



Devon County Council

**Information Requirements for Validation of County Council Development
(Regulation 3) Planning Applications**

**Guidance to help Applicants submit the necessary supporting information to register a
valid planning application**

Adopted: 1 August 2013

Contents:		Page:
1	Introduction	3
	What is validation?	3
	The validation process	3
	Types of application to which these requirements apply	4
	How to use this document	5
	Pre-application advice	5
	How to submit your application	5
	Data protection and the internet	5
	Contact us	6
	References	6
	Equal Access to Planning Services for all	6
	E-government	6
2	National Information Requirements	
	National requirements – same for each type of Regulation 3 development	
	Forms	8
	Fee	8
	Location Plan	8
	Other Plans	8
	Plans	8
	Design and Access Statement	9
3	Template Checklist	11
4	Local Requirements Guidance Table	13

1 Introduction

What is validation?

The validation stage for planning applications is the point from when a local authority receives an application to confirming that all the necessary information is present and other pre validation requirements have been met. Getting the validation stage right is essential for local authorities to get sufficient information to judge the impact of the proposed development and to make a decision on a proposal.

This document and the guidance table in chapter 3 aims to help DCC and Applicants (or people preparing planning applications on an Applicants behalf – hereafter referred to as ‘Agents’) through the validation process. It should be helpful to Applicants as it provides certainty about what information is necessary at an early stage in the design process, reducing delays at the validation stage. It will also be helpful to DCC as it provides us with some certainty over the quality and relevance of the information supplied with planning applications. This document should streamline the pre-application advice process and reduce both the number of requests by DCC to the Applicant for further information, as well as the extent of the additional information requested.

The validation process

If a planning application is not valid, we will tell you the reasons in writing - unless it is clear that the omissions could be addressed more rapidly by telephone or email. We will explain what information is required in order to validate your application.

If you disagree with our reason(s) for not validating the application, you should first discuss it with a higher level officer. If the dispute cannot be resolved this way, and more than eight weeks have passed since the application was submitted for determination (or 13 weeks for major applications, 16 for EIA applications), you may have the right to appeal against non-determination on the grounds of invalidity.

In some circumstances the supporting information submitted may be inadequate or its quality may be a concern. While these are not grounds for invalidating applications, you should note that in cases where the Applicant has not complied with our request to provide information that is either a national or local requirement, there is currently no right of appeal to the Planning Inspectorate.

Once a planning application is validated, we may request further information, or evidence to verify any particulars of information provided, to enable us to determine the application.

Types of application to which these requirements apply

This document refers to information requirements for all ‘Regulation 3’ (County Council) development listed below:

- applications for full planning permission

- application for outline planning permission with some or all matters reserved
- application for Conservation Area Consent for demolition
- applications for a change of use
- Listed Building Consent applications
- applications made with third parties
- all retrospective planning applications for the above

Other types of applications

This advice relates to:

- applications to vary a condition (including minor material amendments)
- applications for approval of reserved matters following outline permission
- applications for extension of time limits – where the initial time limit set by condition has not yet expired, an application to extend that time limit may be submitted.

As a minimum requirement, the County Council requires that a red line Location Plan is submitted which identifies the land to which the application relates - the red line should be exactly the same as that which was approved under the original grant of permission. If the plans are not consistent the planning application will be returned as invalid.

Depending on the nature of the application, further drawings may be required relating to the changes being sought to the original scheme i.e. amended site layout, elevation(s), landscaping scheme etc. The scope of the supporting information required will be influenced by both the nature and scale of the development, and the length of time that has elapsed since the original grant of permission. The longer the time period since planning permission was first granted, the greater the level of information that is likely to be needed. This is because the characteristics of the surrounding environment and infrastructure may have changed since the original grant of permission with regard to issues such as nature conservation designations, highways, sensitive receptors, air quality, flood risk etc. Therefore, we advise that you contact the Development Management team for detailed pre-application advice on the scope of supporting information required for the following types of application:

Applications for non-material amendments (Section 96a) require a separate planning application process - for more advice on this please refer to 'Greater flexibility for planning permissions guidance, 2010'.

Applications for Waste Developments should refer to the separate document *Information Requirements for Validation of Waste Planning Applications*. There is no local list/validation guidance for mineral applications. Until a standard national application form comes into force, only the national list will apply.

How to use this document

The validation requirements are split between the ***national list/national requirements*** and the ***local list/local requirements***. All applications must provide the national requirements and you should refer to the guidance table to establish which local requirements apply to the development you propose.

In order to find out which of the Local List information types you need to provide, please refer to the Guidance Table in Chapter 3.

Pre-application advice

We strongly advise that you obtain pre-application advice from this office before you submit a planning application. Pre-application advice from Devon County Council is free of charge. You can find a short application form for this purpose on the planning pages of the DCC website.

The National Planning Policy Framework (NPPF) says that local planning authorities “should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area” (paragraph 187). It explains that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties, enabling better coordination between public and private resources and improved outcomes for the community (NPPF paragraph 188).

The NPPF is also very clear that local planning authorities “should encourage take-up of any pre-application services they [do] offer (NPPF paragraph 189), so please do ask us for advice – we are here to help! The more issues that can be resolved at pre-application stage, the greater the benefits (NPPF paragraph 190).

How to submit your application

You can make an electronic submission via the Planning Portal (www.planningportal.gov.uk). Alternatively, you can download an application form from the Devon County Council website and email it with the necessary supporting information documents to planning@devon.gov.uk. If you prefer to submit paper copies of your application please send them to the address below.

If you are making your submission electronically, please structure it in the following way:

- No individual document should be greater than 5MB
- Large documents should be broken down into manageable files, e.g. in chapters and sections

- It is important that the electronic file names reflect the plan or document names
- Drawings should be oriented so that they appear correctly when viewed on screen (i.e. with North at the top of the screen)

Data protection and the internet

All applications and supporting documentation will be published on the DCC website. In view of this, if you supply personal information relating to a third party, please ensure that you have their permission to do so. We will assume that private addresses, telephone numbers, email addresses and signatures used in a professional capacity are publishable unless you advise us otherwise.

Contact us

Development Management, Lucombe House, County Hall, Topsham Road, Exeter, EX2 4QW

Email: planning@devon.gov.uk

Tel: 01392 383373

References

National Legislation and regulations in relation to the registration and validation of applications currently includes:

- Town and Country Planning (Applications) Regulations 1988
- Town and Country Planning (Development Management Procedure) Order 2010 (as amended)
- The Town and Country Planning Act 1990
- The Planning and Compulsory Purchase Act 2004

In addition DCLG produced the *Development Management Policy Annexe on information Requirements and Validation* (March 2010) and *Guidance on Information Requirements and Validation* (March 2010) which accompanies it.

Equal Access to Planning Services for all

Devon County Council is committed to ensuring that any member of the public has fair access to its services and publications. The Development Management service is provided to enable the sustainable development of the County having regard to the maintenance and enhancement of its special environment; to secure, where appropriate, infrastructure and community benefits and to seek to protect the amenities of the residents of Devon, regardless of race, religion, gender, age, sexual orientation or disability.

If you would like this information in a different format such as large print, Braille or tape, or in a different language, please contact our Customer Service Centre on 0845 155 1015 or email customer@devon.gov.uk

E-government

Whilst it is recognised that not all members of the public have access to the internet, it is intended that all policy documentation produced by Devon County Council should be available on its website at www.devon.gov.uk. The availability of information in this format is intended to assist with the County Council's goals on sustainable development in reducing the need for as many paper copies of documents and in reducing the need to travel to County Hall for those users of our services who may not live in close proximity to a County Council Office.

2 National Information Requirements

The following forms, plans and information are compulsory and must be submitted with all applications for full planning permission.

1. The planning application form:

A completed '1App' planning application form. This can be submitted in paper form or electronically. If submitted in paper form, three copies of the form must be submitted to meet statutory requirements. In some cases additional copies of the form and supporting information may be requested but will not be a validation requirement. All relevant forms can be found on the Planning Portal website.

2. The correct fee:

- Where DCC is the developer, fees should be paid by DCC internal cost code in most cases
- Fees can be paid by cheque but we cannot accept cheques where the signatory is 'Devon County Council'
- Cheques should be made payable to "Devon County Council"

You can find a list of fees and a fee calculator tool on the Planning Portal website.

3. The Location Plan:

- Three copies of the location plan are required to comply with the legislation (unless submitted electronically).
- The plan should be at an appropriate scale, it should be based on an OS map, show a north point and give a drawing reference number.
- The application site should 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. A blue line should be drawn around any other land owned by the applicant which is close to or adjoining the application site. The location plan should, wherever possible, show at least two named roads, surrounding buildings and features so that the exact location is clear.

4. Other plans:

Where relevant to the application, other plans may also be required such as:

- Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries

- Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
- Roof plans (e.g. at a scale of 1:50 or 1:100)

3 copies of all other plans should be submitted (unless submitted electronically). Additional plans may also be required in some cases as detailed in the Guidance Table (page 8). **All plans/drawings** should:

- Show all major dimensions, in particular heights and distance to boundaries or key features
- Include a scale and calibration scale
- Show a north point
- Have a drawing name/title and drawing number
- Where revised plans are submitted they should show the revision number
- All applications should include a schedule of plans

5. Design and Access Statement:

At the time of writing Article 4 of Statutory Instrument 2013/1238 sets out the circumstances when a Design and Access Statement is needed.

- (a) development which is major development (as defined by S55 of the Town and Country Planning Act 1990);
- (b) where floor space of more than 100 square meters is created and the development is in a conservation area or a is a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage - a World Heritage Site).

In these cases a Design and Access Statement shall include information about the design principles and concepts that have been applied to the development; and how issues relating to access to the development have been dealt with.

(3) A design and access statement shall explain the design principles and concepts that have been applied to the development and demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account. It should also:

- explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account
- state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- explain how any specific issues which might affect access to the development have been addressed.

Design and access Statements are NOT required for an application for planning permission which is:

- for permission to develop land without compliance with conditions previously attached, made pursuant to section 73 and 73a of the 1990 Act (retrospective applications and variation of conditions)
- for engineering or mining operations;
- for a material change in use of the land or buildings;

Further information:

- The level of detail required in a statement will depend on the scale and complexity of the application. What is required in a statement is set out in 6 of the document *Guidance on Information Requirements and Validation (DCLG March 2010)*
- More detailed information on Design and Access Statements can be found on the County Council's planning pages and in the publication by the Commission for Architecture and the Built Environment (CABE): *Design and Access Statements – How to write, read and use them, 2006*
- Where appropriate, information required from the Guidance Table (Page 8) may be best provided as part of the Design and Access Statement.

3 Template checklist

This checklist will help you to identify what information is required with your application, and will help the Planning Officer (and the people and organisations we consult) to see at a glance what information has been submitted.

Please submit a copy of the completed table with your planning application - it will help us to navigate your application and, importantly, it will help us to see the reasons why some information has not been provided.

You should use the guidance table in the next section to help you complete the checklist.

Information Type	Submitted (Y/N)	Drawing Number, document name, or reason why information is deemed not to be required
Planning Statement		
Heritage information		
Travel Plans		
Transport Assessments/Transport Statement		
Air Quality Assessment		
Educational Statement of Need		
Development in Areas of Outstanding Natural Beauty (AONBs)		
Wildlife and Geology		
Construction Traffic Management Plan		
Drainage Scheme		
Consultation/Community Involvement Statement		
Environmental Statement (as per the Environmental Impact Assessments Regulations 2011)		
Impact on aerodromes		

Geo-environmental and Geo-technical data (contamination and land stability)
Landscaping Statement
Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA
Arboricultural Survey and Tree Protection Plan
Utilities Check/Site Survey
Sustainable Design and Energy Efficiency
Sunlight/daylight Assessment
Lighting Statement/Plan
Noise Assessment
Site Waste Management/Waste Audit
Flood Risk Assessment
Playing Field Assessment

4 Local Requirements Guidance Table

Paragraph 193 of the National Planning Policy Framework (NPPF) makes it clear that local planning authorities should only request supporting information that is relevant, necessary and material to the application. This principle applies to each information requirement set out in this table. It sets out the advice relating to each information type – identifies the relevant policy which justifies inclusion in this list, any relevant triggers and exceptions for each requirement, the scope of the information required and where to look for further advice or information.

Please note – whilst it is at the discretion of the Applicant/Agent to decide how to structure the planning application. Referencing and cross referencing should be clear, pages and paragraphs should be numbered and drawings should ideally be numbered chronologically too so that it is easy to find a plan or document in a large submission.

Please use the table below to establish what information should be submitted with your planning application.

Information type / material planning consideration / issue	Guidance: Policy driver, trigger, exceptions, scope of info and further reference material
Planning Statement	<p>The planning statement should set out the background to the application and comment on the detail of the proposal with reference to the relevant national and local plan policies. If you have received pre-application advice from the Planning team this should have included a list of relevant policies and this should be used to inform the content of your planning application.</p> <p>The planning statement may also usefully include details of pre-application discussions with Devon County Council, the wider community and statutory consultees.</p> <p>You may need to commission experts/consultants/third parties to undertake work to inform your planning application. If this is the case, you should provide a summary planning statement which should draw on all the supporting documentation and consider the inter-related issues being clear about how conclusions were formed and explaining project choices and design. For example, the summary planning statement should comment on the conclusions and recommendations of constituent reports and research, reflecting on the links and interactions</p>

between the issues covered, and stating clearly which recommendations are being taking forward (providing the detail of implementation) and which recommendations are not being taken forward (and why).

A submission of discrete reports carried out by third parties, without a summary or further comment by the Applicant/Agent is unlikely to be sufficient to enable planning officers to establish the likely impacts of a development. If that is the case, you may receive requests for further information which will slow down the planning decision-making process. If insufficient information is provided, a planning application may be refused due to lack of information.

Heritage Statement

A Heritage Statement is required for all development affecting Heritage assets (Listed Buildings, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens, and sites of Archaeological Interest). Where this applies to your development, we strongly advise that you seek early pre-application advice from English Heritage and/or your District Council Conservation Officer.

The Heritage Statement:

- should give a description of the heritage asset and the effect of the development upon the setting of the heritage asset (NPPF paragraph 58)
- should be proportionate to the importance of the heritage asset, the extent of the works involved and the circumstances of each application in its scope and level of detail (NPPF paragraph 128)
- should list the sources of information used and any experts consulted. Useful information can be obtained from the Historic Environment Record maintained by the Historic Environment Team at Devon County Council (NPPF paragraph 129).

For Listed Building Consent (an application for works to a listed building) the Heritage Statement should contain a schedule of works to be done, as well as a consideration of the historic importance of the building and the effect on its setting. Depending on the scale of the works you may also need a historic building appraisal.

For Conservation Area Consent (an application for total or partial demolition in a conservation area) a Heritage Statement should include a written analysis of the character and appearance of the building/structure, the contribution it makes to the conservation area (with reference to the Conservation Area Appraisal prepared by the District, Borough or City Council) and a statement on its structural condition. It must also give justification for the

proposed demolition including the effect the demolition will have on the special character of the area.

For planning applications affecting a Listed Building, Scheduled Monument or Registered Park & Gardens – or development affecting their setting – the application should justify the proposed works and their impact on the setting of the heritage asset. English Heritage should be consulted with regard to any development directly affecting a Grade I or II* Listed Building, Park or Garden or Scheduled Monument or its setting.

For planning applications within or adjacent to a Conservation Area the application should include an assessment of the impact of the works on the character and appearance of the area as described in the Conservation Area Appraisals (which can be found by contacting your District/Borough/City Council).

For planning applications involving the disturbance of ground on sites that are known to have or are considered likely to have archaeological interest, an applicant will need to commission an assessment of archaeological information and, if required, intrusive archaeological investigations to allow the significance of the archaeology as well as the impact of the development upon it to be understood (NPPF paragraph 128). The results of this work will need to be included in the Heritage Statement submitted with the planning application. The results should also be added to the Historic Environment Record at Devon County Council. Areas of archaeological interest tend to be located around known archaeological sites recorded on the Historic Environment Record, Scheduled Monuments and within Conservation Areas.

Planning applications that have an impact upon Conservation Areas or World Heritage Sites or their setting should ensure that the development does not have a negative impact upon these designated heritage assets or their setting. Any new development should aim to make a positive contribution to the heritage asset affected (NPPF paragraphs 131 & 137).

DEFINITIONS

Heritage Asset: as defined by the NPPF “*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including*

local listing).”

Significance: *“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”*

Archaeological Interest: *“There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.”*

Historic Environment Record: *“Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use”*

Travel Plans

School developments

Where development would result in an increase in pupils the application shall include the following details:

- Current and proposed number of pupils and staff at the school
- Current and proposed car and cycle/scooter parking facilities at the school including: type of facility (e.g. covered/secure/lighting), number of spaces, location
- How safe and convenient access to the site will be provided (including to cycle/scooter parking facilities)

Where a school development will create a significant amount of movement (by any mode of transport) a School Travel Plan should be provided (NPPF paragraph 36). A School Travel Plan should address all aspects of sustainable travel to the site. For advice on whether the proposal will create a significant amount of movement, or for help with scoping the details of a Travel Plan please contact the Development Management Team (contact details on page 6) or Highways Development Management (contact details can be found here: http://www.devon.gov.uk/index/environmentplanning/planning-system/planning_publications/planningform/highwaysdesignguide.htm)

Non-school developments

Where a development will create a significant amount of movement (by any mode of transport) a Travel Plan

should be provided (NPPF paragraph 36). Applicants should refer to the trigger points as detailed in the relevant Local Plan. Where the Local Plan is not clear for the proposed development type, the Applicant should seek advice from the Devon County Council Development Management Team (contact info on page 6).

Where a Travel Plan is required, it should relate explicitly to the Transport Assessment/Transport Statement – where one is required (see section below). Developers are responsible for preparing Transport Assessments and Travel Plans to the standards required by the Department for Communities and Local Government and Department for Transport *Good Practice Guidelines: delivering travel plans through the planning process Chapter 4*.

General advice

Travel Plans are required in order to enable DCC to ensure that the design and layout of a proposal gives priority to pedestrian and cycle movements and in order to help create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians (NPPF paragraph 32 & 35).

Supporting information should demonstrate how travel, in particular sustainable travel options, have been considered as part of a high quality inclusive design, supporting transition to a low carbon future, reducing greenhouse gas emissions, reducing pollution and managing patterns of growth (NPPF paragraph 17, 32, 56, 57 & 93).

Further information: Good Practice Guidelines: Delivering Travel Plans Through the Planning Process

Transport Assessments/Transport Statement

NPPF paragraph 32 requires that “All developments that generate significant amounts of movement should be supported by a **Transport Statement** or **Transport Assessment**.” Applicants should refer to Appendix B of the Department for Transport *Guidance on Transport Assessments (7 March 2007)* for the thresholds which indicate when a Transport Assessment will be required.

The thresholds in that guidance are for guidance purposes and should not be read as absolutes - Local Authorities may interpret them in light of their own circumstances. There are several qualitative factors that need to be taken into account and that are not captured by the document. There will also be site-specific issues that assessments will need to cover. To be sure whether the development you propose triggers a Transport

Assessment, please seek guidance from Devon County Council Highways Development Management Officers directly (link below) or request pre-application advice on the whole scheme from the Development Management Team (contact info on page 6).

<http://www.devon.gov.uk/highwaysdesignguide>

Sustainable Transport

In addition to a Transport Assessment or Transport Statement, further supporting information should be provided to explain the opportunities for sustainable transport modes that have been considered (depending on the nature and location of the site) to reduce the need for vehicle trips and major transport infrastructure; how safe and suitable access to the site can be achieved for all people; and what improvements may be needed within the transport network to limit the significant impacts of the development. (NPPF paragraph 34).

Air Quality Assessment

Applications should consider the impact of a development upon air quality (NPPF paragraph 124) where:

- a) Appendix B of the Department for Transport *Guidance on Transport Assessments (7 March 2007)* indicates that a Transport Assessment or Transport Statement is required for the proposed development, or;
- b) the development is to be located within an Air Quality Management Area, or;
- c) the development will generate dust, PM10s, fumes, vapours, odour or any other emissions to air

A statement on air quality should include:

- Methodology for undertaking the assessment
- An assessment of the baseline/existing air quality
- Details of the emissions to air that the development will generate
- Details of any mitigating measures proposed as part of the development
- As assessment of the residual impact the development on air quality

The Environmental Health teams at District and Borough and City Councils will have information about the location and nature of Air Quality Management Areas and should be able to advise you in more detail about issues of air quality and the scope of information required at planning application stage.

Further Information: Environment Act 1990 (as amended).

Educational Statement of Need

For all school developments that require planning permission, Applicants should provide a statement of need which sets out the reasons why such facilities are required. The statement should:

- explain how the proposal helps deliver Devon County Council's statutory responsibilities in relation to education (as set out in the Education Infrastructure Plan 2013).
- include a consideration of the existing school facilities,
- identify the benefits the development will deliver to the school and local community, and what improvements it will deliver for teaching and learning
- set out the alternative options that were considered and, where relevant, local demographic pressures on school places should be explained.

The NPPF states that “the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.” For this reason, we encourage school promoters to approach the Development Management team at the earliest stages of considering a scheme so that we can work with you to identify and resolve key planning issues before applications are submitted (paragraph 72). This information could be included as part of the Planning Statement.

Development in Areas of Outstanding Natural Beauty (AONBs)

All development in AONBs should include a statement which considers the impact of that proposal upon the AONB. The statement should include an assessment of:

- the existing site context, and
- the nature of the impact of the development (i.e. negative, neutral or positive) and resulting site character

All major development (as defined by S55 of the Town and Country Planning Act 1990) proposed in AONBs should provide a statement to demonstrate the exceptional circumstances that justify the development in that location, and how the development is in the public interest. Sufficient information should be provided to enable DCC to properly consider such applications in accordance with NPPF paragraph 116 and should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Wildlife and Geology

There are 3 elements to the requirements for wildlife and geological information set out below. Each of the documents referred to and supporting guidance can be found on this web page:

http://www.devon.gov.uk/index/environmentplanning/natural_environment/wildlife.htm

1. All applications must include a completed **Wildlife and Geology Trigger Table**. This will indicate whether or not a Wildlife or Geology Report is required.
2. Where the trigger table indicates that a **Wildlife or Geology Report** is required, it must be submitted with the application. The report should include the results of an initial survey which must be carried out by a suitably qualified/competent person. Where the surveyor has advised that further work is required, this too should be undertaken and provided with the planning application.
3. In addition, the **Wildlife Checklist** must be completed by the ecological consultant and included with any Wildlife or Geology report.

There are no exceptions to these requirements.

These requirements are in response to the National Planning Policy Framework (paragraphs 109, 115, 117, 118, 119), European and National Wildlife Legislation, Government Circular: Biodiversity and Geological Conservation – statutory obligations and their impact within the planning system (2005), and relevant Local Plan policies.

Construction Traffic Management Plan

In the first instance, Applicants should contact the Highways Development Management Officer for their area (see link below) with information about anticipated construction traffic including:

- vehicle type/size
- number of movements, and
- access routes

The Highways Officers can then advise whether or not they consider that the likely impacts of the construction will result in a conflict, disturbance or significant impact on neighbours, other road users or sensitive landscape designations, sufficient to require a Construction Traffic Management Plan.

Where a Construction Traffic Management Plan is required, Applicants should provide a statement from the relevant Highways Officer to that effect. The Highways Officer will advise on the scope and content of the plan which will reflect the scale and context of the development but it is likely to need to include:

- information on phasing of construction
- how works will be contained on site/ details and location of contractors' compound
- methods of traffic control at the site
- routing of vehicles to and from the site
- hours of construction work
- hours of deliveries.

The aim of a plan is to reduce impact on the highway network and impacts on amenity of neighbours during the construction period.

Highways Development Management Officers contact information:

http://www.devon.gov.uk/index/environmentplanning/planning-system/planning_publications/planningform/highwaysdesignguide.htm

Relevant policy - NPPF Paragraph 14 regarding adverse impacts of development.

Drainage Scheme

All developments which propose alterations to the existing drainage arrangements (surface water or foul water) and/or an interruption to the natural drainage at a site should refer to the advice on the Flood Risk and

Sustainable Urban Drainage team web page found at this location:

<http://www.devon.gov.uk/index/environmentplanning/floodriskmanagement.htm>

This advice is designed to enable Applicants and Devon County Council to comply with the requirements of Schedule 3 of the Flood and Water Management Act 2010. The Act is yet to be implemented and as such the advice and web page will be updated as details emerge.

Relevant policy - NPPF Paragraphs 93, 94, 99, 100 & 106

Consultation/Community Involvement Statement

Decisions may be delayed considerably by reasonable objections being raised by members of the public. It may help to speak to neighbours of the site to find out if there is anything that concerns them. If likely problems are identified at an early stage, it may be possible to amend a proposal to overcome such concerns before an application is submitted. Where such consultation takes place, the application should include details of that consultation, the issues raised and the developer's response to those issues.

Where development is close to a boundary shared with a private residential property or a sensitive use it is recommended that you engage with those neighbours at an early stage in the development of you proposals and before submitting a planning application – NPPF paragraph 189.

Environmental Statement (as per the Environmental Impact Assessments Regulations 2011)

An Environmental Statement will be required where:

- the development is one which is listed in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011
- the development is one which meets the thresholds set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and impacts as set out in Schedule 3

For school developments and all major development (as defined by S55 of the Town and Country Planning Act 1990) you should request a 'screening opinion' from Development Management team to establish whether or not an Environmental Statement is required.

Exception – An ES will not be required where DCC or the Secretary of State's screening advice has determined

that a full Environmental Impact Assessment is not required.

Impact on aerodromes

A statement considering the impact of the development on licensed civil aerodromes or airstrips and military aerodromes or airstrips should be provided for all wind turbine and solar farm applications and where:

- the height of buildings or structures (whether permanent or to be used during construction) exceed the thresholds in the aerodrome safeguarding zone
- the proposal is likely to produce smoke or dust within an aerodrome safeguarding area
- the integrity of radar and other electronic aids to air navigation by reflection and refraction of signals may be impacted upon
- where the proposal may impact on visual aids (such as approach and runway lighting) by the obscuring of existing safety lighting or the installation of similar lighting which may cause confusion or where proposed lighting may diminish the effect of existing safety lighting or where proposed lighting or materials may dazzle pilots
- the development will have the potential to increase hazardous bird species or numbers in the vicinity of the aerodrome (normally within 13 km of any licensed aerodrome)

Since 2003, responsibility for aerodrome safeguarding has been devolved from the Civil Aviation Authority to individual airport operators and operators of licensed aerodromes. Advice must therefore be obtained from individual sites for specific requirements. Plymouth and Exeter airports should be contacted directly regarding proposals.

Geo-environmental and Geo-technical Data (Contamination and Land Stability)

NPPF paragraph 121 states that “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”

Where development will disturb the ground, supporting information should take account of the potential hazard that instability or contamination could have upon the development itself and to the site and neighbouring area as follows:

Geo-environmental / Contamination Report

Step 1

The application must include as a minimum a preliminary desk based research, known as a **Phase 1 Study**, using historic maps, to establish if the land on which a development is proposed, or adjoining land, is known or suspected to be unstable, contaminated or potentially so. The Phase 1 Study should take account of the proposed use and set out the 'source – pathway – receptor' model to demonstrate whether there is a risk. If not risk is identified, no further information is required.

Step 2

Where the Phase 1 Study indicates that further site investigations are required, a suitably qualified and competent person should be employed to undertake adequate site investigation information to enable DCC to be sure that:

- the site is suitable for its new use - taking account of ground conditions and land stability, pollution from previous uses and any proposals for mitigation (including land remediation or impacts on the natural environment arising from that remediation)
- the effects (including cumulative effects) of pollution on health, the natural environment or general amenity should be taken into account. The potential sensitivity of the area or proposed development to adverse effects from pollution should also be set out
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 (NPPF paragraph 120)

Where remediation works are identified by a Phase 2 report, a remediation method statement should be provided. The report should include:

Geo-technical / Land Stability Report

Where development is proposed in areas suspected or likely to be unstable, is proposed on land within 200 metres of cliffs, ridges or steep embankments, steep slopes or mining activities, a Geo-technical / Land Stability Report must be undertaken and should be produced by a suitably qualified geotechnical, civil or structural engineer. The scope of the report will be determined by the competent person carrying it out but it should include:

- an assessment of local geology
- the land stability history of the site
- some ground investigation e.g. soil testing, slope stability analysis and reporting

The supporting information should consider the effects of both natural and manmade underground cavities and ground compression.

Further information: Planning Policy Statement 25 Supplement: Development and Coastal Change – Practice Guide

Landscaping Scheme

You are advised to seek advice from the DCC Development Management Team and Landscape Officer early in the planning process and certainly before submission of a planning application. You may also need specialist professional advice to help you prepare this element of your application.

A landscaping scheme is required if:

- The proposal could harm or erode the character or appearance of the area
- Where existing vegetation is to be removed and replacement landscaping is proposed
- Where it is expected or has been determined through pre-application discussions with the DCC Landscape Officer or Development Management team that landscaping will be necessary to make the proposal acceptable in planning terms.

The landscaping scheme should include:

- A plan/plans detailing the proposed external works including hard and soft landscaping areas
- Planting and maintenance specifications (including spacing, seed types, plant species, planting stock size and means of protection and support)
- Evidence that the ground is suitable for proposed planting scheme (i.e. soil condition)
- Construction details for landscape features e.g. hedge banks, walls, fencing, surfacing
- Management plan for landscaped areas and the period of aftercare, this should include arrangements for replacement of plant failures
- Where appropriate it should be demonstrated that consideration has been given to advance planting, ecology networks, planting and landscaping on and off site.

The Landscaping Scheme should be of a good design quality, taking into account the distinctive character and special qualities of the landscape and should seek to mitigate any negative impacts of the development on the environment, conserve and enhance the character of the surrounding landscape and deliver a net biodiversity

gain (NPPF paragraphs 109 * 118). .

Further information:

- Natural Environment White Paper which sets out the UK's duties under the European Landscape Convention.
- Landscape Institute / IEMA (2013): *Guidelines for Landscape and Visual Impact Assessment*, 3rd edition.
- Landscape Institute *Advice Note 01/11: Photography and photomontage in landscape and visual impact assessment*
- Landscape sensitivity and capacity evidence base for local plans
- Devon Landscape Policy Group Advice Note 2: *Accommodating wind and solar PV energy development in Devon's landscape*.

Relevant policies - European Landscape Convention, EIA Regulations 2011, NPPF, Local Plans

Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA

You are advised to seek advice from the DCC Development Management Team and Landscape Officer early in the planning process and certainly before submission of a planning application. You may also need specialist professional advice to help you prepare this element of your application.

An LVIA will be required where a development is likely to raise concerns about its effects on the landscape and/or visual amenity due to its nature, size/scale, or location, taking into account the duration of the effects and whether they are reversible. In particular, LVIA is likely to be required for proposed development within or affecting the special qualities of an Area of Outstanding Natural Beauty (AONB), National Park or the character of the undeveloped coast.

An LVIA should be carried out having regard to Landscape Institute / IEMA (2013): *Guidelines for Landscape and Visual Impact Assessment*, 3rd edition.

The LVIA should:

- Provide sufficient and suitable information to demonstrate the impact the development will have on the surrounding landscape and from visual receptors such as public rights of way, public open spaces, dwellings, sensitive locations such as AONB and other important landscape features/views. This should be proportionate to the proposed development and may include a Zone of Theoretical Visibility (ZTV), plans,

- illustrative drawings or photomontage as well as written content.
- Include an assessment and evaluation of the character of the landscape and how the development will impact upon it. It may be advisable to take into account and make reference to relevant Landscape Character Assessment.
 - Details of mitigation measures, such as retention of existing valued features, proposed screening, landscaping and/or design proposed to avoid or reduce any negative impact of the development upon the environment, including the character and appearance of the landscape.

Cumulative landscape and/or Visual Impact Assessment (CLVIA)

This will be required where the landscape or visual impacts of a development could be greater in combination with other developments (of any type) in the area - taking into account developments that are awaiting determination, consented, under construction, or constructed.

The cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed development will become a significant or defining characteristic of the landscape.

Cumulative visual impacts concern the degree to which proposed development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of development will be visible from the same point, or will be visible shortly after each other along the same journey. Hence, it should not be assumed that, just because no other sites will be visible from the proposed development site, the proposal will not create any cumulative impacts.

Could apply to:

- Development introducing artificial lighting in an intrinsically dark landscape
- Wind energy development
- Solar PV development
- Waste development including tall stacks and emission plumes
- Other built development in the countryside

A CLVIA should include:

- Assessment of cumulative effects using best practice methods and credible evidence to substantiate.
- Evaluation of proposals against relevant strategies and guidelines where available

Further information:

See list for previous section on Landscape Statements plus Scottish Natural Heritage Guidance: cumulative effect of wind farms

Relevant policies - European Landscape Convention, EIA Regulations 2011, NPPF (97, 125, 143), Local Plans

Arboricultural Survey and Tree Protection Plan

An **Arboricultural Survey** and **Tree Protection Plan** will be required where the proposed development has the potential to affect trees or hedges on or off the site.

A full **Arboricultural Method Statement** should be provided where the development is within the root protection area of a tree.

The Arboricultural Survey and Method Statement should be prepared by a suitably qualified person. The degree of information required for each of these should be proportionate to the development and potential impact, but will generally include:

- a plan detailing the location of all trees on site - identifying trees for retention and those scheduled for removal
- where trees are scheduled for removal or could be impacted by the development, their current condition should be assessed and the potential impact of the development on their health assessed
- plans to show the Root Protection Area (RPA) of trees which are likely to be affected by the development
- details of how the tree and tree roots would be protected during construction
- The AMS should evidence that the proposal is technically feasible, referring to the “Heads of Terms” as defined within BS 5837: 2012.

These documents should be completed in accordance with BS5837:2012 Trees in Relation to design, demolition and construction

<p>Utilities check/site survey</p>	<p><u>All applications</u> should include a site survey for infrastructure such as electricity overhead lines, underground cables, drainage infrastructure, gas supplies, or substations that could be affected either by the proposed development or by its construction activity.</p> <p>Where an application is within 15m of an overhead line or 10m of a substation or an underground cable, or the access to a substation or pylon, Western Power Distribution should be consulted prior to an application being made.</p> <p>Relevant policy – NPPF Paragraph 56.</p>
<p>Sustainable Design and Energy Efficiency</p>	<p>Sustainable Design Statement</p> <p><u>All development</u> proposals should provide a Sustainable Design Statement (proportionate to the scale of the development) which draws on any other relevant supporting information and describes how the negative social, economic and environmental effects of the development will be mitigated and the positive effects enhanced (NPPF paragraph 7). It should be made clear where a development may create jobs, deliver net gains for nature, deliver better design and improve living conditions (NPPF paragraph 9, 17, 56 & 58).</p> <p>The statement should also consider issues of sustainable design including:</p> <ul style="list-style-type: none"> • choice of construction materials and construction method • energy – consumption minimisation, supply and generation • orientation and solar gain • insulation and ventilation • drainage schemes and water goods • waste minimisation and management • landscaping/planting schemes • ecology and biodiversity considerations • lighting <p>Energy Statement</p>

Where development involves the erection of a building or structure requiring heating and/or lighting, the planning application must include an Energy Statement that describes how landform, layout, building orientation, massing and landscaping have been considered to minimise energy consumption (NPPF paragraph 96).

In addition, the Energy Statement should describe how adopted Local Plan policies on local energy requirements will be met. This should include:

- response to Local Plan requirements for decentralised energy supply, unless it can be demonstrated by the applicant within the Energy Statement, having regard to the type of development involved and its design and site context, that this is not feasible or viable (NPPF paragraph 96)
- Local Plan requirements for the use of construction materials and techniques with low embodied energy.

Further Information:

- Building for Life guidance: <http://www.designcouncil.org.uk/our-work/CABE/Our-big-projects/Building-for-Life/>
- The Homes and Communities Agency Urban Design Compendium: http://www.homesandcommunities.co.uk/urban-design-compendium?page_id=5542&page=202

Sunlight/Daylight Assessment

Where there is a potential adverse impact on adjoining or nearby properties or buildings including gardens and amenity areas a sunlight/assessment should be provided.

Planning permission does not give immunity to developers whose works affect other people's property rights and which might be subject to action under the Rights of Light Act 1959.

Further guidance:

Site Layout planning for daylight and sunlight: a guide to good practice (BRE report 209 1991) gives advice on site layout planning to achieve good sunlight and daylight.

Lighting Statement/Plan

NPPF paragraph 125 advises that "by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."

Where external lighting is either proposed or necessary and the development is in open countryside, in the vicinity of residential property, would spill into a designated habitat or onto the transport network, design details for

lighting shall include:

- a layout plan
- mounting height
- beam orientation and spread
- design of lighting fixtures
- controls (which should include movement sensors, and/or timers where practical to reduce energy consumption)
- and hours of use
- identify the of any light spill, detail mitigating measures, assess the impact of light spill on the receptors

Examples of external lighting that require such details:

- floodlit multi use games areas (MUGAs), synthetic turf pitches (STPs), natural turf pitches or other sports pitches are proposed – see model conditions for more info required
- highways and transportation schemes

Further Guidance:

- Guidance Notes for the Reduction of Obtrusive Light GN01:2011
- The Chartered Institution of Building Services Engineers Fact file No 7 – Revision 1 2003

Noise Assessment

All developments which will generate significant noise, either alone or in combination with other existing or proposed developments shall provide a Noise Assessment. For advice on what constitutes a significant increase in noise, please consult with Environmental Health Officers at the relevant District Council or the DCC Development Management Team for further advice.

Areas likely to be more sensitive to erosion of tranquillity include: rural areas away from transport corridors including settlement; parks; open access land; public open spaces; national trails and locally promoted recreational routes.

All DCC developments should comply with the most up to date standard contract details for noise and have regard to the Noise Policy Statement for England.

Noise assessments should generally include:

- baseline data relating to existing noise levels including frequency analysis
- a description of the likely noise emissions during construction and once operational, and an assessment of effects on the area affected
- how the design minimises and/or mitigates noise to avoid significant adverse impacts on health and quality of life
- an assessment of the impact of any residual increase in noise on the surrounding area, in particular protected areas of tranquillity such as AONBs which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason (NPPF paragraph 123)

Further information:

- Landscape Character Assessment evidence highlights areas valued for tranquillity

Site Waste Management Plan/Waste Audit

Where a development will generate waste as a result of its construction or demolition, excavations or removal of a temporary building a statement should be provided to set out:

- how construction, demolition and waste generated during the lifetime of the development will be reduced to a minimum
- how unavoidable waste will be reused on site, recycled on site or stored in segregated facilities for recycling elsewhere
- how and where any remaining waste will be disposed of

Relevant policy – NPPF paragraph 7

Flood Risk Assessment (FRA)

You should use the Environment Agency *Flood Risk Standing Advice for use by Applicants and their Agents* which will indicate whether you need to submit an FRA and the scope of the document if one is required:

<http://www.environment-agency.gov.uk/research/planning/93498.aspx>

Where a FRA is required it should be prepared by the developer in consultation with the Waste Planning Authority

and the Environment Agency.

Further details regarding Flood Risk can be found in the Department for Communities and Local Government *Technical Guidance to the National Planning Policy Framework (March 2012)*

In circumstances where local knowledge (Strategic Flood Risk Assessment held by the LPA, letters from the parish council etc.) has indicated that the cumulative impact of minor extensions may have a significant effect on flood risk as, a FRA will be required.

Relevant policy - NPPF Paragraphs 101, 102, 103, 104

Playing Field Assessment

A playing field assessment is required where: development may affect a playing field, land used for playing fields at any time in the last 5 years which remains undeveloped, prejudice the use of all or any part of a playing field, or land which is identified for use as playing field in a development plan.

A Playing Field Assessment must: provide evidence sufficient to enable Sport England to advise whether they consider one of the special circumstances, as set out in the Sport England *Planning Policy Statement – A Sporting Future for the Playing Fields of England* applies to the proposal.

We advise that if the proposed development triggers a Playing Field Assessment, you should consult Sport England at the earliest opportunity.

Further Information:

- *The Playing Pitch Strategy* 1991 published jointly by the Great Britain Sports Council and the Central Council of Physical Recreation and the National Playing Fields Association.
- Sport England *Planning Policy Statement – A Sporting Future for the Playing Fields of England*