



South Bucks
District Council

South Bucks District Council

Local Requirements for the Validation of Planning Applications

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1. Introduction: Validation of Planning Applications

- 1.1 This document has been produced in light of the Government's publication 'Guidance on information requirements and validation - March 2010' which outlines the benefits of a more responsive approach to validation whereby Local Planning Authorities should make proportionate requests for additional information.
- 1.2 Under these arrangements, applications will require additional information and supporting documentation. Requirements for this additional information will vary depending on the scale and complexity of the application.
- 1.3 In all cases, as a minimum, applications will be expected to meet the national requirements.
- 1.4 In addition to the national list, South Bucks District Council has produced a list of local requirements, which sets out additional information which is required to validate an application. This document provides an explanation of each of the requirements, both national and local.
- 1.5 It is the applicants' responsibility to ensure that the requirements of the checklist (see Appendix 1) are submitted as part of the application.
- 1.6 If an application does not comply with these requirements, or the information submitted is not of an adequate standard, we will consider the application to be invalid and return it to the applicant (or their agent).
- 1.7 The Council will set out its reasons for declaring an application invalid in writing to the applicant (or their agent) and specify the information required to make the application valid. If an applicant feels that the required piece of information is not appropriate, then a written justification must accompany the application as to why it is not needed in the particular circumstances. The Council may reject the statement if it feels that it is not justified.

Pre-application discussions

- 1.8 South Bucks District Council encourages applicants to take advantage of pre-application discussions. Such discussions can assist in better quality applications which stand a better chance of a successful outcome. Planning Officers can advise on what additional local list information would be required to be submitted as part of a planning application at the pre-application stage depending on the circumstances of the particular proposal, although there may still be circumstances where the need for additional information only becomes apparent during the consideration of an application. Pre-application discussions are available for all types of applications; however there is a fee applicable in many cases. Further advice on this service and the relevant fees can be viewed at the Council's website via the following link:

http://www.southbucks.gov.uk/environment/planning/fees_for_advice_and_minor_amendments/default.asp

2. Statutory National Requirements

2.1 Applications for planning permission are required to be accompanied by the following:

The standard application form

2.2 All planning applications will need to be presented on a standard application form, which will be available electronically via the national Planning Portal website: www.planningportal.gov.uk or via a link on our website. Applicants still retain the option of submitting paper versions of the form. In that event, the Development Management Procedure Order requires three additional copies plus the original of the completed standard application form to be submitted. An applicant may be requested by the local planning authority to submit more than four copies, in order to assist with consultations, but three copies is the statutory requirement for a valid application. Applicants should answer all questions.

The Location Plan

2.3 All applications must include copies of a location plan based on an up-to-date map. This should be at a scale of 1:1250 or 1:2500. The Development Management Procedure Order 2010 requires three copies plus the original (or one if submitted electronically).

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

2.5 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 from a public highway, visibility splays, landscaping, car parking and open areas.

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

Site or Block Plan

2.7 Legislation requires 3 copies plus the original (unless submitted electronically) of the site plan. The site plan should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- The direction of North;
- The proposed development, including adverts, in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries;

2.8 And the following, unless these would NOT influence or be affected by the proposed development:

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

Ownership Certificate

- 2.9 Under section 65 (5) of the Town and Country Planning Act 1990, read in conjunction with Article 12 of the Development Management Procedure Order (DMPO), the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property.
- 2.10 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. Ownership certificates must also be completed for applications for listed building consent, and conservation area consent for demolition.
- 2.11 These ownership certificates are part of the standard application form.

Notice(s)

- 2.12 Where Ownership Certificates B, C, or D have been completed, notice(s) as required by Article 11 of the DMPO must be given and/or published in accordance with this Article, and submitted with the application.

Agricultural Holdings Certificate

- 2.13 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; Works to trees protected by Tree Preservation Orders; or Express consent to display an advertisement.

Design and Access Statement

- 2.14 Applications for Listed Building Consent must always be accompanied by a Design and Access Statement regardless of their designation. Where there is a planning application submitted in parallel with an application for Listed Building Consent, a single, combined statement should address the requirements of both.

In addition to the above, Design and Access Statements are only required for the following planning applications :-

- a) development which is a major development (for example for 10 or more dwellings, a site area of 0.5 hectare where the number of dwellings is not specified or where more than 1,000 sq.m floorspace is to be built);
 - b) where any part of the development is in a designated area (this is a Conservation Area or a property on the World Heritage List), development consisting of -
 - (i) the provision of 1 or more dwellinghouses; or
 - (ii) the provision of a building or buildings where the floorspace created is 100 sq.m or more.
- 2.15 What is required in a Design and Access Statement is set out on the Councils website which can be viewed via the following link:

http://www.southbucks.gov.uk/environment_planning/planning/design_and_access_statements.aspx

Fees

- 2.16 Planning applications may incur a fee. These are described in CLG circular 04/2008, Planning-Related Fees. The Planning Portal includes a fee calculator for applicants. South Bucks DC is also able to advise applicants on specific cases.

Plan Requirements

- 2.17 The following information although not a statutory requirement under the DMPO may be required to illustrate clearly what the development proposal comprises and add to the understanding of the proposal.

Existing and proposed elevations

- 2.18 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.
- 2.19 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.
- 2.20 Proposed new signage should be shown from a front and side elevation perspective, along with details of its size, material, colour, any supporting structures and details of illumination, if proposed.

Existing and proposed floor plans

- 2.21 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) and the sites boundaries.

Existing and proposed site sections and finished floor and site levels

- 2.22 Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided. Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings.
- 2.23 In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified. Levels should also be taken into account in the formulation of a Design and Access Statement.

Roof Plans

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

3. Local Requirements - Reports/Statements

Plans

- 3.1 All plans that are submitted as part of an application, in accordance with the national minimum requirements, MUST display a plan/drawing number and scale bar.

Affordable Housing Statement (including financial viability appraisal and/or draft legal agreement if necessary)

- 3.2 This requirement only applies to housing developments or mixed use development that includes housing.
- 3.3 The South Bucks Core Strategy requires 40% affordable housing on all schemes of 5 or more homes or on sites of 0.16 hectares and above (where there is a net gain in dwellings). Where an application meets or exceeds this threshold for affordable housing, a supporting statement is required to provide information regarding both the affordable housing and any market housing. (Applicants should also refer to the Council's Affordable Housing SPD for more detailed advice regarding requirements.)
- 3.4 **Where the application meets the policy requirements for affordable housing provision, it will not be validated unless it is accompanied by:-**
- An Affordable Housing Statement
 - A draft legal agreement

Where the application does NOT meet the policy requirements for affordable housing provision, it will not be validated unless it is accompanied by:-

- An Affordable Housing Statement
 - A Financial Viability Appraisal (including independent assessment by the District Valuer Service [DVS] or alternative independent assessor of financial viability specified by the District Council.
 - A draft legal agreement
- 3.5 The Affordable Housing Statement should include information on those elements of the following list relevant to the planning application:
- The number of units which comprise a) market housing b) social or affordable rented housing c) intermediate affordable housing. Justification should be given for the chosen tenure split, and the applicant should demonstrate how it meets locally identified needs. The units intended to be affordable should be identified on the plans.
 - Details of any Registered Providers acting as partners in the development.
 - Justification if the amount of affordable housing being provided is less than 40%.
 - Justification of any commuted sum in lieu of affordable housing provision. (This applies in those circumstances where commuted sums are appropriate in lieu of on-site affordable housing provision. It may also apply where provision of 40% on-site affordable housing would not equate to a whole number of units and the Council expects a financial contribution in lieu of the part unit).
- 3.6 Where it is proposed to provide less than the required 40% affordable housing provision (either on-site or off-site), or the affordable housing element on-site comprises less than two-thirds affordable rented housing, a financial viability appraisal will need to be submitted with the planning application. The appraisal should be up-to-date when the planning application is submitted and take account of any changes in circumstances between the pre-application and application stages. The financial viability appraisal will set

out the justification for not meeting the 40% affordable housing requirement and/or for not meeting the tenure requirements set out in Council policy. Where an applicant is not meeting the affordable housing requirement the Council will normally require an overage clause as part of any related Section 106 Agreement/Unilateral Undertaking.

- 3.7 The Council will require independent advice from the DVS or an alternative independent valuer identified by the District Council, to validate a financial viability appraisal that seeks to justify a variation from policy targets. This independent advice will take the form of a viability assessment, produced by the DVS/other independent valuer, paid for by the applicant and submitted with the application. The Council will act as the client of the DVS/other independent valuer, commissioning advice on behalf of the developer, with the developer paying the DVS/other independent valuer's fee to the Council.

The contact details of the DVS are as follows:

Oxford Valuation Office
4400 Nash Court
Oxford Business Park South
Oxford
Oxfordshire OX4 2RU
03000 506355

- 3.8 Where the DVS is not to be used, then an alternative independent valuer, as identified by the District Council, can be used. In such an instance, the applicant should contact the District Council to arrange this.
- 3.9 Where the application requires a legal agreement, a draft copy of the agreement needs to be submitted as part of the application. The submitted legal agreement should have already been discussed with the Council's Planning, Legal and Housing teams and, where relevant, include detailed information relating to the tenure mix, commuted sum, overage terms and any other necessary information to minimise the need for amendments during the course of the application. The draft legal agreement will need to be reviewed by the Council's Legal Section before the application is registered. On request, the Council will provide the prospective applicant with a standard template Section 106 agreement or a standard Unilateral Undertaking.
- 3.10 Information submitted with a planning application will be publicly available in full and put on the Council's Website.
- 3.11 Where commuted sum payments are proposed without the Council's prior agreement, the Affordable Housing Statement must demonstrate:
- why affordable housing cannot be provided on-site; or
 - how and why identified housing needs would be more effectively met off-site (compared to on-site).
- 3.12 The Affordable Housing Statement accompanying a planning application for a rural exception site in a 'designated rural area' must include Parish level evidence of housing need and evidence of community support.

Agricultural Statement

- 3.13 Any application involving an agricultural holding, including applications for agricultural or other rural dwellings including equestrian related dwellings, must provide details of the extent of the holding and the nature of the agricultural activity being carried out, as well as a detailed agricultural appraisal justifying the development sought, and demonstrating the essential need for a dwelling.

- 3.14 The agricultural appraisal must be undertaken by a reputable independent agricultural consultant, and submitted as part of the planning application. All documents will be publicly viewable.

Evidence of Marketing Statement (Loss of Employment Only)

- 3.15 Applications involving the change of use of a site or building in an existing employment use (B class use) will require a statement identifying how the site and/or premises have been marketed for an employment use and/or alternative economic uses. This statement should be in accordance with the document 'Guidance Note: Marketing Requirements in Relation to Core Policy 10 (Employment)'. This document can be found on the website via the following link:

http://www.southbucks.gov.uk/includes/documents/cm_docs/2011/g/1_guidancenotemarketingreportfinal.pdf

- 3.16 In circumstances where proposals do not fully meet the guidance set out in the above document, it will be for applicants to demonstrate through their marketing report that their marketing / advertising campaign was sufficiently wide-ranging; of adequate length; that the asking price and terms were realistic; and that specialists appropriate to the type of use were engaged.

Please contact the Planning Policy Team at South Bucks District Council for further information on 01895 837200 or e-mail LDF@southbucks.gov.uk

Flood Risk Assessment

- 3.17 In specified instances an appropriate Flood Risk Assessment (FRA) will be required at the planning application stage, to demonstrate how flood risk from all sources of flooding to the development itself and flood risk to others will be managed now and taking climate change into account.
- 3.18 Planning applications for development proposals of 1 hectare or greater in Flood Zone 1 and all proposals for new development located in Flood Zones 2 and 3 should be accompanied by a FRA. You can contact the Planning Department on 01895 837200 to confirm which zone your site falls into. The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed including safe means of access and egress for occupiers and for the emergency services in the event of a severe flood, taking climate change into account. The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUDS). For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences of flooding.
- 3.19 Proposals should also take account of the Strategic Flood Risk Assessment for South Bucks District, which is available on the Council's Website via the following link:
http://www.southbucks.gov.uk/environment/planning/local_development_framework/background_studies/2367.asp

Tree survey / Arboricultural Statement

- 3.20 Where there are trees and/or hedgerows within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a suitably qualified and experienced arboriculturalist.

- 3.21 Survey information should be provided using BS5837:2005 Trees in relation to construction - Recommendations. Every arboricultural statement should include the following:
- Tree Survey;
 - Tree Categorisation;
 - Tree Constraints Plan;
- 3.22 And where trees are going to be affected by the proposals, the arboricultural statement should also include the following:
- Tree Protection Plan;
 - Arboricultural Implications Assessment;
 - Arboricultural Method Statement.

For information on whether any of the trees within a site are protected by Tree Preservation Orders, you can contact the Council Planning Department on 01895 837210/7342.

Appendix 1: Validation requirements checklist

Please complete this checklist with every application by ticking the relevant boxes or entering N/A where appropriate, giving a short explanation as to why the requirement is not needed. Please check that you have supplied all the information required in accordance with the Local List written statement. Failure to do so may result in your application being invalidated.

Site Address			
National Requirements		Included	
		Applicant	Council
Completed form (4 copies) unless submitted electronically			
A copy of other plans and drawings necessary to describe the subject of the application (4 copies) which can include: <ul style="list-style-type: none"> • Block plan of the site (Compulsory) • Site location plan (Compulsory) • Existing and proposed elevations • Existing and proposed floor plans • Existing and proposed site sections and finished floor and site levels • Roof plans • All plans MUST have a scale bar 			
The completed Ownership Certificate			
Copy of Notice(s) where Ownership Certificates B, C or D have been completed			
Agricultural Holdings Certificate			
The appropriate fee			
Design and Access Statement			
Local Requirements		Included	
		Applicant	Council
Affordable Housing: Where the application meets the policy requirements for affordable housing provision:- <ul style="list-style-type: none"> • An Affordable Housing Statement • A draft legal agreement Where the application does NOT meet the policy requirements for affordable housing provision:- <ul style="list-style-type: none"> • An Affordable Housing Statement • A Financial Viability Appraisal (including independent assessment by the District Valuer Service [DVS] or other independent assessor of financial viability specified by the 			

District Council. • A draft legal agreement		
Agricultural Statement		
Evidence of Marketing Statement (Loss of Employment Only)		
Flood Risk Assessment		
Tree Survey / Arboricultural implications		