

GENERAL NOTES ON THE VALIDATION OF PLANNING AND RELATED APPLICATIONS

These notes and the accompanying validation checklist documents relating to each type of application have been the subject of consultation with users of the service in November 2007. Responses received have been considered and revisions have been made which have been put to the Development Control Committee of the Council in July 2008. The Development Control Committee has now formally adopted both these general notes and the validation checklist national and local list requirements. Failure to provide information when requested as shown by the National and Local lists, and to adhere to the requirements set out below, will render the application invalid.

Applications are open to public inspection and plans should clearly show the proposed works so they can be easily understood. Consideration of applications is likely to be delayed if requests for clarification have to be made

It is also helpful to include in a covering letter, details of the background of the site, the submitted proposal, and key considerations.

For more detailed information on the above requirements please see the Government's publication on the validation of planning applications.

Scale of plans

The scale must be shown on each plan and drawing. We are only able to accept plans that are drawn to a conventional stated scale. Scales such as 1/75 will not be accepted. It must be possible for anyone to take measurements directly from the plans using a scale ruler (whether or not dimensions are stated). Drawings that state "Not to Scale" and "Do not scale" will not be accepted. Applicants/agents are advised that EEC legislation states that all plans submitted should use metric measurements. The use of imperial measurements will render the application invalid.

Drawing number and title

- All drawings must be given a title and drawing number to help identify them.
- Amended drawings should clearly indicate either by highlighting or above the title box the amendments and the date those amendments were made.
- Amended drawings should be drawn at the same scale (unless otherwise asked for) as the original drawings.
- As existing and as proposed plans should be drawn at the same scale
- Site and/or location plans should show the direction of north.

Location Plan

An up to date Ordnance Survey Plan of Scale 1/1250 clearly indicating with a red line edging the application site, and with a blue line edging all other land in the ownership of the applicant close to or adjoining the site. 1/2500 scale red and blue line location plans are acceptable in more rural areas where there are no immediate reference points to the site or in the case of agricultural development where the blue line can cover a large area. The location plan should be A4 in size and not simply a small extract in the corner of another plan. **NOTE** – On no account must any plan produced by the District Council such as from the East Devon Local Plan or any planning agenda, or any other publication of the Council be used as this infringes copyright. Where the site is detached from the public highway, the red line must include the means of access (including visibility splays where known) with the width of the access being outlined and connecting to the main part of the site. Where the applicant does not own the means of access or any necessary visibility splays shown, then the relevant Certificate and Part 1 Notice must be submitted with the application. Any red line plan must include the whole planning unit e.g. in the case of a householder the house plus its garden, or in the case of a commercial use, any associated land used for parking etc. Similarly in the case of a barn conversion for example the red line should cover the barn and its intended curtilage/garden as well as access and any necessary drainage runs such as septic tank areas.

Block/Site Plan

An accurately drawn block or site plan of 1/200 showing the following:-

- The direction of north (the plan should be drawn with north at the top of the page)
- The proposed development in relation to site boundaries and other existing buildings on the site with either written dimensions or which can be accurately scaled.
- All buildings, roads and footpaths on land adjoining the site including access arrangements.
- The species, position and spread of all trees within 12 metres of any proposed building works (including any proposed drainage runs, septic tanks or cess pits).
- The extent and type of any hard surfacing.
- Boundary treatments including walls or fencing where this is proposed.

Elevations & Floor Plans

Where new built development is proposed detailed elevations and floor plans at a scale of 1/50 or no less than 1/100. Floor plans shall show the thickness of all walls together with cavities where present. Simple line drawings will not be sufficient. Elevation drawings shall include details of all windows and doors. Again simple single line drawings will not be sufficient. The only exception to the receipt of single line drawings shall be in the case of outline applications where such matters are reserved for future approval. In the case of elevations and floor plans the full existing and proposed details must be shown. All sides of the proposal (including blank elevations) must be included.

Where a proposed elevation adjoins another building or is in close proximity the drawings should clearly show the relationship between the buildings and where relevant show accurately the position of openings. Where a particular scale is chosen for elevations, the same scale shall be used for floor plans. The same applies to an existing and proposed plan so that an accurate assessment and comparison can be made by all parties. Elevation drawings should show any barge board, eaves details or details above window and doors such as soldier courses and lintels.

Section Drawings –Where the land slopes, existing and proposed cross sections showing clearly any proposed alterations to levels, proposed finished floor levels and any changes to ground levels e.g. raised decks or patios. Plans at a scale of 1/50 or 1/100 showing a cross section through the building are required in such cases.

Change of use

- In the case of barn conversions a detailed structural engineer's report setting out the existing structural state of the building, full details of proposed remedial works and in the case of any re-building or re-roofing an elevation drawing of no less than 1/100 clearly indicating the extent of the re-building/re-roofing. Plans to be submitted shall be of a standard sufficient to meet the current building regulations.
- In the case of barn conversions to a residential or commercial use a bat and barn owl survey together with any necessary mitigation that may be required.
- In the case of a change of use without physical extension an existing and proposed floor plan layout. Where elevational changes are anticipated an existing and proposed elevation drawing. The red line location plan should include the whole building (or part) which is to change use together with any external land to be associated with the new use. In the case of barn conversions an appropriate ecological appraisal and survey to address the possible presence of protected species such as bats, birds, badgers, water voles and reptiles and amphibians.

Design & Access Statements

Please refer to the Commission for Architecture and the Built Environment (CABE) document 'Design & Access Statements, how to write, read and use them, CABE 2000 for detailed guidance www.cabe.org.uk). All applications, except those for engineering operations, changes of use, or householder applications outside Conservation Areas or Areas of Outstanding Natural Beauty should be accompanied by a Design & Access Statement. The Statement should be split into two parts (three in the case of LBC applications – see below). All Full Planning applications, Listed Building Consent (LBC) and outline applications should include a statement unless it falls into one of the following categories

- A material change of use of land and buildings, (unless it also involves operational development)
- Engineering or mining operations

- Householder developments outside an AONB, Conservation Area, SSSI, World Heritage Site.

The Design and Access statement shall take the following form

- A. **Part One – Design Component** – Setting out and explaining the design principles and concepts in respect of the following aspects of the proposal:-
- i) **Amount** – how much will be built on site.
 - ii) **Layout** – how buildings and spaces will be arranged on site, and the relationship between them and buildings and spaces around the site.
 - iii) **Scale** – how big the buildings and spaces would be (height, width and length)
 - iv) **Appearance** – what the buildings and spaces will look like, e.g. building materials and architectural details. This is particularly important in Conservation Areas or near LBCs where the context needs to be set out.
 - v) **Landscaping** – setting out landscaping for public and private areas with soft and hard landscaping shown.
- B. **Part Two – Access Component** – This refers to access to the building and does not extend to internal access arrangements. The statement should explain how access arrangements will ensure that all users will have equal and convenient access to buildings and spaces and the public transport network. The statement should show how those with different needs such as wheelchair users or those who are visually impaired are catered for, as well as access for emergency services and other service vehicles such as refuse lorries where appropriate. The requirements of the Disability Discrimination Act must be taken into account.
- C. **Part Three – Listed Building Consent Applications** – LBC application are not exempt from the need to submit a general Design & Access Statement as set out above. In addition however, there is also a separate need to set out the proposals and properly justify them. Detailed guidance is given in PPG15 (Planning and the Historic Environment) In short a further detailed statement covering the following issues will need to be submitted:-
- Access statements to take account of the special historic/architectural features of the building and how difficulties have been addressed.
 - Design Statement to elaborate further on the way in which the proposal respects the scale, layout, appearance and setting of the Listed Building.

- An assessment of the building's main features and how the proposal will fit with them.
- Detailed description of the works and the rationale behind them.
- Impact on architectural composition, and plan form.
- Detailed justification and reasons for change and consideration of alternatives

General Note on Design & Access Statements

Clearly not all applications of a simple nature will need a long and detailed statement. LBC applications which are accompanied by a planning application can rely on Part One and Two above as submitted with the planning applications, **but** there must be a Part Three element which will be distinctly different in some aspects. Not all householder applications (e.g. conservatory extensions) will need a long statement. The guidance however does not exclude any householder applications except those outside Conservation Areas or Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest (SSSIs) and World Heritage Sites. Similarly not all LBC applications e.g. the installation of a satellite dish or alarm box will require a full statement, **but** even these applications should include a brief outline of the impact of the works, how the works will affect the fabric of the building, and what alternatives have been considered. The evidence to date on the majority of Design & Access Statements submitted is one of paying 'lip-service' to the new requirements. However, the Council, in line with Government aspirations, is seeking to improve design quality and standards in its area. Design and Access Statements are a key part in achieving this goal.

Flood Risk Assessments (FRAs)

Applicants and developers are referred to the detailed guidance set out in PPS25 (Development and Flood Risk) produced by the Government. On 1st October 2006 the Environment Agency was made a statutory consultee for planning applications where flood risk is a key issue on major developments. On other applications the Council will consult the Environment Agency where the development falls within zones 2 or 3 as defined by the EA on published flood risk maps. All proposed developments which fall within zones 2 and 3 must be accompanied by a FRA. Even minor developments or changes of use, to a more vulnerable type of use, such as residential (permanent or holiday use) shall be subject to requirement to provide an FRA. If the proposal falls within zones 2 and 3 and an FRA is not submitted the Council will not validate the application. Some minor development works above ground level such as the installation of a satellite dish will not require an FRA. Detailed guidance as to the content of the FRAs is included in PPS25. In more complex and major applications there will also be a requirement for a sequential and exception test. Any FRA must contain the following:-

- An indication of how the proposed development is likely to be affected by current or future flooding from any source.
- Evidence to show the Local Planning Authority the development is safe and where possible reduces flood risk overall.

- Will the development increase flood risk elsewhere; and
- The measures proposed to deal with these measures and risks.

Foul Drainage Assessments or foul sewage and utilities assessment

In cases where it is not possible to connect to existing foul drainage mains facilities you will be required to complete the necessary form (FDA1) to justify why non mains drainage is being proposed. This is also the case in sensitive areas such as source protection zones.

Advertisement Consent

- Drawings showing the actual size, location on the building or the forecourt, materials to be used, colours and the extent of any projection from the building. In the case of Listed Buildings details of any moulding and edge of the sign together with the type, design, materials and colour of any supporting bracket.
- In the case of illuminated signs the exact type of illumination (including the details of lamps) and the lux-level (intensity of light), together with the intended hours of illumination.

Section 106 Agreements and Unilateral Undertakings

The Council now has specific templates for Unilateral Undertakings relating to affordable housing, public open space contributions and education contributions and will expect these to be used and submitted with the relevant application. To assist in this the Council will enter into pre application discussions on all applications which warrant a contribution or legal agreement in an effort to resolve any issues prior to the application being made. A separate note relating to agreements and undertakings can be found elsewhere on the Council's web site.

Where an application requires an agreement or undertaking the Council will make the application invalid pending the submission of either a signed unilateral undertaking or the draft heads of terms of an agreement and any necessary supporting documents such as proof of title to the land as may be required.

Statements of Significance for Heritage Assets

PPS5: Planning for the Historic Environment introduced a requirement for applications affecting 'Heritage Assets' such as Listed Buildings, Conservation Areas, archaeological remains etc to be accompanied by a Statement of Significance. These statements will form part of the justification for the proposal and should demonstrate that consideration has been given to the protection of the heritage asset and/or its setting. The purpose of the Statement is to identify the important characteristics/significance of the existing heritage asset and to explain how the proposals would affect these and justify why this is necessary or desirable. If appropriate the Statement can be incorporated as part of a Design and Access Statement as long as it is clearly identified within the overall document. A complete Statement must include:

- Statement of significance of the heritage asset

- Details of the proposal
- Analysis of the impact of the proposal on the significance (including a statement of need & statement of impact)

Further guidance on Statements of Significance can be found at:

www.eastdevon.gov.uk/plg_statementofsigguidance.pdf