

APPENDIX 2

South Hams District Council

South Hams Local Development Framework 2001 – 2016

Validation of Planning Applications

Town and Country Planning (Local Development) (England) Regulations 2004
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1998

June 2006

Validation of Planning Applications

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1 Introduction and Justification

Introduction

- 1.1 This guidance has been prepared to advise developers, agents and other applicants making an application for planning permission, or other consents granted by the planning service about the information required by the Authority to properly validate and determine the application. Its aim is to provide certainty for developers about the level of information that the Authority expects to accompany an application. The document has been compiled in association with other Authorities that form part of the South West Development Control Best Practice Group so as to ensure a consistent approach is taken throughout the region.
- 1.2 South Hams District Council adopted this guidance in June 2006. Following this resolution the Local Planning Authority will not register an application as valid, and therefore refuse to determine an application, unless the information required by this document is provided. Should an application be treated as invalid under Article 5(4) of the Town and Country Planning (General Development Procedure) Order 1995 (GDPO), the Planning Authority is expected to provide sound reasons for doing so, and this document provides a basis for this reasoning.
- 1.3 The guidance is consistent with the Government's objectives to provide a quicker, more efficient planning system. Currently, planning authorities may register an application as invalid if it is felt the application can not be reasonably determined without additional information. However, there is often an inconsistent approach to this, providing uncertainties, delays and failure to meet targets set by government. The guidance offers a benchmark against which applications will be accepted, ensuring that all the necessary information is submitted upfront, so that delays caused by the requirement of additional information can be avoided.
- 1.4 The purpose of this guidance is to outline just what is required so that the application may be properly determined in accordance with relevant legislation and within the accepted time limits. Everybody can become frustrated with the delays occurring within the planning system, and this document is an attempt at reducing these.
- 1.5 **A separate advice note has been prepared for householders. This provides the guidance appropriate for this usually more straightforward type of development.**

Justification for Guidance

- 1.6 The preparation for this guidance has been prepared in accordance with ODPM's publication "Best Practice Guidance on the Validation of Planning Applications (2006)"; and in accordance with the relevant powers and provisions of the Planning Acts and associated secondary legislation. The power to direct applicants to submit additional information is contained within the Town and Country Planning (Applications) Regulations 1988, and the power enabling Local Planning Authorities to refuse to register an application is contained within the GDPO 1995.
- 1.7 This guidance is consistent with the adopted and proposed Development Plan policies. It has also undergone a process of Sustainability Appraisal to ensure that the principles of sustainable development are an inherent part of the document, and as such, is at the heart of all development proposals and decision making in respect to all new development.
- 1.8 Furthermore, this guidance is also consistent with the policies and principles contained within the Devon Structure Plan, and where relevant, the Devon County Minerals Local Plan and emerging Waste Local Plan. It is also consistent with the levels and type of information required to accompany applications as set out in the various Planning Policy Guidance Notes, Planning Policy Statement's and other national guidance.

2 General Procedures

Pre-application discussions

- 2.1 South Hams District Council encourages pre-application discussions with the planning authority for all types of application. This approach is consistent with government guidance, and will ensure applicants are aware of the information contained in this document. This is particularly useful for larger and more complex schemes and can help applicants identify the information and details that should be submitted alongside their applications.
- 2.2 Entering into pre-application discussions with planning officers can help identify the level of information required to be submitted alongside an application. It should be noted that contact with other organisations or professional consultants prior to submission is also essential. For example, the Environment Agency should be contacted where a development may fall within an indicative flood-plain, or the County Highway Authority where access, car parking or other highway considerations are likely to be an issue.

Outline Applications

- 2.3 Applications for Outline planning permission generally need not give any details of any of the proposed reserved matters. However, where the Council receives an application for outline permission, but considers that the application can not be determined without some, or all, of the reserved matters, it must notify the applicant that it is unable to determine it until further information is submitted. Under the GDPO, Local Planning Authorities have one month to notify the applicant that more information is required, but as a matter of course, we shall try and notify applicants within 5 working days.

3 Specific Requirements

- 3.1 The remaining sections advise applicants of the information that will be required to be submitted alongside an application. This is split into 3 Parts. Part 1 provides the compulsory information required for all planning applications. Part 2 provides the compulsory items that will be required on certain types of development. And Part 3 is a generic list that may be appropriate for any development type, but may only be required in certain circumstances. It is important developers consider the information in Part 3 in all cases. If in doubt, applicants should always seek advice from the LPA. An explanation of the terms referred to are listed in Appendix 1.
- 3.2 Applicants should also have regard to the following requirements prior to the submission of an application. Whilst they are not required as a result of this guidance, they may be required legally under different parts of the Act, or other Regulations.

Environmental Statement

- 3.3 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 require developers to prepare an Environmental Statement to enable the LPA to give proper consideration to the likely environmental effects of a proposed development. Developments that may require an Environmental Statement to be prepared fall under developments listed under Schedule 1 and those Schedule 2 applications defined under the Regulations. These are likely to have significant effect on the environment by virtue its nature, size and location.

Planning Obligations (under s106 of the TCPA 1990)

- 3.4 Occasionally, development may have an over-burdening impact on the surrounding infrastructure, facilities or amenities. For example, development could lead to additional capacity on the highway network, or could lead to saturation of local schools. This over-burden on local services is a material consideration in determining a planning application. Government policy suggests that where existing infrastructure can not cope with the needs of new development, it would be expected that contributions are made by the developer to meet these needs. Where problems can not be resolved on site, or certain works must be carried out by other bodies, financial contributions may be sought that reasonably address the developments impact on infrastructure provision.
- 3.5 This process is often made through legal agreements made between the developer, the LPA and anyone else with a legal interest in the land under the provisions of Section 106 of the Town and Country Planning Act 1990. In such cases, South Hams District Council will not register an application until draft heads of terms have been submitted with the

application. Applicants are therefore encouraged to begin negotiations early, and instruct solicitors to avoid unnecessary delay at a later date. South Hams District Council appreciates that S106 negotiations are lengthy and time consuming, but applicants must appreciate that the LPA will be in a better position to determine an application once legal agreements regarding contributions are in place.

4 Part 1: Compulsory Information

4.1 The following list sets out the minimum level of information applicants are expected to submit with any planning application.

Compulsory Items:

4.2 Based on planning legislation, the following must be submitted with any type of planning application;

- 6 copies of the completed planning application form, signed and dated;
- 6 copies of the completed signed and dated Certificate (A, B, C or D);
- 6 copies of Part 1 Notice 'Notification to Owner' (if Certificate B is completed);
- 6 Original and the required number of copies of the location plan (Ordnance Survey based), at a scale of 1:1250 or 1:2500 or larger, or at an appropriate scale to show at least two main roads and surrounding buildings. The direction of North should also be shown. The application site should be edged clearly with a red line and a blue line must be drawn around any other land owned by the applicant;
- The correct fee.
- Any other plans and drawings and information necessary to describe the development.
- All applications except those for engineering operations, changes of use or householder applications outside the AONB and Conservation Areas must include Design and Access Statements. All applications for Listed Building Consent must include such Statements.

- **The completion of Part 2 of the Form will only be required if the application involves industrial, shopping, warehousing, commercial storage or office use.**

NB: See relevant application forms for the correct number of copies.

Where an application is submitted electronically, the references to the number of documents submitted may be ignored.

5 Part 2: Information by Development type

Full Planning Applications (including Householder applications)

- 5.1 If you are submitting details of new buildings, alterations, engineering works or extensions, 6 copies of the following additional plans will be required;
- Block plan of the site to a scale of not less than 1:500 showing existing features of the site e.g. walls, buildings, other structures and boundary treatments. Applicants will also need to show any trees on site and indicate their location, including species, girth and spread on the map;
 - Existing and proposed elevation to a scale not less than 1:100;
 - Existing and proposed floor plans at a scale of not less than 1:100;
 - Proposed cross sectional drawings to a scale not less than 1:100;
 - Site plan at a scale of not less than 1:500 showing proposed features e.g. a landscaping scheme.
 - The site plan shall include all adjacent buildings and where there is a change in levels this shall be supported with cross sections to enable the impact on adjoining lanes to be assessed.
- 5.2 Drawings shall clearly outline any materials or finishes to be used. This may include render type and colour, roofing slate, eaves and verge details, and door or window styles.
- 5.3 Applicants shall submit a full planning statement to support their application. It is often useful to submit photo/digital montages or schematic drawings that give an accurate impression of the proposed development. However, this is not essential on all planning applications, but must be considered where the impact of the proposed development on the surrounding area can not properly be considered by elevation drawings alone. Elevation drawings should show adjacent buildings.
- 5.4 Applicants must also consider the submission of a Flood Risk Assessment with all applications that are appropriate to the scale and nature of the proposed development. (See also paragraph 6.7 and the need to consult the Environment Agency).

Other Applications

- 5.5 Applications that are submitted for a Change of Use, Advertisements, Agricultural Determinations, Listed Building Consent, and Telecommunications must submit the following information as well the compulsory items referred to in Part 1. Applicants should acknowledge that in many cases these developments may require additional information that fall under the requirements of full planning applications, or items listed under Part 3.

Change of Use

- 6 copies of the site location plan to a scale not less than 1:500;
- 6 copies of the existing and proposed floor plans at a scale of not less than 1:100;
- Structural Survey;
- Viability Assessment (see notes in paragraph 6.17).

Applications for Advertisement Consent

- 4 copies of all proposed advertisement drawings showing the size, location on the building or land, materials to be used, colours and the extent of projection;
- If the advertisement is to be illuminated, details must be given outlining full specification details of the illumination including colour;
- 4 copies of all existing and proposed elevations if advertisement is to be erected on a building;
- Photomontages;
- 4 copies of supporting drawings outlining the proposed advertisement in relation to adjacent buildings.

Prior Approval for Agriculture

- 2 copies of site location plan, at a scale of 1:1250 or 1:2500 or larger showing the boundaries of the site, the position of existing buildings and the position of all new buildings.

Listed Building and Conservation Area Consent

- 3 copies of the site location plan to a scale of not less than 1:500 showing the boundaries of the site, the position of all existing buildings and the position of new extensions and buildings;
- 3 copies of the existing and proposed elevations where alterations are to be made, to a scale not less than 1:100;
- 3 copies of existing and proposed floor plans of any proposed extension or building;
- 3 copies of cross-sectional drawings of any proposed extension or building;
- 3 copies of detailed drawings to a scale not less than 1:20 to show all new doors, windows, shop-fronts, panelling, fireplaces, plaster moulding and decorative details;
- Supporting Planning Statement;
- Design and Access Statement;
- Photomontages.

Approval of Telecommunications developments

- Evidence of consultations with bodies such as the Parish Council, nearby schools, Civil Aviation Authority Ministry of Defence;
- A signed declaration that the equipment and installation fully complies with the ICNIRP requirements;
- Site type (micro, macro or picocell);
- Area of search for alternative sites;
- Details of the proposed structure including the type of the structure and its dimensions, height of existing building and details of the size of equipment housing and materials;
- Design Statement;
- Technical information including frequency, modulation characteristics, power output and the height of the proposed antenna;

- Technical justification – details about the purpose of the site and why the particular development is required, confirmation that industry site database has been checked for possible sites to share; details and reasons for rejecting other sites;
- Visual impact assessment;
- Details of all consultations;
- Acoustic Report.

Applications for New Dwellings

- 5.6 The following list outlines the information that will be expected to be accompanied with all applications for new dwellings.

Minor Applications

- Affordable Housing Statement
(Developers should refer to the Councils Affordable Housing SPG)
- Assessment for the treatment for foul sewage
- Design Statement and Access Statement
- Landscaping details
- Site Survey
- Surface Water Drainage
- Supplementary Planning Statement
- Utilities Statement

Major Applications (10+ houses or >0.5ha)

- Design and Access Statement
- Affordable Housing Assessment
(Developers are should refer to the Councils Affordable Housing SPG)
- Assessment for the treatment for foul sewage
- Landscaping details
- Lighting Scheme
- Open Space Statement
- Transport Assessment
- Treatment for foul sewage
- Site Survey
- Surface Water Drainage
- Supplementary Planning Statement
- Utilities Statement
- Visual Impact Assessment
- Waste Audit Statement
- Secure by Design Statement

New Shops (A1 Use)

- 5.7 The following list outlines the information that will be expected to be accompanied with applications relating to new shops.

Minor

- Design Statement and Access Statement
- Landscaping
- Site Survey
- Surface Water Drainage
- Supplementary Planning Statement
- Treatment of Foul Sewage
- Utilities Statement

Major (> 1000 square m of floorspace or site >1ha)

- Design Statement and Access Statement
- Travel Plan
- Landscaping
- Lighting Scheme
- Noise Impact Assessment
- Regeneration Statement
- Retail Assessment
- Site survey
- Surface Water Drainage
- Supplementary Planning Statement
- Transport Assessment
- Treatment of Foul Sewage
- Utilities Statement
- Visual Impact Assessment
- Waste Audit Statement

Restaurants/ Takeaways (A3, A4, A5)

- 5.8 The following list outlines the information that will be expected to be accompanied with applications relating to new shops.

- Design and Access Statement
- Lighting Scheme
- Supplementary Planning Statement
- Treatment of Foul Sewage (including provisions for fat removal)
- Ventilation details – Noise and Odour
- Waste Audit Statement

New Places of Employment: (A2, B1, B2, B8)

5.9 The following list outlines the information that will be expected to be accompanied with all applications relating to new places of employment, or industrial premises.

Minor

- Design and Access Statement
- Site Survey
- Supplementary Planning Statement
- Treatment of Foul Sewage
- Utilities Statement

Major (+ 1000 square metres or site >1ha)

- Design and Access Statement
- Travel Plan
- Landscaping Scheme
- Lighting Scheme
- Noise Impact Assessment
- Open Space Statement
- Regeneration Statement
- Site Survey
- Supplementary Planning Statement
- Treatment of Foul Sewage
- Utilities Statement
- Visual Impact Assessment
- Waste Audit Statement

NB – Applicants must ensure that when applying for a development falling within a B1 Use Class, B1 use. That the business will be capable of operating within any residential area without causing detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Conversion of any redundant Agricultural Building

- The following list outlines the information that will be expected to be accompanied with all applications converting any redundant Agricultural Building.
 - Access and Design Statement
 - Affordable Housing Statement
(Developers should refer to the Councils Affordable Housing SPG)
 - Assessment for the treatment of foul sewage
 - Assessment of Agricultural activity
 - Nature Conservation/Ecology Assessment
 - Historical/ Archaeological Assessment
 - Landscaping details
 - Structural Survey
 - Supplementary Planning Statement
 - Utilities Statement
 - Viability Assessment
 - Waste Audit Statement
 - Surface Water Drainage Assessment

6 Part 3: Detailed Information

- 6.1 The following list provides applicants with the types of information the LPA will expect to be submitted with applications for planning permission in certain circumstances. These will only apply at certain times and are therefore not listed under Part 2 of the guidance. Should the proposed development fall within the criteria listed below, then the applicant will be expected to provide the information as part of an application. A full description of each of these are listed in Appendix 1, the following list explains the circumstances in which these are needed.

Access and Design Statement

- 6.2 An Access and Design Statement will be required for all development proposals that are set out in Para.4.2.

Air Quality Assessment

- 6.3 The Council will require an applicant to submit an Air Quality Assessment with any application that requires a permit under the IPPC Regulations or Waste Management Licensing Regime. When assessing whether such an assessment is required, the developer should also have regard to whether the development would;
- Result in increased traffic congestion, or create a change in traffic volumes or vehicle speed;
 - Significantly alter the traffic composition in an area (i.e. bus stations, HGV Parks etc);
 - Include proposals for new car parking (>300 spaces) or coach/ lorry parks; or
 - Have an affect on sensitive areas such as ecological sites, or areas previously defined as having poor air quality (including air quality management areas).

Assessment of Agricultural activity

- 6.4 Any proposal involving agricultural land and non-agricultural development will require an assessment of agricultural activity. This is particularly important for any development that involves an interaction between residential occupation and agricultural activity as to ensure the interests or amenity of one is not affected by the actions of the other.

Contaminated Land Reports

- 6.5 Development that is to be carried out on Brownfield sites must be accompanied by a Land Contamination Report. This is of particular importance at sites proposed for development that is known or suspected to be contaminated, or if the proposed use is sensitive and would otherwise be vulnerable to the effects of contaminated land.

Travel Plan

- 6.6 Any non-residential development that requires a Transport Assessment to be submitted (see below) will require a travel plan.

Flood Risk Assessment

- 6.7 A Flood Risk Assessment is required with all planning applications that are appropriate to the scale and nature of the development proposed. The level of detail that would be required, would also depend upon whether the development fell within an area that has a high risk of flooding. Flood Risk maps and flooding history are available from the Environment Agency.

Historical Features/archaeological appraisal

- 6.8 An archaeological appraisal will be required for any new build, where the proposed development will take place within an area of historical interest or upon green field land.

Listed Building Appraisal

- 6.9 All applications for works affecting a Listed Building will be accompanied with a Listed Building appraisal.

Mineral Consultation Areas

- 6.10 Whilst SHDC are not the Mineral Planning Authority, it is recommended that applicants wishing to develop within Mineral Consultation Areas (MCA) seek advice from both the LPA and County Council prior to the submission of an application. Where development is proposed to take place within MCA, the applicant will be expected to demonstrate that there will be no adverse impact on the mineral reserve, or, if it is likely to have an adverse effect, that there is an overriding need for that development. Developers wishing to develop within the MCA are guided to a consultation procedure outlined in the Devon County Minerals Local Plan.

Nature Conservation/ecology Assessment

- 6.11 An ecological assessment will be required to be submitted with all applications where the site is;
- On or adjacent to designated statutory or non statutory wildlife site
 - On or adjacent to a site known or likely to support a rare or protected species
 - A conversion, or works affecting the roof, of barns, mills, traditional or derelict properties and buildings in the open countryside and rural fringe
 - On green field development including proposals on, or adjacent to, farmland, woodland, hedgerows and orchards
 - On a site on or adjacent to the coastline, estuaries, rivers or wetlands
 - A quarry, cave, bridge or culvert
 - A site which requires a Environment Statement

Noise Impact Assessment

- 6.12 Applications for development that have the potential to generate new sources of noise and will have an impact on existing land uses will require a noise assessment. This will not only be required for applications for large industrial buildings, but also for smaller developments where the final building may, for example, be used with

power tools, or to house air conditioning/ refrigeration units. Applications for noise-sensitive developments such as new housing may also require such a survey to demonstrate that the amenity to the users of such a development will not be by affected existing levels or noise.

Private Water Supplies

- 6.13 Applications where a private water supply is to be installed will require the applicant to prove that the water serving the proposed development is ‘wholesome’. Applicants will also have to prove that the proposed development will not have a detrimental effect on other supplies already in use in the immediate area.

Protection of controlled Waters

- 6.14 New developments should ensure that all diffuse and point sources of pollution such as that caused by surface water run-off, does not cause harm to ground and surface waters. All applications for new development should therefore take account of the diffuse pollution that may be created, and ensure that remedial measures have been considered.

Transport Assessment

Use	Land use	Threshold (> than)_
A1, A2, A3, A4, A5		1000 m ²
B1	Business	2500m ²
B2	Employment	5000m ²
B8	Storage Distribution	10,000m ²
D1	Non residential	2500m ²
D2	Assembly and Leisure	1000m ²
Sui generis		1000m ²

Tree Survey

- 6.15 A Tree Survey or arboricultural implication study will be required for all applications where there are trees, or large areas of shrubs, on or adjacent to the site. Even if the development proposals do not include lopping or felling of trees, evidence must be given to show that the effect upon the well being of these trees. Trees with trunks exceeding 10cm in diameter measured 1m above ground level that are to be felled or lopped shall be identified.

Ventilation Details – Noise/Odour

- 6.16 Development that includes proposals, for example, commercial kitchens or activities likely to give rise to odourous emissions will require details outlining the intended means of ventilation.

Viability Assessment

- 6.17 Development (predominately involving a change of use) that results in the loss of a particular use of benefit to the community will require an assessment to be submitted with the application that outlines the market

evidence for justifying that loss. This is particularly important where development may result in the loss of local services, or agricultural buildings.

Waste Audit Statement

- 6.18 A Waste Audit Statement will be required for all development that is expected to produce significant levels of waste from both the construction phase and those that shall have an overburdening affect on waste collection during the operational lifetime.

Appendix 1: Descriptions of information

Access Statement

- 1.1 Applicants will be required to make provision for access, parking and sanitary conveniences for people with disabilities in all applications concerning buildings that will be accessible to the public. An access statement outlines how the services provided by that building will be made available to all members of the public. Applications this may be applicable to includes offices, shops, factories, schools, other public access areas and may also include proposals for new housing schemes.

Affordable Housing Statement

- 1.2 The Council has recently adopted SPG on Affordable Housing. This accompanies development plan policy SHDC2 and provides guidance to developers outlining commitments to providing affordable housing. Developers will be expected to provide information demonstrating how the proposed development will address this issue. If it is proposed that different levels or types of affordability or tenure are proposed for different units, then it should be fully explained from the outset. The statement may also be useful in linking the application to any s106 contributions dealing with affordable housing.

Air Quality Assessment

- 1.3 Application proposals that have an impact upon air quality should be supported by an air quality assessment. The assessment should indicate any changes in air quality as a result of a proposed development, and any mitigation measures that may be necessary. Again, this may be incorporated in an Environmental Statement, but this will not always be the case.

Assessment of agricultural activity

- 1.4 Applications that may involve the interaction between agricultural activity and non-agricultural uses will require an assessment of agricultural activity. This is to ensure that any new agricultural development does not have an adverse affect on the amenity of nearby residents. Likewise, any proposed residential development in the countryside, whether a barn conversion or new-build will be required to demonstrate that the proposals will not restrict or unduly hinder existing agricultural activity.

Contaminated Land Reports

- 1.5 Where contamination is known to exist, or the proposed development would be particularly vulnerable to the effects of contamination, the developer should provide sufficient information to enable the Local Planning Authority to properly determine whether the development can proceed. Such a report should examine the existence of contaminated land, its nature and risk upon the proposed development, and what remedial measures are feasible to reduce the contamination to an acceptable level. In accordance with Environment Agency good

practice, an initial risk assessment should be conducted, by carrying out a desk top study and site walk. This assessment should provide the basis of any further detailed assessment that may be required. However, prior to the submission of a planning application for a Brownfield redevelopment, applicants are advised to contact the Council's Environment Health department to discuss what may be required to accompany the application.

Design Statement

- 1.6 Applicable for most applications. This will include the developers reasoning behind the final design. It should also include the proposed materials and colour the applicant wishes to use. Further guidance on design statements is also available in publications by the Commission for Architecture and the Built Environment (CABE).

Flood Risk Assessment

- 1.7 A Flood Risk Assessment should outline any potential risk from flooding that a development may cause upon third parties or the development site itself; and explain how these will be overcome. The level of detail and technical complexity of the Assessment should reflect the level of risk and size of the proposed development. Regard should also be given to how surface water run off will be managed, and its effects on third persons. All Assessments should be carried out by competent persons.

Historical/ Archaeological Appraisal

- 1.8 If a proposed development is likely to take place within a well known area of historical interest or upon green field land, the LPA will expect an initial archaeological appraisal of the site and surrounding area to be undertaken. As a result of the initial appraisal, it may be necessary to commission a full archaeological investigation, the results of which would accompany the planning application. Unless these surveys are undertaken, it will be impossible for the LPA to properly consider an application without a full understanding of the implications of the development upon any features of historical significance, if any, and what measures are proposed to reduce its impact. Supporting information may include plans showing historic features that may exist on, or adjacent to the application site including listed buildings and structures, historic parks and gardens, and historic battle fields.

Landscaping

- 1.9 Landscaping schemes should demonstrate how a development would be landscaped to avoid an adverse impact of the appearance of the development. Details should include locations, heights and densities of any planting that are proposed, and should address the anticipated species and proposals for long term maintenance and landscape management.

Lighting Scheme

- 1.10 Applicants will be expected to provide details of how the development will be lit on all major planning applications, as to ensure that the proposal will not cause detrimental light pollution.

Listed Building Appraisal and Conservation Area Appraisal

- 1.11 The statement should outline the principles of and justification for the proposed works and their impact on the special character of the listed building or structure. Part of the appraisal will also include a schedule of works to the listed building(s) and an analysis of the significance of archaeology, history and character of the building/structure. The scope and degree of detail necessary in the written justification will vary according to particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made.

Nature conservation/ecological Assessment

- 1.12 Any application for development in the countryside or elsewhere that may affect sensitive areas or wildlife habitats must be accompanied by an ecological assessment and include proposals for long term maintenance and management of mitigating the impacts of the development on those features. This may include identifying locations of any significant wildlife habitats or features protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. In some circumstances, this may be included in the information provided under an Environmental Statement. Where development may affect species that are protected and require derogation, developers will be expected to provide the evidence to justify that derogation with the application. Further advice on obtaining licences is available in DEFRA Circular 2/2002.

Noise Impact Assessment

- 1.13 Application proposals that raise issues of disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician. The assessment should outline the potential sources of noise generation, and how these may have a negative effect on local amenity. The assessment should also outline how the developer intends to overcome these issues. Where noise is likely to be an issue, applicants are advised to contact the Council's Environmental Health Officer prior to the submission of a planning application.

Open Space Statement

- 1.14 In new developments, developers will be required to provide for open space, sport and recreation. The level of open space required will vary according to individual circumstances, size of development, and availability of existing open spaces in the neighbourhood. In some cases, where open space can not be provided within the site, the developer will be expected to seek an agreement with the Council through a financial contribution, over provision nearby. The Statement should therefore outline how open space will be provided for within new developments, or how open space, sport and recreation will be provided by linking the application to a s106 Agreement.

Photographs and Photomontages

- 1.15 These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs or digital images should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.

Private Water Supplies

- 1.16 Applicants will be required to prove that the proposed development will be served with an adequate supply of water. Applicants will also be required to demonstrate that the installation of any new supply, such as a borehole, will not have a detrimental effect on other supplies in use in the area, and that the water supply is fit for human consumption. Where an application for development includes the installation of a private water supply, applicants may wish to seek advice from the Council's Environmental Health service prior to the submission of an application.

Protection of Water Courses against Pollution

- 1.17 Diffuse sources of pollution that affect controlled waters are not covered by statutory pollution controls. Therefore, in determining planning applications, the Local Planning Authority should take into account the diffuse pollution that could be created by the proposed development, to ensure that there is no risk to public health, or biodiversity. When preparing applications, developers should therefore consider the measures necessary to minimise the impact of pollution on water courses caused by run-off. Remedial measures could include the use of Sustainable Urban Drainage Systems (SUDS), of bunding for oil or chemical storage facilities.

Regeneration Statements

- 1.18 A supporting statement outlining any regeneration benefits from the proposed development. This may include; details of any new jobs that might be created or supported; the relative floorspace totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal should be included.

Retail Assessments

- 1.19 The assessment should demonstrate the need for the development; that it is of an appropriate scale; that there are no sites close to a centre for the development; that there are no unacceptable impacts on existing centres; and locations are accessible. Developers are guided to PPS6 for guidance.

Structural Survey

- 1.20 When applications are submitted to change the use of the building, it is important to establish that the structure of the building is adequate to meet the needs of the new use without significant structural works to the exterior of the building. This is especially important with barn conversions where it is essential that the traditional appearance of the barn is kept, but is safe for human occupancy.

Supporting Planning Statement

- 1.21 A Supporting Planning Statement provides developers the opportunity to explain how the proposed development accords with policies in the development plan, and relevant SPD or SPG or development briefs. It should also include details of any discussions with the LPA and wider community/statutory consultees undertaken prior to submission. Large scale projects may wish to include a Statement of Community Involvement that reflects how the development has been discussed with the local community prior to the submission of the application.

Transport Assessment

- 1.22 Transport Assessments, should provide supporting information to a planning proposal to inform the Planning and Highway Authority's and if affecting a Trunk road the Highways Agency of the implications, and mitigation measures required to accommodate a proposal on the transport networks. Providing sufficient content to enable the Planning and Highway Authority's to make a decision as to the proposals acceptability.

Travel Plan

- 1.23 A Travel Plan should outline the way in which the transport implications of new development will be managed in order to ensure that there is the least environmental, social or economic impact. They are commitments by developers outlining how new occupiers or customers to the development will use alternative means of travel that do not involve private vehicle use.

Tree survey/arboricultural Statement

- 1.24 Where the application involves works that affect any trees within the application site, the species, spread, and position of trees should be illustrated accurately on the site plan. This must indicate any trees which are to be felled or affected by the proposed development. The location of any trees within adjacent properties that may be affected by the application should also be shown. The statement should also explain the measures to be adopted during construction works as to protect those trees that are to be retained. Further guidance is also provided in BS5837:2005 'a guide for trees in relation to construction'.

Treatment of foul sewage

- 1.25 All buildings are required to be provided with a satisfactory means of drainage for the disposal of foul water, and every effort should be made to connect to the public sewerage system. If this is not possible, applicants must demonstrate this, and provide alternative ways to do so, for example through a sewage treatment plant or septic tank. Both of these methods may require a soakaway system to properly dispose of effluent, and applicants must also prove that the site is suitable for such a system. This should include a description of the type, quantities and means of disposal of any trade waste or effluent.

Utilities Statement

- 1.26 Similar to above, the utilities statement should outline the applicants' proposals to link the development to existing utility infrastructure systems. This may include such systems such as the National Grid or connection to telephone or internet service providers.

Ventilation Details – Noise/Odour

- 1.27 Industrial or commercial development likely to give rise to odourous emissions must demonstrate how such emissions will be mitigated to prevent any loss of amenity to surrounding land uses. This will include the impact caused by both noise and odour caused as a result of the development. The details may include positioning, technical specification and mitigation methods. Applicants are guided to Annex B of the 'Guidance of Odour and Noise from Commercial Kitchen Exhaust Systems' (DEFRA 2005) that outlines the information required to support a planning application.

Viability Assessment

- 1.28 A Viability Assessment is particularly important in circumstances where a proposed development will include the loss of local services, or agricultural building. The Assessment should justify the financial reasons for why the loss of a particular use should be permitted.

Visual Impact Assessment

- 1.29 The Visual Impact Assessment should identify within its report the visual effects relating to changes that arise in the composition of available views as a result in changes to the landscape, to people's responses to the changes and to the overall effects with respect to visual amenity. Visual Impact Assessments will not always be required, and is dependent upon the nature, location and scale of the development. Developers should contact a Planning Officer if the development is likely to cause an impact to landscape character or visual amenity.

Waste Audit Statement

- 1.30 Construction: The Devon County Structure Plan and emerging Waste Local Plan requires developers to submit Waste Audit Statements to be accompanied with all major planning applications. The statement allows developers to demonstrate how they intend to reduce, reuse or dispose of any construction waste borne out of the development.
- Operation: The Statement must also outline how the development will store and manage the waste produced once it is in use. The statement may include details of the type and quantities of waste that is likely to be produced, the nature of its storage, what infrastructure is in place that will allow for effective collection and how the waste may be reused or recycled. Developers may also be required to bear the cost under a Section 106 Obligation (see above) for the provision of waste storage containers within major developments.