but may be supported by SPL3.

Further Advisory Information

<https://www.legislation.gov.uk/uksi/2015/595/article/7/made>

Parking Plan

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• HMO Applications

All new dwellings and commercial/industrial unit developments.

For householder applications which removes or alters current parking spaces / arrangements (i.e. loss of garage).

Summary

The Parking Plan shall identify all vehicular / cycle / powered two-wheeler parking arrangements within the development site.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

The Parking Plan shall show where existing vehicular parking spaces will be removed, and where new vehicular parking spaces will be made.

- The plan must be drawn to a scale of 1:100, 1:200 or 1:500, and include the direction of North.
- Access Plans and Parking Plans can be combined.
- Hard surfacing materials should be shown and any parking bay markings.

Any Policy Links

Policy LP11 and PP5.

Further Advisory Information

Essex County Council Parking Standards

<https://www.legislation.gov.uk/uksi/2015/595/article/7/made>

Landscaping Plan (Hard and Soft)

This would apply to the following applications:-

<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Reserved Matters
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Discharge of Conditions

When dealing with landscaping as part of an outline consent, or when dealing with landscaping as part of a reserved matters application, or a discharge of condition application.

Summary

The Landscaping plan is a drawing to a recognised scale identifying site boundaries and clearly indicating soft and hard landscaping which would be appropriate to the proposed development.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

The Landscaping plan shall be an appropriately scaled plan (1:50, 1:100 or 1:500) including a scale bar, and shall provide the following details:

- Existing hard and soft landscaping to remain (hard and soft).
- Where existing trees and landscaping are to be retained, details of their protection during construction (temporary fencing).
- Proposed hard and soft landscaping details including; planting or percentage mix including identification of all species.
- Any changes in land / site levels.

This information should be accompanied by a Tree Survey when any tree exists on site.

Please note: Despite the national requirement of plans needing to show the direction of North, this is not required on Landscaping Plans.

Any Policy Links

None.

Further Advisory Information

None.

Private and Public Space Plan (and land uses)

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Reserved Matters
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)

Residential development of over 11 units and on sites in excess of 1.5 hectares in size.

Summary

A plan clearly outlining the areas of the site designated as Public Open Space and those to be retained as Private Space for the occupiers of the development.

National Requirements

None.

Local List Requirements

The Private and Public Open Space Plan shall consist of :

- A layout plan clearly showing (i.e. with an appropriate key / colour coded) the private and publicly accessible spaces within the development.
- This may include open space and play areas.

Any Policy Links

Policy HP5 / Council's Open Space Strategy.

Further Advisory Information

<https://www.tendringdc.gov.uk/sites/default/files/documents/planning/planning%20policy/OpenSpacesStrategy.pdf>

Flood Assessment

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Planning In Principle Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)

This includes developments:

- in flood zone 2 or 3 for minor development (including householder alterations) and changes of use.
- more than 1 hectare (ha) in flood zone 1 less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs).
- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.

Summary

A flood risk assessment (FRA) is a document that reviews a development in its proposed form to assess it against the risk of flooding, whether that be from groundwater, river (fluvial), surface water (pluvial), estuary/coastal (tidal), or from sewer sources. It should also take the surrounding area into account and whether the development poses a flood risk to areas nearby. It does this by using either 3rd party data sources, such as the Environmental Agency modelling.

National Requirements

For all developments covered by the standing advice set out with the NPPF and NPPG. The FRA shall include:

- your site address
- a description of the development
- an assessment of the flood risk from all sources of flooding for the development, plus an allowance for climate change
- the estimated flood level for the development, taking into account the impacts of climate change over its lifetime
- details of the finished floor levels
- details of the flood resistance and resilience plans
- any supporting plans and drawings
- any other information the relevant standing advice tells you to include
- The estimated flood level is the depth of flooding anticipated on the development site in a:
 - river flood with a 1 in 100 annual probability plus an allowance for climate change
 - tidal flood with a 1 in 200 annual probability plus an allowance for climate change

If flood defences are present, the estimated flood level should account for the residual flood risk if they breached or overtopped. You may be able to get the estimated flood level from the Environment Agency or your LPA. If not, you'll need a flood risk specialist to calculate this for you.

Local List Requirements

None.

Any Policy Links

Policy PPL1.

Further Advisory Information

<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

Surface Water Drainage Strategy

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Planning In Principle Applications
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)
<ul style="list-style-type: none">• Outline (All Matters Reserved)	

A surface water drainage strategy utilising a Sustainable Drainage System (SuDS) is required for:

- Major residential applications as well as some minor development;
- Applications for the creation of more than 1,000 square metres of floor space; and
- Sites greater than 1 hectare.
- It may also be required when a Flood Risk Assessment is required.

Summary

A surface water drainage strategy shows how surface water will be managed within a development so it does not increase flood risk elsewhere.

National Requirements

None.

Local List Requirements

Details should be submitted to demonstrate:

- how all surface water affects a site and the surrounding area;
- how water behaves on a site, such as surface water runoff rate, flow pathways, and infiltration potential (the likelihood of water being soaked into the ground);
- what effect the development will have on the above issues the measures proposed so that runoff rates meet the requirements for the site set by national and local planning policy.

Any Policy Links

Policy PPL5.

Further Advisory Information

<https://www.essexdesignguide.co.uk/suds/what-we-expect/pro-forma/>

Heritage Statement

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Listed Building Applications	<ul style="list-style-type: none">• Advert Consent Applications
<ul style="list-style-type: none">• Planning In Principle Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)

A Heritage Statement is required to support all applications for planning permission or listed building consent, where the proposal directly involves, or affects the heritage asset or its setting.

Development adjacent to a Heritage asset shall be taken to “affect” the setting for the purpose of validation, but “setting” may be far more significant covering a wider area depending on the importance of the asset and proposed development.

Summary

A heritage statement should outline the overall significance of the building, conservation area, neighbouring heritage assets and its setting.

National Requirements

Para 194 - In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Local List Requirements

When a Heritage Statement is required, it shall set out details of the history and evolution of the asset (any previous extensions and alterations), using photographic, map, archival and fabric evidence. The statement shall include but not be limited to the following:

- Demonstrate consideration of the relevant Historic Environment Record (link provided).
- A photographic record, showing the site context and spaces and features which might be affected by the proposal, preferably cross-referenced to survey drawings.
- An assessment of the archaeological, architectural, historical or other significance of the asset and its setting.
- An assessment of the impact of the proposed works on the significance of the asset and impact on its setting, and a statement of justification for those works, together with details of any mitigation measures proposed. The statement needs to sufficiently explain why the proposals are necessary or desirable.
- The statement shall outline if a variety of options have been considered and why the proposed option was chosen.

- If any historic fabric is to be removed or altered as a result of the proposed development, its significance shall be properly understood and explained in the document.
- If relating to a Listed Building, the statement shall explain if the works proposed are reversible in whole or in part.

Any Policy Links

Policy PPL8 and PPL9.

Further Advisory Information

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

Ecology Survey

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Householder Applications
<ul style="list-style-type: none">• Reserved Matters	<ul style="list-style-type: none">• Listed Building Applications
<ul style="list-style-type: none">• Planning In Principle Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

A survey/assessment is required when:-

- There are protected species present / recorded on site; and / or,
- There's suitable habitat on or near the site to support protected species (as set out in Ecology Table appended to this document).

Summary

The Ecological Survey & Impact Assessment is a specialist report that would identify the presence of designated sites, protected or Priority species and habitats on or adjacent to the site

National Requirements

None.

Local List Requirements

This assessment needs to assess the likely impacts from the proposal and identify appropriate and effective mitigation and compensation where necessary. Adequate ecological survey and impact assessment is necessary to provide certainty of likely impacts and that any mitigation and compensation necessary can be secured by either a condition of any consent or a mitigation licence.

All ecological survey and impact assessments shall be completed by a qualified ecologist to establish likely impacts from development to designated sites, protected and Priority species & habitats.

In accordance with standing advice provided by the Government which can be found at the following link;

<https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals#when-to-request-a-species-survey>

If it is considered that there is reasonable likelihood of protected species being present on the site, or affected by the development. In order to assess if the proposal is likely to have any impact on protected species a Phase I Habitat Survey is required. This together with any further surveys it identifies are necessary and need to be submitted with any formal planning application. If the required surveys are not submitted this could delay the determination of any application or result in a reason for refusal.

Any Policy Links

Policy PPL4.

Further Advisory Information

<https://www.gov.uk/guidance/appropriate-assessment>

Transport Assessment

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Planning In Principle Applications
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)

For all Major Planning Applications:

- 50+ dwellings; and/or,
- 1000+ sqm floorspace.

Summary

A Transport Assessment is a comprehensive and systematic process that sets out transport issues relating to a proposed development and it identifies what measures will be taken to deal with the anticipated transport impacts to improve accessibility and safety for all modes of travel, particularly for sustainable transport alternatives to the car such as walking, cycling and public transport.

National Requirements

None

Local List Requirements

A Transport Assessment shall include the following:

- appropriate study parameters (i.e. area, scope and duration of study).
- assessment of public transport capacity, walking/cycling capacity and road network capacity.
- road trip generation capacity and trip distribution methodologies and/ or assumptions about the development proposal.
- measures to promote sustainable travels.
- safety implications of development.
- mitigation measures (where applicable) - including scope and implementation strategy.

Note: You may wish to seek Pre-application Advice directly from Essex County Council Highways on the scope of the Transport Assessment.

Any Policy Links

Policy CP1 and CP2.

Further Advisory Information

None.

Affordable Housing Statement (AHS)

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Planning In Principle Applications
<ul style="list-style-type: none">• Technical Details Consent	<ul style="list-style-type: none">• Outline (Some Matters Reserved)
<ul style="list-style-type: none">• Outline (All Matters Reserved)	

All residential development of 11 or more dwellings.

Summary

An Affordable Housing Statement (AHS) should specify what is being proposed in relation to affordable housing and should provide a justification for the amount and type proposed and the location within the site.

National Requirements

None.

Local List Requirements

An affordable housing statement shall include details of the following:

- the total number of all proposed residential units;
- details of the affordable provision as a percentage of the overall number of residential units;
- details of the tenure mix of the affordable units, for example (eg. market housing, affordable rent, intermediate / shared housing etc) and the percentage split;
- details of affordable units, numbers of bedrooms and property types across all tenures to demonstrate a representative mix of unit types and size;
- details of the affordable unit space standards and floor areas (sqm) for each dwelling;
- metric scaled layout plans showing the location of affordable units within the overall development;
- explanation as to how the affordable housing units will be managed;

Note: To help compile an AHS, applicants are advised to have regard to Local Plan Policy LP5 which sets out the Council's affordable housing requirements. It is expected that the applicant will have thoroughly tested the viability of their scheme to ensure that it can satisfactorily meet the required policy compliant levels of affordable housing (together with all other relevant planning obligations).

Any Policy Links

Policy LP5.

Further Advisory Information

None.

Confirmation of ‘superfast broadband’ connection.

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)

All applications for new dwellings and new non-residential buildings.

Summary

A statement to confirm if the development will have superfast broadband connection.

National Requirements

None.

Local List Requirements

The statement shall provide sufficient detail to confirm for all new dwellings and new non-residential buildings that:

- Each unit / new building is to be served by a ‘superfast’ broadband* (fibre optic) connection,
- If it is to be installed on an open access basis; and,
- If directly accessed from the nearest British Telecom exchange and threaded through resistant tubing to enable easy access to the fibre optic cable for future repair, replacement or upgrading, unless the applicant can demonstrate that this would not be possible, practical or economically viable.

* the fastest speed possible.

Any Policy Links

Policy CP3, SP6 d).

NPPF Para 114 - Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

Further Advisory Information

None.

Legal Information

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	<ul style="list-style-type: none">• Deed of Variation Applications

All major development that includes the net increase in dwelling units.

Summary

Legal information to support your application and any necessary planning obligations.

National Requirements

None.

Local List Requirements

Legal information shall include the following:-

- Legal representation details (Solicitor's details).
- Draft Heads of Terms for Major Only.

Most applications will require a legal agreement. Part of the legal agreement process requires the submission of up to date Land Registry Title Documents. The owner of the land / site must match the applicant's name and address.

If there is more than one owner detailed on the title deed then care must be taken to complete the correct Certificate of Ownership and serve notice as necessary (part of the application form).

Any Policy Links

None.

Further Advisory Information

None.

Foul Drainage Assessment Form (FDA1)

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

For all new development consisting of new dwellings (any net gain of residential units) and commercial/industrial units where the development is not proposed to use a main sewer, but proposes a non-mains foul drainage system or 'unknown' (as may also be declared on the application form), you **MUST** complete in full a FDA1 Form <https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1> with your application in line with Policy PPL5 Section 2 Tendring District Local Plan 2022. **Failure to complete this form will render the application invalid.**

Summary

This document helps local planning authorities when they are considering a planning application that involves non-mains drainage.

Completion of this form and its submission with your planning application will help to identify:

- any concerns that might lead to pollution or nuisance arising from a non-mains drainage system;
- a need for significant changes to a developer's intended foul drainage arrangements; and,
- an application for an environmental permit being refused, or particularly stringent conditions imposed.

National Requirements

None.

Local List Requirements

Completed FDA1 Form and any necessary additional information to support the proposed foul sewage disposal method.

If mains connection is confirmed within the application then the FDA1 Form will not be required.

Any Policy Links

Policy PPL5.

Further Advisory Information

<https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>

Contamination Statement

This would apply to the following applications:-

<ul style="list-style-type: none">• Full Applications	<ul style="list-style-type: none">• Technical Details Consent
<ul style="list-style-type: none">• Outline (Some Matters Reserved)	<ul style="list-style-type: none">• Outline (All Matters Reserved)
<ul style="list-style-type: none">• HMO Applications	

For all development that includes a net increase in dwellings and/or commercial/industrial unit/s.

For all development that includes land that is recorded as a present or historic contamination site.

Summary

The Contamination Statement shall provide sufficient information to consider potential contamination risk for the proposed development to ensure future users of the land and occupiers are not put at risk for the reasons of health and well being.

National Requirements

None.

Local List Requirements

Provision of a Phase 1 Survey for Contamination or Statement that shall include but not be limited to the following information:

- A plan of the proposed site layout.
- Site reconnaissance or walkover.
- A physical site description including geology, hydrogeology, etc.
- The condition of soil and vegetation, and any evidence of fly-tipped or similar material.
- The condition of structures on site, including any potential for the presence of asbestos, fuel storage (including heating oil).
- Review of current and historical maps.
- Previous, present and proposed uses of the site and direct vicinity.
- Previous and current industrial processes carried out on site.
- Details of any waste disposal practices.
- Details of spillage or pollution incidents.
- Any excavation and infilling activities (including current or historic landfill within 250m).
- A review of any previous investigations.
- An appreciation of all potential receptors on and outside of the site within 250m.

Note: Other situations may need a contamination report and this may be identified during the application.

Any Policy Links

Policy SPL3 provides that new development should minimise any adverse impact and the development will not have unacceptable levels of pollution on: air, land, water (including

ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance.

Further Advisory Information

Please see LAND AFFECTED BY CONTAMINATION, Technical Guidance for Applicants & Developers, Third Edition <https://geosmartinfo.co.uk/wp-content/uploads/2020/03/Essex-Guidance.pdf>

Self-Build / Custom-Build Housing Form

This would apply to the following applications:-

• Full Applications	• Outline (Some Matters Reserved)
• Outline (All Matters Reserved)	• Permission in Principle
• Technical Details Consent	• S73 Planning Applications
• Reserved Matters Applications	

Summary

This requirement is important as it also has an implication on if Biodiversity Net Gain (BNG) applies to the development for housing as self-build development may be exempt, if they are genuinely in accord with the definition. Self-build is also a material consideration.

Key points as set out by available guidance and legalisation.

- In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.
- Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing.

Planning applications for all new dwellings must complete the Self Build/Custom Build Form to confirm and demonstrate that the scheme meets the definitions of self-build and custom-build housing or otherwise confirm this is not applicable to this proposal.

National Requirements

None.

Local List Requirements

Completion of the relevant form on all applications for new dwellings, to confirm whether (or not) the development involves self-build or custom-build dwelling(s).

The Self-Build & Custom-Built Homes - Declaration Form is available on the [Local Validation List](#) page of our website.

Any Policy Links

Policy LP7.

Further Advisory Information

[Self-build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#) and NPPG (Paragraph: 016 Reference ID: 57-016-20210208) sets out the definition of Self Building and Custom Housebuilding.

HMO Requirements

This would apply to the following applications:-

- | |
|--------------------------------------------------------------------|
| <ul style="list-style-type: none">• HMO Applications |
|--------------------------------------------------------------------|

All developments involving the creation of a HMO and / or bedsits

Summary

These are requirements in addition to all other validation requirements when a House of Multi Occupation proposal is made.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

For all HMO proposals the following shall be provided:-

- A block plan showing the Parking provision / arrangement to serve the HMO. If none is proposed, please confirm.
(Please note - A minimum of 1 off-street car parking space per tenancy unit or bedsit and each parking space must be capable of being used independently of one another.)
- A block plan showing how all residents of the HMO or block of bedsits have existing/proposed access to adequate space for the storage of waste and recycling bins which will be provided within the curtilage of the block. If none is proposed, please confirm.
- A clear management plan/statement providing full details of the management of the HMO/bedsits, including responsibility of all spaces, and maintenance plans for all internal and external spaces.
- Existing and proposed floor plans must be provided and these shall be drawn to an appropriate scale, 1:50 or 1:100, shall include at least two key dimensions (in metric), a scale bar to accurately reflect the scale that the plan is drawn to and details shown on the floor plan(s) should be consistent with the associated elevations, i.e. position/size of windows and doors.

(Please note - Sufficient information to demonstrate the size of each proposed HMO or bedsit shall be provided and the policy requirement being a minimum internal floor area of 12sqm for HMO's and 16sqm for bedsits should be considered. Furthermore the policy requirement that no more than six tenancy units or bedsits will be served by a single indoor communal facility such as a living room, dining room or kitchen should be considered).

Any Policy Links

Policy LP11(e)(f) and LP11(b, c & d).

Further Advisory Information

None.

Site Location Plan/Sketch Plan showing the location of the Trees

This would apply to the following applications:-

- Tree Applications

All Tree applications.

Summary

The Plan shall identify the proposed site area and clearly identify the location of the tree/trees.

National Requirements

A plan which identifies the land to which the application relates.

Local List Requirements

The Plan shall identify the proposed site area and clearly identify the location and species of the tree/trees.

Any Policy Links

None.

Further Advisory Information

<https://www.gov.uk/guidance/making-an-application#Plans-and-drawings>

Supporting Evidence For Trees

This would apply to the following applications:-

- | |
|---------------------------------------------------------------------|
| <ul style="list-style-type: none">• Tree Applications |
|---------------------------------------------------------------------|

Where there has been a claim of a diseased tree or subsidence caused by the tree.

Summary

This should include full arboricultural reports and surveys.

National Requirements

None.

Local List Requirements

A full arboricultural report and survey shall be provided to demonstrate:

- Evidence of disease and / or subsidence caused by the tree.
- Recommended actions.

Any Policy Links

None.

Further Advisory Information

None.

Site Location Plan for Advertisement Consent

This would apply to the following applications:-

- | |
|-------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Advert Consent Applications |
|-------------------------------------------------------------------------------|

For all development proposals with an advert.

Summary

The Site Location Plan shall identify the proposed site area on an ordnance survey style map. This is done by outlining the application site in one continuous red line. Any other land in the applicant's ownership shall be outlined in a blue line.

National Requirements

A plan which identifies the land to which the application relates. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

The plan shall:

- Identify the proposed site area on an ordnance survey style map and outlined in one continuous red line.
- Any other land in the applicant's ownership shall be outlined in a blue line.
- Be scaled at 1:1250 or 1:2500 (including the relevant scale bar).
- Include a north point.
- Include at least one named road.

Any Policy Links

None.

Further Advisory Information

<https://www.gov.uk/guidance/making-an-application#Plans-and-drawings>

<https://www.legislation.gov.uk/uksi/2007/783/regulation/9/made>

Block Plan / Site Layout Plan for Advertisement Consent

This would apply to the following applications:-

- | |
|-------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Advert Consent Applications |
|-------------------------------------------------------------------------------|

All applications for advertisement consent.

Summary

The Block Plan / Site Layout Plan shall identify the position of the proposed advertisement.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

The Block Plan / Site Layout Plan:

- Must accurately show the size and position of the proposed advertisement in context and not just be a larger scaled red lined site plan.
- Shall be drawn to a scale of 1:200 or 1:500, and include the direction of North.
- MUST accurately show the footprint / outline of site boundaries, adjacent buildings etc so that impact on amenity can be assessed.
- Shall show the proposed development in relation to the site boundaries and other existing buildings, with written dimensions including those to the boundaries (from the proposed development where relevant).

Please note that drawings are placed on the relevant Council's website, therefore written dimensions are important for members of the public to understand what is being proposed.

Any Policy Links

None.

Further Advisory Information

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (legislation.gov.uk)

Elevations for Advertisement Consent

This would apply to the following applications:-

- | |
|-------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Advert Consent Applications |
|-------------------------------------------------------------------------------|

All advertisement consent where the advertisement is attached to a building.

Summary

Elevations are what a building or structure looks like from the outside.

Elevation Plans (existing and proposed) are required to show before and after the proposed advertisement is in situ.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

Existing and proposed elevations shall show what the structure looks like before and after the proposed advertisement. Only elevations affected by the development need to be provided.

- Elevation drawings should be drawn to an appropriate scale, 1:50 or 1:100.
- Shall include at least two key dimensions (in metric).
- Drawings should include a scale bar to accurately reflect the scale that the plan is drawn to.
- The materials to be used should be annotated on the drawings.
- Extent of projection from the building (if applicable).

Any Policy Links

None.

Further Advisory Information

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (legislation.gov.uk)

Detailed Plan of Advertisement for Advertisement Consent

This would apply to the following applications:-

- | |
|-------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Advert Consent Applications |
|-------------------------------------------------------------------------------|

All advertisement consents.

Summary

Detailed plan to show the proposed advertisement(s).

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

- Shall be drawn to a scale of 1:20 or 1:50.
- Plan should be consistent with the measurements and details contained within the application form.
- Shall include details of materials, illumination, colour finishes.
- Extent of projection from the building (if applicable).

Any Policy Links

None.

Further Advisory Information

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (legislation.gov.uk)

Full description / schedule of proposed changes or details of the matter

This would apply to the following applications:-

<ul style="list-style-type: none">• S73 Planning Applications	<ul style="list-style-type: none">• Non Material Amendment
<ul style="list-style-type: none">• Discharge of Conditions and Compliance with Condition	

All developments

Summary

Details clearly showing the proposed amendments or information to consider alongside the approval.

National Requirements

Any other plans, drawings and information necessary to describe the development which is the subject of the application. Must be drawn to an identified scale and, in the case of plans, must show the direction of North.

Local List Requirements

Householder developments:

- A copy of the approved plan(s) that you are changing/discharging
- The revised plan(s) with an updated drawing number(s) highlighting the proposed changes.
- A clear list of changes (annotated on the plan or as a separate document) or matters to discharge .

All other developments in addition:

- A side by side schedule of approved plans, proposed plans and summary of changes. If no changes are proposed to an individual plan, please show as 'no changes'.
- All new plans where changes are proposed including an updated drawing number (which tallies with the proposed plans list in the schedule).

The plans provided must comply with all other national and local requirements (i.e. scale etc)

For compliance of condition applications, a statement/evidence to explain how the development has been commenced and when.

Any Policy Links

None.

Further Advisory Information

None.

Requirements for Permission in Principle

This would apply to the following applications:-

- | |
|--------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Planning In Principle Applications |
|--------------------------------------------------------------------------------------|

All Permission in Principle applications

Summary

Details for a Permission in Principle.

National Requirements

National Requirements are:

- a completed application form
- a plan which identifies the land to which the application relates, drawn to an identified scale and showing the direction of North
- the correct application fee

Local List Requirements

Please see other validation requirements for site location plans.

Any Policy Links

None.

Further Advisory Information

None.

Requirements for Technical Details Consent

This would apply to the following applications:-

- Technical Details Consent

All Technical Detail Consent applications.

Summary

Requirements of Technical Details Consent are the same as FULL application national and local list requirements

National Requirements

National Requirements are:

- a completed application form
- a plan which identifies the land to which the application relates, drawn to an identified scale and showing the direction of North
- the correct application fee

Local List Requirements

All plans and detailed requirements as applies to FULL applications.

Any Policy Links

None.

Further Advisory Information

<https://www.gov.uk/guidance/permission-in-principle#:~:text=What%20is%20the%20technical%20details,planning%20permission%20for%20the%20development.>

Requirements for Deed of Variation Applications over 5 years

This would apply to the following applications:-

- Deed of Variation Applications.

For all Deed of Variation requests for obligations over 5 years old.

Summary

Documents required to support the submission of a Deed of Variation Request.

National Requirements

An application for the modification or discharge of a planning obligation shall include–

- the information required by the application form;
- a map identifying the land to which the obligation relates; and
- such other information as the applicant considers relevant to the determination of the application.
- completion of prescribed land ownership notices and certificates required by the legislation.

Local List Requirements

As well as the application form and fee, the submission should be accompanied by:

- Completed land ownership notice.
- Copy of the legal agreement to be varied, and any existing Deed of Variation(s).
- A map of the land covered by the obligation.

Any Policy Links

None.

Further Advisory Information

The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (legislation.gov.uk)

Requirements for Deed of Variation Applications under 5 years

This would apply to the following applications:-

- Deed of Variation Applications.

For all Deed of Variation requests for obligations under 5 years old.

Summary

Documents required to support the submission of a Deed of Variation Request.

National Requirements

None.

Local List Requirements

As well as the application form and fee, the submission should be accompanied by:

- Copy of the legal agreement to be varied, and any existing Deed of Variation(s).
- A map of the land covered by the obligation.

Any Policy Links

None.

Further Advisory Information

Town and Country Planning Act 1990 (legislation.gov.uk)

Evidence

This would apply to the following applications:-

- Lawful Development Certificates.

All developments for Existing Lawful Development Certificates.

Summary

Such evidence verifying the information in the application as can be provided and such other information as is considered to be relevant to the application.

National Requirements

Such evidence verifying the information included in the application as the applicant can provide

Local List Requirements

It is up to the applicant to produce the evidence in support of the application.

This could include:

- Proof that any building was ‘substantially complete’ more than ten years before the date of the application
- Proof that any use (or breach of condition) has been carried on continuously for a period of ten years

Information that could be used to support an application, but not limited to, could be:

- Sworn affidavits from previous employees, suppliers, contractors etc. who have had dealings with the business in the past
- Receipts and Invoices for goods and services
- Vehicle registration documents
- VAT Receipts for Commercial Businesses
- Previous rates, council tax, community charge bills
- Any photographs indicating the previous use of a site
- Original property sales details relating to the land or buildings

The Council needs a range of factual supporting evidence to be able to grant the lawful development certificate.

If the applicant has evidence that might tend to disprove the case, the applicant risks prosecution, and revocation of any lawful development certificate granted, if he or she withholds it.

Any Policy Links

None.

Further Advisory Information

Town and Country Planning Act 1990 (legislation.gov.uk)