



# **NATIONAL VALIDATION REQUIREMENTS LIST**

**Advice for officers, applicants and agents**

**12 May 2015**

## INTRODUCTION

The following validation checklist relates to planning applications and provides details of the mandatory national information specified in the Town and Country (Development Management Procedure) England Order 2015 (DMPO). The requirements in this document are obligatory and must be met if an application is to be accepted as valid

In addition to the requirements contained in this document, Arun District Council also has local validation requirements which are contained in the Local Validation Requirements List, The Householder Local Validation List and Listed Building Validation Requirements List . However, depending on the nature of the proposal and its location, the local information may not always be necessary. Where it is deemed necessary, it will carry the same weight as the national requirements. This means that if an application is submitted without the required information the Council will not be able to accept the application as valid. It is essential therefore that both the National and Local Validation Requirement Lists are referred to before formally submitting an application, and that the list of requirements is carefully scrutinised to ascertain its applicability to a particular development proposal. Pre-application advice applications, particularly in respect of major development proposals are strongly encouraged to assist in this process. Please note the Householder Validation Requirements List combines both the National and Local Requirements into one document.

Should it be established following validation of the planning application that information should have been submitted prior to its validation, a request for further information and/or clarification may result in the application being regarded as invalid and the eight/thirteen week timescale for determination reverting back to the date on which any revised information/clarification as deemed necessary within the checklists is submitted. In some circumstances, a new application will be required.

If you have any queries on the validation requirements please contact the Technical Support Unit on 01903 737711

## **NATIONAL VALIDATION REQUIREMENTS**

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2. OWNERSHIP CERTIFICATES AND AGRICULTURAL LAND DECLARATION
3. DESIGN AND ACCESS STATEMENT
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11. ENVIRONMENTAL IMPACT STATEMENT
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13. CERTIFICATE OF LAWFULNESS APPLICATIONS

## 1. COMPLETED FORM

This is required to be completed in its entirety. Please provide 3 copies of the form and accompanying documentation unless you are submitting electronically via the planning portal.

## 2. OWNERSHIP CERTIFICATES AND AGRICULTURAL LAND DECLARATION

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 13 of the DMPO, the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission **must** include the appropriate certificate of ownership. An ownership certificate A, B, C or D **must** be completed stating the ownership of the property. Where the site includes an agricultural holding, all agricultural tenants must be notified prior to the submission of the application and their details must be included on the relevant certificate

It should be noted that in the event of any part of a new development including guttering, foundations or opening windows overhanging or crossing onto a neighbouring boundary, ownership certificate A should not be issued. Notice should be served on the owner and an alternative certificate completed.

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

### Notice(s)

A notice to owners of the application site **must** be completed and served in accordance with Article 13 of the DMPO. There are three versions of this notice, and they can be downloaded from our website:

<http://www.arun.gov.uk/making-a-planning-application>

Householder Article13 Notice, Minor Commercial Article 13 Notice and Full Planning Article 13 Notice.

## 3. DESIGN AND ACCESS STATEMENT

A design and access statement is required for an application for **planning permission** for

- major development<sup>1</sup>
- where any part of a proposed development is in a designated area<sup>2</sup> consisting of one or more dwelling houses<sup>3</sup> or a building/s where the floor space created by the development is 100 square metres or more.

<sup>1</sup>'major development' means development involving any one or more of the following

- the winning or working of minerals or the use of the land for mineral-working deposits
- waste development

- the provision of dwelling houses where the number of dwelling houses to be provided is 10 or more or the development is to be carried out on a site having an area of 0.5 hectares or more and where it is not known whether the number of proposed dwelling houses is 10 or more
  - the provision of a building or buildings where the floor space to be created by the development is 1,000square metres or more or
  - development carried out on a site having an area of 1 hectare or more.
- <sup>2</sup>'designated area' is a Conservation Area or a World heritage Site
- <sup>3</sup>'dwelling house' does not include a building containing one or more flats, or a flat contained within such a building

This **does not** apply to applications for **planning permission**

- to develop land without compliance with conditions previously attached, made pursuant to section 73 of the Town & Country Planning Act 1990(a)
- to replace an extant planning permission in order to extend the time limit for implementation
- for approval of reserved matters following outline approval
- for engineering or mining operations
- for a material change in use of the land or buildings or
- waste development.

A design and access statement shall

- explain the design principles and concepts that have been applied to the development
- demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account
- explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account
- state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation and
- explain how any specific issues which might affect access to the development have been addressed.

#### 4. APPROPRIATE FEE

The fee for planning submissions is variable dependent on planning type.

The Planning Portal has produced a fee calculator to enable applicants to calculate the fee required to accompany any planning application.

<https://1app.planningportal.co.uk/FeeCalculator/Standalone>

It should be noted that fee requirements and levels are decided by Government and Arun District Council has to abide by National requirements.

Some categories of application are exempt from a fee.

Concessions may be available for development entirely connected with proposals for disabled access to public buildings or for development needed **solely** for a disabled

person. You are advised to check with the Technical Support Unit if you believe your application may benefit from an exemption.

## 5. LOCATION PLAN

**The Town and Country Planning (Development Management Procedure)(England) Order 2015 states that an application needs to be accompanied with a plan which identifies the land to which an the application relates (This is commonly known as a Location Plan)**

All applications **must** include copies of a location plan based on an up-to-date map. This should be at a scale of 1:1250 for an urban area or 1:2500 for a rural area.

In exceptional circumstances plans of other scales may also be required. Plans should wherever possible show at least one named road and where possible two and surrounding buildings. If the location is in a highly rural area it may not be possible to include named roads on a plan of this scale in which case please ring to discuss an alternative solution. The properties shown should be numbered or named to ensure that the exact location of the application site is clear and **must** include a north point.

The application site **must** be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings. It is not acceptable to edge a plan in blue, pink or black. Only red edged plans will be accepted.

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

We are also able to accept location plans produced via the Planning Portal.

## **OTHER PLANS, DRAWINGS AND INFORMATION NECESSARY TO DESCRIBE THE DEVELOPMENT WHICH IS THE SUBJECT OF THE APPLICATION**

**The Town and Country Planning (Development Management Procedure)(England) Order 2015 states that an application needs to be accompanied by any other plans, drawings and information necessary to describe the development which is the subject of the application. The DMPO Procedure Order does not specify beyond this but custom and practice has established that these are the block plan, floor plans, elevations, sections and roof plans as specified below**

## 6. BLOCK/SITE PLAN

All applications **must** have a Block Plan at scale 1:500 or 1:200 and it should show

- a) the direction of North;
- b) the proposed development in relation to the site boundaries and other existing buildings on the site with any new buildings/work to be clearly indicated on the plan (hatched, highlighted or clear written dimensions). Written dimensions to boundaries are to be included to assist with the understanding of development

and its relationship to neighbouring properties. If it is more practical such dimensions can be indicated on other plans but must be provided within the application drawings. Dimensions are not required for front porches, dormer windows/roof light proposals.

- c) all the buildings, roads and footpaths on land adjoining the site including access arrangements;
- d) all public rights of way crossing or adjoining the site;
- e) the position of all trees on the site, and those on adjacent land that could influence or be affected by the development;
- f) the extent and type of any hard surfacing and provision of drainage
- g) boundary treatment including walls or fencing where this is proposed

Where all the information required by both a block plan and site plan can be provided on one drawing, and where the scale is no greater than 1:200, we will be willing to accept a combined site and block plan, however, it **must** be titled as such.

## **7. EXISTING & PROPOSED ELEVATION PLANS**

These should be drawn to a scale of 1:50 or 1:100 and should be clearly labelled existing and proposed. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors.

Where a proposed elevation adjoins another building or is in close proximity to it, the drawings should show the relationship between the two.

Where there are no external alterations for example for an application for change of use, it is possible to submit one set of plans but they must not have text or annotations superimposed over the top so that they are unclear for a member of the public to read. They must be clearly labelled existing and proposed.

## **8. EXISTING & PROPOSED FLOOR PLANS**

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail.

Where necessary details of existing walls or buildings to be demolished should be indicated. Where a proposal adjoins another building or is in close proximity to it, the drawings should show the relationship between the two buildings.

Where there is no alteration to the floor plans, for example in the case of a change of use, it is possible to submit one set of plans but they must not have text or

annotations superimposed over the top so that they are unclear for a member of the public to read. They must be clearly labelled existing and proposed.

## **9. EXISTING & PROPOSED SECTIONS AND FINISHED FLOOR/SITE LEVELS**

Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s) or advertisements. In all cases where a proposal involves a change in ground levels, drawings should be submitted to show both existing and finished levels to include details of foundations 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.

## **10. EXISTING & PROPOSED ROOF PLAN**

A roof plan for dormer extensions/roof alterations is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material and their location are typically specified on the roof plan.

## **11. ENVIRONMENTAL STATEMENTS**

An Environmental Statement is needed for certain types of development, these are usually but not always major developments. Information can be found in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. You can seek a formal opinion (a screening opinion) from the Local Planning Authority as to whether and Environmental Impact Statement is needed before you submit your planning application. If a statement is needed you can also ask the Authority to advise upon what it should contain (a scoping opinion).

## **12. OUTLINE APPLICATION REQUIREMENTS**

Applications for outline planning permission generally need not give details of any proposed reserved matters (Article 7 (3) of the DMPO). However, where an outline

application is being made and access is a reserved matter, the application for outline permission shall state the area or areas where access points to the proposed development will be situated.

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 5 (2) of the DMPO). This situation should not be confused with applications where inadequate information is submitted

### **13. CERTIFICATE OF LAWFULNESS APPLICATIONS**

If you want to be certain that the existing use of a building is lawful for planning purposes or that your proposal does not require planning permission you can get a certificate called a "Lawful Development Certificate" (LDC).

It is not compulsory to have an LDC but there may be times when you need one to confirm that the use, operation or activity named in it is lawful for planning control purposes.

The issues involved in LDCs are complex and if you decide you need to apply for a certificate you might benefit by obtaining professional advice. The onus is on applicants to prove lawfulness on a balance of probabilities and it is therefore vital that we receive all the information necessary to arrive at a decision on your application.