



Office of the
Deputy Prime Minister

Creating sustainable communities

Best Practice Guidance on the Validation of Planning Applications





Office of the
Deputy Prime Minister

Creating sustainable communities

Best Practice Guidance on the Validation of Planning Applications

March 2005

Office of the Deputy Prime Minister: London

The Office of the Deputy Prime Minister
Eland House
Bressenden Place
London SW1E 5DU
Telephone 020 7944 4400
Web site www.odpm.gov.uk

© Crown copyright 2005.

Copyright in the typographical arrangement rests with the Crown.

This publication, excluding logos, may be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to it being reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the publication specified.

This is a value added publication which falls outside the scope of the HMSO class licence.

*For any other use of this material, please write to HMSO licencing, St Clements House,
2-16 Colegate, Norwich NR3 1BQ. Fax 01603 or email: licensing@hmso.gov.uk*

Further copies of this guidance are available from:

ODPM Publications
PO Box 236
Wetherby
West Yorkshire
LS23 7NB
Tel: 0870 1226 236
Fax: 0870 1226 237
Email: odpm@twoten.press.net
or online via the Office of the Deputy Prime Minister's web site.

ISBN 1 85112 774 7

Printed in Great Britain on paper comprising 75% post-consumer waste and 25% ECF pulp (cover) and 100% post-consumer waste (text).

March 2005

Reference No. 04PD02961

CONTENTS

Introduction	5
Background	5
Processing of planning applications	6
Current regulations	7
Validation checklists	8
Applications for outline planning permission	9
Pre-application discussions	10
Compulsory requirements	10
Additional information (as may be required by the LPA)	12
Acknowledgement and invalidation of applications	17
Supplementary planning documents	17
Planning and Compulsory Purchase Act 2004	18
Planning Services – Validation Checklists	19

Introduction

As part of the objective to provide a quicker, more predictable and efficient planning service, the Government intends to amend the Town and Country Planning (General Development Procedure) Order 1995 (GDPO) during 2005 and to introduce a standard planning application form and associated guidance. This best practice guidance is introduced in advance of the changes to the development control system and is therefore based on the current GDPO. This guidance outlines the current procedures for the validation of planning applications by planning authorities; provides guidance on the scope of material that should be supplied with planning applications; and outlines the benefits of a 'validation checklist' in helping authorities to achieve good standards of performance and providing planning authorities and applicants with greater certainty as to the nature and extent of information required in order to validate applications.

Background

This guidance is a result of research commissioned by the Office of the Deputy Prime Minister in June 2003 and followed by a further study between November 2004 and January 2005. The research carried out by Arup on *Standard Application Forms and a Review of the Acknowledgement, Registration & Validation Process for Planning Applications and other Consent Regimes* made recommendations on the format and content of standard planning application forms together with recommendations on changes that could be introduced to improve the process of receiving and processing of planning applications.

The Arup research also considered:

- The scope of existing legislation and regulations on 'validation'
- Current case law regarding challenges on the non-validation of planning applications and
- The details and 'minimum' requirements that should be submitted to an authority to enable the proper validation and determination of an application.

This research found that the requirement to begin consultation shortly after validation put the authority in a difficult position where it often had to notify neighbours and other key stakeholders of the development proposals without possessing sufficient information to answer their subsequent questions. Similarly some applicants sought to take advantage of the legal ambiguity surrounding the issue of what comprised a valid application and argued that their application was technically valid and therefore able to be processed in the form that it was submitted.

This guidance is primarily intended for use by local planning authorities (LPAs). It provides a brief summary of the current legislative framework reviews the differences in the level of information sought by authorities in order to validate applications; and provides guidance on the details that should be requested by authorities.

A separate background report on the research, carried out by Arup, is available on the ODPM's website (http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_028415.hcsp). The report presents background research and makes key findings and recommendations that supports the advice in this guide.

Processing of planning applications

Local planning authorities are required to complete quarterly returns to ODPM (known as the PS1 and PS2 returns). These returns are used to determine their performance in line with the government's Best Value Performance Indicator 109 targets. The information provided includes the number of applications determined within each of three categories: major, minor and 'other' as well as the proportion of these determined within the 8 or 13 week target periods. The current BVPI 109 targets are that 60% of major applications must be determined within 13 weeks (BVPI 109a); 65% of minor applications within 8 weeks (BVPI 109b) and 80% of 'other' applications within 8 weeks (BVPI 109c).

In order to ensure that this information is completed on a consistent basis the following should be noted:

- Applications should be marked with the date of receipt.
- The time period from application to decision begins when a valid application and the correct fee (where a fee is payable) have been received.
- The first day a valid application is received counts as day zero and is the date referred to above.
- If an apparently valid application is later found to be invalid following registration, the original start date for processing the application should be disregarded. The time from application to decision should start again on the date the application is made valid. This is the only circumstance in which the start date should be amended. This only applies if the original application is invalid and does not apply if the authority requires additional information to determine the application.
- When determining the processing period on no account should the 'clock' be stopped. Time spent in abeyance (for example pending the signing of a section 106 agreement) should be included in the total time taken and the processing period must not be suspended awaiting amended plans nor started upon receipt of amended plans.
- The processing period ends on the date a decision notice is despatched. On no account should the clock be stopped once a decision has been made or once a decision has been entered onto file.

In order to meet the Government targets LPAs should aim to determine whether an application is valid within 3 to 5 working days from the date of receipt. A letter should be sent to the applicant confirming the validity of the application and confirming the start date of the statutory period for determination and the date from when an appeal can be made. Where LPAs consider an application to be invalid, the notification letter should include a statement of the steps and the outstanding information required from the applicant to achieve validation – this should be based upon the LPAs own checklists.

Current Regulations

Current legislation and regulations in relation to the registration and validation of applications includes:

- Town and Country Planning (Applications) Regulations 1988
- Town and Country Planning (General Development Procedure) Order 1995¹ and
- The Town and Country Planning Act 1990

The Arup research found that there was a wide variation in the information requested by planning authorities and the level of detail that was considered acceptable. Common reasons for invalidity included:

- supporting information that excluded information specified in the guidance notes accompanying the planning application form and/or set out in national guidance, statutory development plan or supplementary planning guidance;
- drawings submitted not showing sufficient details as specified in the guidance notes or are inconsistent;
- different application addresses on the forms and drawings;
- building works encroaching on the neighbouring property;
- incorrectly signed and unsigned certificates;
- insufficient number of plans and forms submitted (as per guidance notes);
- inconsistency between elevations and floor plans;
- incorrect fees enclosed or fee cheque not signed; and
- information still inadequate after one or more requests to the applicant for further details.

Within the current statutory framework authorities require, as a minimum, that an application for planning permission:

- be submitted on a form provided by the local planning authority or an electronic communication form published by the Secretary of State;
- include the particulars specified in the form and be accompanied by a plan which identifies the land and any other drawings and information necessary to describe the development;

¹ The second sentence of paragraph 88 of Circular 9/95 has been cancelled on the issuing of this guidance note. See the third paragraph of the 'Supplementary Planning Documents' section, below.

- be accompanied by 3 further copies of the form and plans and drawings except where the authority indicate that a lesser number is required;
- be accompanied by any certificate or documents required by the Town and Country Planning Act 1990 or the GDPO; and
- include any fee required to be paid in respect of the application has been paid to that authority. Lodging a cheque for the correct fee amount is taken as payment.

However many authorities are also requiring all the additional information considered necessary to make a decision prior to validation of an application.

The purpose of this note is therefore:

- to provide a guide as to the scope of information that may be required at the outset to ensure a 'fit for purpose' submission
- to enable the authority to have all the necessary information to determine the application and to draft the planning permission and all conditions
- to minimise the need for further submission of additional information in order to provide authorities a reasonable opportunity to determine applications within the BVPI109 targets
- to enable the authority to provide applicants with a degree of certainty as to the level of information required and
- to ensure a 'level playing field' in the approach taken by different authorities in registering and validating applications whilst recognising the need for variations appropriate to local circumstances.

Different types of application and scale of applications will require different levels of information and supporting documentation to be submitted. The recommended approach is for LPAs to specify the scope of information necessary to enable them to determine different types of application.

The following approach and guidance provides a framework to enable both LPAs and applicants more certainty on the validation of applications.

Validation Checklists

It is recommended that a 'validation checklist' be consulted upon and adopted as a Supplementary Planning Document (SPD) by planning authorities, setting out the scope of information required prior to the validation of an application for planning permission. Where the information required by the SPD (which should be tailored to the needs of a local planning authority) is not provided, authorities will be able to consider an application invalid.

Authorities have powers under regulation 4² of the Town and Country Planning (Applications) Regulations to direct applicants to:

- (a) supply any further information, and except in the case of outline applications, plans and drawings necessary to enable them to determine the application or
- (b) provide one of their officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

The SPD should therefore take the form of a formal direction made under regulation 4 and should include the relevant items from the validation checklists below.

The checklists below are in two parts. The first list contains suggested compulsory requirements including some matters that are required by law in any event and other matters that this best practice guidance suggests local planning authorities may generally wish to require in all cases. The second list contains suggested additional information which will need to be adapted to local circumstances by the LPA. If the information that is required by the direction contained in the SPD (whether deriving from the first or the second list) is not included with any application for planning permission the authority will be entitled to declare the application invalid and not register or process it. The LPA should set out its reasons for declaring an application invalid in writing to the applicant.

Where an application is not accompanied by information required by a planning authority, in accordance with the direction in their SPD guidance, then applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases planning authorities should not declare applications invalid unless they are satisfied that they can give reasons and provide them to the applicant.

Applications for Outline Planning Permission

Applications for outline planning permission generally need not give details of any proposed reserved matters: regulation 3(2) Town and Country Planning (Applications) Regulations 1988. However where an LPA receives an application for outline planning permission but are of the opinion that, in the circumstances of the case, the application ought not to be considered separately from all or any of the reserved matters they must notify the applicant within one month of the receipt of the application that they are unable to determine it unless further details are submitted, and they should specify those further details (see Article 3(2) of the GDPO 1995). Although the GDPO allows the LPA one month in which to notify the applicant, as a matter of best practice LPAs should aim to notify applicants within 5 working days. This situation should not be confused with applications where inadequate information is submitted.

² Alternatively LPAs may use powers under regulation 3 of the Town and Country Planning (Applications) Regulations 1988 to specify in the application form the particulars they require to be included together with any other plans and drawings and information necessary to describe the development which is the subject of the application. In this situation the SPD should include a copy of the authority's application form which has been amended to include the relevant validation checklist or a statement that applicants are required to include with the application form all the particulars, plans, drawings and information required by SPD. If the LPA uses its powers under Regulation 4 rather than Regulation 3 there is no need to amend the application form itself. However, whichever regulation is used, applicants will need to be clearly informed of the need to supply the particulars required by SPD.

Pre-application discussions

An essential element to this approach is the encouragement and facilitation of pre-application discussions for all types of application to guide applicants through the process and to ensure that applicants are aware of the information requirements (in accordance with advice in PPS1 paragraph 12). This is particularly useful for larger and more complex schemes and can help applicants by identifying the information and details that should be submitted with their applications. This can help minimise delays later in processing the application. Such discussions may also identify whether other consents may be required and identify additional information required by the SPD.

Compulsory Requirements

The checklist for all applications for full planning permission should include:

1 **The completed application form**

Unless the authority states otherwise, the regulations require one original and a further three copies. (The LPA may also ask for additional copies of the form if such a requirement is included in a SPD).

2 **the correct fee** (where one is necessary)

3 **Ownership Certificates**

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with section 5 of the GDPO, the LPA must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications **except** for approval of reserved matters, discharge or variation of conditions, tree preservation orders and express consent to display an advertisement must include the appropriate certificate of ownership.

An ownership certificate must be completed stating the ownership of the property. Certificates³ A, B, C and D are listed. 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.

4 **Agricultural Holdings Certificate**

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

5 **Part 1 Notice**

A notice to owners of the application site must be used if Certificate B has been completed and may be required if Certificate C has been completed. A copy should be served on each of the individuals identified in the relevant certificate.

³ Cert A: When applicant is the sole owner; Cert B: When owner is known to the applicant; Certs C and D: When not all or any of the owners of the site are known.

6 **The location plan**

All applications must include copies of a location plan based on an up-to-date map at a scale of 1:1250 or 1:2500. The SPD should specify the number of copies required. Unless the LPA states otherwise, the regulations require one original and a further three copies. In exceptional circumstances plans of other scales may also be required. Plans should where ever possible show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

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.

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

7 **Site Plan**

Copies of the site plan should be submitted. The SPD should specify the number of copies required. Unless the LPA states otherwise, the regulations require one original and a further three copies. This should be drawn at a scale of at 1:500 or 1:200 and should accurately show:

- a) The direction of North
- b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c) All the buildings, roads and footpaths on land adjoining the site including access arrangements
- d) The species, position and spread of all trees within 12 metres of any proposed building works
- e) The extent and type of any hard surfacing
- f) Boundary treatment including walls or fencing where this proposed

8 **Drawings (including Floor Plans)**

Copies of all drawings should be submitted. The SPD should specify the number of copies required. Unless the LPA states otherwise, the regulations require one original and a further three copies. These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

9 Elevations

Copies of all existing and proposed elevations should be submitted. The SPD should specify the number of copies required. Unless the LPA states otherwise, the regulations require one original and a further three copies. These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.

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

10 Section drawing

Plans drawn at a scale of 1:50 or 1:100 showing a cross section(s) through the proposed building(s) should be submitted. Copies of all section drawings should be submitted. The SPD should specify the number of copies required. Unless the LPA states otherwise, the regulations require one original and a further three copies.

In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels.

On sloping sites, full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings.

The drawings may take the form of contours, spot levels or cross or long sections as appropriate.

11 Environmental statement

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No.293) require a developer to prepare an Environmental Statement (required for Schedule 1 projects and for some Schedule 2 projects) to enable the LPA to give proper consideration to the likely environmental effects of a proposed development. The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

Additional Information (as may be required by the LPA)

Additional information, that may be required depending on the nature and type of application or the nature or character of the area of the local planning authority, could include:

- **Supporting Planning Statement**

Information will include how the proposed development accords with policies in the development plan, SPD or development briefs. It should also include details of consultations with LPA and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of *Creating Local Development Frameworks: A Companion Guide to PPS12*.

- **Design statement**

Applicable for all applications where design is an issue (in accordance with advice in PPS 1), including materials to be used. Further guidance on design statements is also available in publications⁴ by the Commission for Architecture and the Built Environment (CABE).

- **Access statement**

Applicants may be required to make provision for access, parking and sanitary conveniences for people with disabilities in applications concerning buildings accessible to the public. This includes offices, shops, factories, schools and other public access areas. Attention is drawn to the legislation to provide access for the disabled.

- **Transport assessment**

Information will include all existing and proposed commercial and residential vehicular and pedestrian movements to and from the site. Loading areas and arrangements for manoeuvring, servicing and parking of vehicles should also be clearly identified. It should describe and analyse existing transport conditions, how the development would affect those conditions and any measures proposed to overcome any problems. Further advice is available in PPG13.

- **Draft Travel Plan**

A draft travel plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. Further advice is available in *Using the planning process to secure travel Plans: Best practice guide* ODPM and DfT, 2002.

- **Planning obligations**

This could include brief draft heads of terms for a section 106 agreement or unilateral undertaking. Applicants should clarify the LPAs requirements in pre-application discussions and confirm any planning obligations that they agree to provide in brief heads of terms. Further advice is available in Circular 1/97: Planning Obligations.

- **Flood risk assessment/drainage strategy**

A flood risk assessment may be required if a development falls within an Indicative Flood Plain or 'Flood Zone' – these maps are available from the Environment Agency. Planning Policy Guidance 25: 'Development and Flood Risk' provides comprehensive guidance for both LPAs and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

⁴ CABE publications include '*By Design*' – *Urban Design in the planning system: towards better practice* (CABE, Thomas Telford for ODPM, May 2000) and '*Protecting Design Quality in Planning*' (CABE, September 2003).

- **Listed building appraisal and conservation area appraisal**

A written statement which includes 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 principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. 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. Further advice can also be found in Planning Policy Guidance Note 15, paragraphs 3.16 to 3.19 and paragraphs 4.25 to 4.49.

- **Regeneration statements**

A supporting statement of any regeneration benefits from the proposed development, including: 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**

Government guidance is currently contained in PPG 6: Town centres and retail developments supplemented by Ministerial statements. This will be replaced by new guidance currently in the form of draft PPS 6: Planning for Town Centres. The assessment should include the need for development, which it is of an appropriate scale, there are no sites close to a centre for the development, there are no unacceptable impacts on existing centres and locations are accessible.

- **Affordable housing statement**

Where local plan policies or Supplementary Planning Document guidance requires the provision of affordable housing the LPA may require information concerning both the affordable housing and any market housing eg the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. Further advice is available in Circular 6/98: Planning and Affordable Housing.

- **Open Space**

Plans should show any areas of existing or proposed open space within or adjoining the application site. 'Open space' here includes space falling within the definitions of that term in the Town and Country Planning Act 1990 or PPG17.

- **Sustainability Appraisal**

A sustainability statement should outline the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.

- **Landscaping**

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

- **Tree survey/arboricultural statement**

Where the application involves works that affect any trees within the application site, the species, spread, roots 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. A statement in relation to the measures to be adopted during construction works to protect those trees shown to be retained on the submitted drawings may also be necessary. Further guidance is also provided in BS5837:1991 'a guide for trees in relation to construction'.

- **Historical, archaeological features and Scheduled Ancient Monuments**

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. If an application affects such a site an applicant may need to commission an assessment of existing information and submit the results as part of the application in accordance with advice in Planning Policy Guidance Note 15, paragraphs 3.16 to 3.19.

- **Nature conservation/ecological assessment/natural beauty**

Plans should show any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in PPS9 and its accompanying Good Practice Guide.

- **Noise impact assessment**

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. Further guidance is provided in PPG 24: Planning and Noise.

- **Air quality assessment**

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary. Further advice is available in PPS 23: Planning and Pollution Control.

- **Assessment for the treatment of foul sewage**

This should include a description of the type, quantities and means of disposal of any trade waste or effluent.

- **Utilities Statement**

This should include how an application connects to existing utility infrastructure systems.

- **Energy statement**

The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards. Further advice is available in PPS22: Renewable Energy.

- **Sound insulation requirements**

Advice should be sought from the LPAs Environmental Health Service for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the building regulations or a Building Notice for the erection of most types of buildings, material alterations to existing buildings. Works will need to be inspected on site during the construction process.

- **Mineral working and restoration**

MPG 2 Applications, Permissions and Conditions sets out detailed requirements for mineral working applications. In many cases, and specifically where development is likely to have significant effects, an Environmental Assessment will be required. In other cases, the complexity of detail required will depend on the circumstances of the particular case, but generally comprehensive information will be required which should be discussed and agreed during pre-application discussions. In particular, sufficient information will be required to ensure that working will be carried out to modern working, restoration, aftercare and environmental standards.

- **Sunlight/Daylighting Assessment**

Applicable for all applications where there is a potential adverse impact upon the current levels of sunlight/daylighting enjoyed by adjoining properties and building(s) – further guidance is provided in the Building Research Establishment's (BRE) guidelines on daylighting assessments.

- **Ventilation/extraction and refuse disposal details**

For example; for hot food take aways, restaurant uses and launderettes etc.

- **Structural survey** of the property

For example for barn conversion applications

- **details of any lighting scheme including a light pollution assessment**

- **Photographs and Photomontages**

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

Any direction that requires any of the above 'additional' categories of information to be submitted with an application must clearly identify in which specific type of application the category of information must be submitted. If any of the above information or other information required by the direction contained in the SPD is not included with any application for planning permission the authority will be entitled to declare the application invalid and not register or process it. The LPA should set out its reasons for declaring an application invalid in writing to the applicant.

Checklists by application type

It is recommended that authorities draw up specific checklist by application type for the following applications:

1. Full/outline planning permission
2. Householder
3. Applications for planning permission associated with a Listed Building Consent or Conservation Area Consent
4. Minerals or Waste

(See model checklists by application type attached as an Appendix).

As a matter of good practice local planning authorities are encouraged to issue 'specific checklists' for applications in relation to tree preservation orders, advertisements, telecommunications, certificates of lawfulness and prior notifications. Whilst these are not applications for planning permission it is recommended that any such specific checklists are also consulted upon and included in the authority's Supplementary Planning Document together with the checklists for applications for planning permission.

Acknowledgment and invalidation of applications

Article 5(2) of the GDPO 1995 describes when an acknowledgment of the application must be sent to the applicant. Where, after sending such an acknowledgment, the LPA considers that the application is invalid by reason of a failure to comply with the requirements of regulation 3 of the Applications Regulations 1988, or article 4 of the GDPO or any other statutory requirement (eg the direction made under regulation 4 of the Applications Regulations 1988 in the authority's SPD) they must as soon as reasonably practical notify the applicant that the application is invalid: article 5(4) GDPO 1995.

Supplementary Planning Documents

A Supplementary Planning Document (SPD) that contains a formal direction under regulation 4 of the Town and Country Planning (Applications) Regulations 1988 should be prepared in accordance with the advice in PPS12. The Document should state that it contains the local planning authority's general Direction made under section 62 of the Town and Country Planning Act 1990 and Regulation 4 of the Application Regulations 1988. It should state that failure to submit the information required by the Direction contained in the SPD may result in an application being treated as invalid under article 5(4) of the GDPO 1995.

The SPD should state that while it contains the authority's *general* requirements the authority may make a further direction specific to any particular application in accordance with regulation 4 of the Applications Regulations 1988. Although a general direction under regulation 4 does not need to be made by way of a Supplementary Planning Document as a matter of law it is recommended that as a matter of good practice it should be made in this form, so as to achieve openness, transparency and certainty. It may be appropriate for a local planning authority to formalise their SPD guidance into a Development Plan Document.

The advice formerly given in paragraph 88 of Circular 9/95: General Development Order 1995, that an applicant's failure to respond to a direction under regulation 4 of the Applications Regulations 1988 does not invalidate the application, has been withdrawn with the issuing of this guidance.

Planning and Compulsory Purchase Act 2004

Section 62 of the Town and Country Planning Act, which concerns the form and content of applications for planning permission, is to be amended by section 42 of the Planning and Compulsory Purchase Act 2004. When this comes fully into force it will allow a development order to make provisions concerning the form and manner of applications, particulars to be included in the applications and documents or other materials to accompany the application. It will also allow LPAs to require that an application for planning permission must include such particulars as they think necessary and such evidence in support of anything in or relating to the application as they think necessary.

Further best practice guidance may be issued in due course when such amendments come fully into force.

PLANNING SERVICES

VALIDATION CHECKLIST

FOR ALL APPLICATIONS FOR PLANNING PERMISSION

Your application MUST include the following:

1 Original and X copies of the completed planning application forms, signed and dated

1 Original and X copies of the Article 7 Certificate (Agricultural Holdings), signed and dated

1 Original and X copies of the completed signed and dated Ownership Certificate (A, B, C or D)

If applicable, details of any assistance or advice sought from a planning officer prior to submitting your application – please indicate dates of any correspondence or discussion and name of officer

1 Original and X 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 and should show the direction of North. 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

X copies of any other drawings required (see application specific checklist)

The correct fee

PLANNING SERVICES

VALIDATION CHECKLIST

FULL PLANNING APPLICATION

If you are submitting all the details of new buildings, engineering works or extensions, the following additional plans will be required:

- X copies of the block plan of the site to a scale of not less than 1:500
- X copies of the existing and proposed elevations to a scale of not less than 1:100
- X copies of existing and proposed sections and finished floor levels at a scale of not less than 1:100
- X copies of existing and proposed floor plans at a scale of not less than 1:100
- X copies a site survey plan to a scale of not less than 1:200 showing existing features of the site e.g. walls, trees, buildings and other structures
- X copies of a site survey plan at scale of not less than 1:200 showing proposed features e.g. landscaping.

In addition to the information that MUST be submitted with your application, the following information may also be required:

- Transport Assessment
- Draft Travel Plan
- Environmental Statement
- Retail Assessment
- Design Statement
- Supporting Planning Statement
- Regeneration Assessment
- Air quality assessment
- Sustainability Appraisal
- Noise Impact assessment
- Sound Insulation assessment

Energy Statement	<input type="checkbox"/>
Nature conservation and Ecological Assessment	<input type="checkbox"/>
Historical and Archaeological Assessment	<input type="checkbox"/>
Listed building and Conservation Area appraisal	<input type="checkbox"/>
Flood Impact Assessment	<input type="checkbox"/>
Assessment for the treatment of foul sewage	<input type="checkbox"/>
Utilities Statement	<input type="checkbox"/>
Access Statement	<input type="checkbox"/>
Affordable housing statement	<input type="checkbox"/>
Ventilation/extraction and refuse disposal details	<input type="checkbox"/>
Structural Survey	<input type="checkbox"/>
Tree Survey	<input type="checkbox"/>
Lighting Assessment/Details of Lighting Scheme	<input type="checkbox"/>
Sunlight/Daylighting assessment	<input type="checkbox"/>
Planning Obligation(s)/Draft Heads of Terms	<input type="checkbox"/>

PLANNING SERVICES

VALIDATION CHECKLIST

FULL PLANNING APPLICATION FOR CHANGE OF USE WITHOUT EXTERNAL BUILDING WORKS

For applications that involve changing the use of a building or land but are not proposing any external works to the building, the following additional plans will be required:

X copies of the block plan of the site to a scale of not less than 1:500

X copies of existing and proposed floor plans at a scale of not less than 1:100

FULL PLANNING APPLICATION FOR CHANGE OF USE WITH EXTERNAL BUILDING WORKS

If your proposal involves the change of use of a building or land and involves external alterations e.g. construction of a flue, insertion of new windows, additional plans will be required:

X copies of the block plan of the site to a scale of not less than 1:500

X copies of the existing and proposed elevations to a scale of not less than 1:100

X copies of existing and proposed sections at a scale of not less than 1:100

X copies of existing and proposed floor plans at a scale of not less than 1:100

X copies a site survey plan to a scale of not less than 1:200 showing existing features of the site e.g. walls, trees, buildings and other structures

X copies of a site survey plan at scale of not less than 1:200 showing proposed features e.g. landscaping

In addition to the above, the following information may also be required for all change of use applications:

Transport Assessment

Draft Travel Plan

Environmental Statement

Regeneration Assessment

Retail Assessment

Design Statement	<input type="checkbox"/>
Sustainability Appraisal	<input type="checkbox"/>
Access Statement	<input type="checkbox"/>
Supporting Planning Statement	<input type="checkbox"/>
Air quality assessment	<input type="checkbox"/>
Noise Impact assessment	<input type="checkbox"/>
Sound Insulation assessment	<input type="checkbox"/>
Energy Statement	<input type="checkbox"/>
Assessment for the treatment of foul sewage	<input type="checkbox"/>
Listed building and Conservation Area appraisal	<input type="checkbox"/>
Affordable housing statement	<input type="checkbox"/>
Ventilation/extraction and refuse disposal details	<input type="checkbox"/>
Structural Survey	<input type="checkbox"/>
Lighting Assessment/Details of Lighting Scheme	<input type="checkbox"/>
Sunlight/Daylighting Assessment	<input type="checkbox"/>
Planning Obligation(s)/Draft Heads of Terms	<input type="checkbox"/>

PLANNING SERVICES

VALIDATION CHECKLIST

OUTLINE PLANNING APPLICATION

If you are proposing to erect buildings but do not wish to submit all the details at present, and would like to 'reserve' some or all of the details for future consideration, you will need to submit the following:

X copies of the maximum envelope of the proposed buildings (to show whether the proposed floorspace can be adequately accommodated within the site)

X copies of other plans/drawings or details which you would like to be considered at this stage e.g. access arrangements, external appearance.

In addition to the information that MUST be submitted with your application, the following information may also be required:

Transport Assessment

Environmental Statement

Supporting Planning Statement

Design Statement

Access Statement

Flood Impact Assessment

Utilities Statement

Tree Survey

Planning Obligation(s)/Draft Heads of Terms

Regeneration Assessment

Sustainability Appraisal

Energy Statement

PLANNING SERVICES

VALIDATION CHECKLIST

PRIOR NOTIFICATION PROCEDURE

In addition to the form, the following information may also be required:

- Supporting Planning Statement
- Design Statement
- Access Statement
- Flood Impact Assessment
- Tree Survey
- Telecommunications

In addition to the information required to be submitted under Part 24 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) for a prior approval application and the requirements specified on the Council's application forms for planning permission it is recommended that the following information is also submitted in order to assist with the processing of the application:

- A signed declaration that the equipment and installation fully complies with the ICNIRP requirements
- Site type (micro or macro)
- Confirmation as to whether the Council's mast register and/or the industry site database has been checked for suitable sites
- Details of annual rollout and pre application discussions with the Council
- Details of all consultations carried out and copies of all written comments
- Details of any consultations carried out with a particular school or further education college if relevant
- Details of any consultation carried out with the CAA/Secretary of State for Defence/Aerodrome operator if relevant
- Area of search
- Details of the proposed structure including the type of structure and its dimensions, height of existing building and details of the size of equipment housing and materials

- A map showing the relationship of the application site to schools and other telecommunication equipment in the vicinity
- A statement explaining the reasons for the choice of the design
- Technical information including the 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
- Details of alternative sites rejected with a justification for rejecting them: This should include existing masts, structures and other buildings within the search area
- An explanation if no alternatives considered
- Visual impact assessment where relevant
- Acoustic report where relevant
- Any other relevant additional information

PLANNING SERVICES

VALIDATION CHECKLIST

HOUSEHOLDER APPLICATIONS

The following additional plans will be required:

X copies of the existing and proposed site layout at a scale of not less than 1:100 or 1:200. This should include all buildings and structures, gardens, open spaces and car parking in the context of adjacent buildings including the location of any window

X copies of the existing and proposed elevations to a scale of not less than 1:100

X copies of existing and proposed floor plans at a scale of not less than 1:100

In addition to the information that MUST be submitted with your application, the following information may also be required:

X copies of existing and proposed sections at a scale of not less than 1:100

Design Statement (including details of proposed materials to be used for walls, roofs, windows, doors, hardstanding and boundary treatments)

Supporting Planning Statement

New or Altered Access to a Public Highway or a Public Right of Way

Details on existing and proposed car parking arrangements

Drainage Strategy or Flood Risk Assessment

Tree Survey

PLANNING SERVICES

VALIDATION CHECKLIST

LISTED BUILDING AND CONSERVATION AREA CONSENT APPLICATIONS

The following additional plans will be required:

X copies of existing and proposed elevations where alterations are proposed to a scale not less than 1:100

X copies of Block Plans to a scale 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

X copies of Building Plans to a scale not less than 1:100 including plans of each floor where works are proposed

X copies of sections through the building

X copies of detail plans to a scale of not less than 1:20 to show all new doors, windows, shop-fronts, panelling, fireplaces, plaster moulding and other decorative details

In addition to the information that MUST be submitted with your application, the following information may also be required:

Structural Survey of the building

Supporting Planning Statement including reasoned justification for the proposed works which may include the submission of a structural survey or other analysis of the character or appearance of the conservation area

Heritage Statement which analyses the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact

Design Statement including the type colour, make and name of all materials to be used both internally and externally, including roofing and the surfacing of car parking areas etc

X sets of Photographs – up to date photographs showing the whole building and its setting and/or the particular section of the building affected by the proposals

PLANNING SERVICES

VALIDATION CHECKLIST

CERTIFICATES OF LAWFULNESS

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided. This may include the following:

- Existing and Proposed floor plans (for all applications involving use of a building) to a scale not less than 1:100
- Existing and proposed extensions (for all proposed building works) to a scale not less than 1:100
- Sworn affidavit(s) from people with personal knowledge of the existing use or works carried out
- Description of all uses of land within the site (if relevant)
- Supporting Planning Statement (to include statement of grounds on which the Certificate is sought)

PLANNING SERVICES

VALIDATION CHECKLIST

TREE APPLICATIONS

In addition to the information that MUST be submitted with your application, the following information may also be required:

X copies of dimensioned Plan showing the precise location of all tree(s).
The trees should be numbered

Tree Survey identifying the types of trees and full details of the proposed works e.g. thin crown by X%

In addition to the information that MUST be submitted with your application, the following information may also be required:

Supporting Statement stating reasons for the proposed work

Photographs

PLANNING SERVICES

VALIDATION CHECKLIST

ADVERTISEMENT CONSENT

In addition to the information that MUST be submitted with your application, the following information will also be required:

X copies of all Advertisement Drawings (showing advertisement size, position on the land or building, materials to be used, colours, height above the ground and extent of projection)

If the advertisement is to be illuminated, give full details of the method of illumination, including the colour

In addition to the above, the following information may also be required:

Photomontages

Supporting Statement

X copies of existing and proposed sections at a scale of not less than 1:100

X copies of the advertisements in the context with adjacent buildings

This best practice guidance on planning application validity aims to clarify planning law regarding the beginning of the application determination process, as a comprehensive digest of government advice and regulation in this area. The included checklist example should aid local authorities and applicants to address complex issues of planning law in a straightforward, logical manner.

ISBN 1 85112 774 7
Price £7.00

ISBN 1-851127-74-7



9 781851 127740 >