

Advice Note

Validation of Applications submitted under the Town and Country Planning Acts

How to make sure that your application includes all the required information when submitted

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NOTE: All information contained in this document is correct at the date of publication. It is likely that some requirements may change over time. Changes will be incorporated when the document is revised.

SECTION 1

1. Introduction

This Advice Note is based on a draft prepared by the members of the Kent Development Control Managers' Group representing all of the development control teams in Kent Planning Authorities.

It explains the procedure that the Council uses for deciding whether applications made under the Town and Country Planning Acts are valid when received. It also elaborates upon the checklists which have been designed to help you submit the correct information with your application.

The note seeks to

- assist you in ensuring that your application is valid when submitted;
- explain the various requirements set out on the Validation Checklists that should be used when completing an application;
- ensure that all applications can be dealt with effectively and efficiently;
- respond positively to the Best Practice Advice issued by Government; and
- ensure that the Council can comply with recent changes in legislation.

This note therefore explains what information will be required for different types of application. For example, if you are submitting an application for a new housing development you will need to consider whether an Affordable Housing Statement should be submitted. This advice note, however, does not tell you how much affordable housing your scheme should include. Advice on the amount of affordable housing can be found in the Council's policy documents and other advice notes.

With each application you make we will expect you to have completed the relevant Validation Checklist. There is one checklist for each type of application. These correspond with the new national planning application forms and validation procedures which are effective from 6 April 2008. If the relevant information required by the Validation Checklist is not submitted with the application then the application will not be valid and will not be progressed to a decision.

Please read this document carefully before completing the application form and validation checklist and submitting your application.

A permission under the Town and Country Planning Acts may not be the only permission you need from the Council. Other consents include Building Regulations, Licensing and Food Safety. More information on these and other consents and services of the Council are available on our website www.dover.gov.uk.

Please note that the new Validation procedures do not apply to the following types of application which, accordingly, have no Validation Checklists:

- Applications for prior approval for agricultural buildings and operations.
- Applications for prior approval for development by telecommunications code system operators.

- Applications for prior approval for demolition of buildings.
- Applications for consent to cut down or remove trees the subject of Tree Preservation Orders.
- Notifications of proposed works to trees in conservation areas.
- Notifications made under the Hedgerow Regulations
- Applications made under the Planning (Hazardous Substances) Act 1990.

2. Can we require so much information?

Some information - and a fee (in most cases) - is required by law when an application is submitted. In addition, national regulations give planning authorities the power to require applicants to provide additional information in the interests of good and efficient decision making¹.

Different types of applications will require different levels of information and supporting documentation to be submitted. The Department of Communities and Local Government has published guidance² recommending that local planning authorities specify the scope of information necessary to enable them to determine different types of applications. This is what this Advice Note does. It also takes into account the advice in DCLG Circular 02/2008³ and the related Regulations⁴.

The Validation Checklists have been the subject of public consultation in accordance with the guidance.

3. Common reasons why applications are invalid

The most common reasons why applications are not valid when received are

- supporting documents omit information specified in the guidance notes accompanying the planning application form and/or set out in national guidance, the statutory Development Plan or supplementary planning guidance;
- submitted drawings do not show sufficient details as specified in the guidance notes or are inconsistent;
- one or more plans or other documents are missing;

¹ National legislation and regulations in relation to the registration and validation of applications includes:

- The Town and country Planning (Applications) regulations 1988
- The Town and Country Planning (General Development Procedure) Order 1995 (as amended)
- The Town and Country Planning Act 1990
- The Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Control of Advertisements (England)) Regulations 2007; and
- Electronic Communications Order.

(a) supply any further information and except in the case of outline applications, plans and drawings necessary to enable them to determine the application or

(b) provide one of their officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

² The Validation of Planning Applications: Guidance for Local Planning Authorities December 2007

³ DCLG Circular 02/2008 Standard Application Form and Validation March 2008.

⁴ SI 2008 No. 550 The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008

- description of the development is wrong
- Design and Access Statement is missing
- different application addresses on the forms and drawings;
- building works encroaching on the neighbouring property;
- incorrectly signed or unsigned certificates;
- insufficient copies of plans and forms submitted;
- inconsistency between elevations and floor plans;
- incorrect fees enclosed or fee cheque not signed;
- information still inadequate after one or more requests to the applicant for further details; and
- application site not edged red on the site location plan.

4. Data Protection and the Internet

The information you provide on the application form and in the supporting documents will be public information which will be made available on the Council's website. In view of this, if you supply personal information belonging to a third party, please ensure you have their permission to do so.

5. The Validation Process

The Council will only consider applications that are valid.

“Valid” means that all the information specified by the Council in order to determine the application is provided in full at the start of the process, and to an acceptable quality. **If relevant information or the correct fee is missing the Council will not be able to start processing the application and the planning process will be delayed. Poor quality information may also cause delay.**

There are many different types of applications. Some types require more detailed information than others. All information needs to be accurate. Some information can be complex and technical. It is required so that Council officers (not just in Planning), technical consultees and Council members can assess what the impacts of the development will be on, for example, neighbours regarding noise from air conditioning units, or the amount of traffic generated by a proposal. The information also helps other interested parties, including the general public, understand your proposals.

It is likely that you will need to appoint an architect, surveyor or specialist consultant to prepare the information for you. This might seem like an additional expense. However, it should save time and money in the long run and mean that the application is determined more quickly.

We want to make the process as straightforward as possible. We have prepared Validation Checklists which confirm what information is required for the different types of application.

You are encouraged to use these checklists to ensure that applications are complete when they are submitted to us. Checklists should be completed by you and submitted with the application. We will look at these checklists at the start of the planning process to assess whether the application is valid.

6. What if further information or a fee is required?

We will aim to notify you within three working days if the application is incomplete due to missing information or fee. We will specify what needs to be provided and give a timescale for the submission of the missing information or fee. If this is not submitted within the given timescale the application may be returned to you and no further action will be taken on it.

Extra copies of plans and other documents may sometimes be requested if the Council needs to consult a wider than usual range of neighbours or expert advisers. The Council also reserves the right to request any other information considered necessary to make a full planning assessment of your proposal.

Where an application is not accompanied by the required information, applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases, we will not declare the application invalid unless we can provide reasons to the applicant.

If, for any reason, an apparently valid application is later found to be invalid, the applicant will be so informed.

7. Online and electronic submissions

Dover District Council is able to receive all applications electronically via our website www.dover.gov.uk or via the Planning Portal www.planningportal.gov.uk.

The following notes are provided to assist you when submitting your application in this way. If you follow the guidelines it will enable us to process your application and publish it on the web more quickly.

Please structure your electronic submission in the following way:

- No individual file is greater than 5MB
- Large documents are broken down into manageable files e.g. in chapters and Sections
- It is important that the naming structure explains the document and chapter in plain English
- All major dimensions must be specified on drawings. This is necessary for the assessment of drawings. Drawings should include a scale and calibration scale
- Drawings should be orientated so they appear correctly when viewed on screen (i.e. North at the top of the screen).

8. Structure of Advice Note

This note is in three sections:

Section 1 provides an introduction (see above)

Section 2 Identifies the documents that are listed in the Validation Checklists and includes reference to supporting studies, statements and assessments that are commonly required. For each type it identifies the relevant national and local guidance and development plan policies, together with other key documents, some of which contain their own bibliographies that you may find helpful.

Section 3 Contains a list of the individual Validation Checklists. Each individual checklist is available as a separate document and may be downloaded from the Council's website or accessed via the Planning Portal when making an online application.

9. Where can I find more help?

Copies of this Note and the Validation Checklists can be viewed or downloaded from the Council's website www.dover.gov.uk.

If you require further information please contact our Customer Services team as follows

Telephone 01304 872486

Email: developmentcontrol@dover.gov.uk

SECTION 2

Documents referred to in the Validation Checklists

Each Checklist sets out, in summary form, what must be included with your application. These are the National requirements which will also be included in a checklist on the application form. They are followed by the list of Local Requirements which may be relevant to your application.

DRAWINGS – Drawings may be A4 or A3; larger drawings are acceptable. Where a drawing contains different elements of the proposal they should be clearly grouped under headings. Applications may be invalid if the drawings are unclear, contradictory or lack important information. All plans must be to an identified metric scale (e.g. 1:100, 1:200) and show the direction of North where appropriate (site location and layout plans).

IT IS GOOD PRACTICE FOR EACH DRAWING to include the following information:

- A title to identify the development and subject of the drawing (e.g. Residential development at Channel View, Cliffland – Site Layout).
- A unique drawing number which also indicates any revisions (e.g. 1234 Revision A).
- A summary description of all revisions to identify any changes (e.g. Revision A – Layout changed).
- Its date and/or the date of any changes made.

- Annotation against the drawing to indicate all key external dimensions.

It should also preferably include a scale bar indicating a minimum of 0-10 metres.

If not applying electronically, please provide if possible an electronic copy of the application on a CD ROM in pdf format. Please limit individual file sizes to less than 5Mb.

SITE LOCATION PLAN

Such plans should show at least one named road and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

The application site must be edged clearly with a **red** line, including all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car-parking and open areas around buildings.

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

SITE LAYOUT PLAN/BLOCK PLAN

Such Plans should be at a scale of 1:200 or 1:500, should be on or based on an up to date Ordnance Survey map and should accurately show:

- The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries.
- All the 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.
- The extent and type of any hard surfacing.
- Boundary treatments including walls or fencing where proposed, including reference to their heights.
- The location, number and form of any vehicle or cycle parking
- The location and shape of any vehicle turning area.

FLOOR PLANS AND ELEVATIONS

All sides of the existing building as well as the proposed development must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case. New buildings should also be shown in context with adjacent buildings (including property numbers or names where applicable).

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 openings on each property.

SECTIONS

Cross section(s) through the proposed building(s) should be submitted in the following circumstances:

- In all cases where a proposal involves a change in ground levels – illustrative drawings should be submitted to show both existing and finished levels.
- On sloping sites – full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings.

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

OWNERSHIP CERTIFICATES

You must complete an ownership certificate for all applications except

- An application for Reserved Matters,
- Works to trees protected by Tree Preservation Orders,
- Notification of works to trees in Conservation Area areas; or
- Applications for Express Consent to display an Advertisement.

Fill in **Certificate A** if the applicant is the only person who owns the application site. This is what the completed certificate A confirms.

Fill in **Certificate B** if the applicant does not own the application site or if the applicant owns the site but there are other people who also own it or have an interest in it (for example shared freeholders or leaseholders). You will need to list the names and addresses of any other people and confirm the date when you “served notice” (that is formally told them) that you were making the application. This is what the completed certificate B confirms.

You should use **Certificate C** if you know some but not all owners. In this case you must also explain what reasonable steps you have taken to identify other owners. You will need to list the names and addresses of any known owners and confirm the date when you “served notice” (that is formally told them) that you were making the application. You will also have to place a public notice in a newspaper circulating in area where the land lies.

You should use **Certificate D** if you do not know any of the owners. In this case you must also explain what reasonable steps you have taken to identify the owners. You will also have to place a public notice in a newspaper circulating in area where the land lies.

For these purposes an ‘owner’ is anyone with a freehold or leasehold interest the unexpired term of which is not less than 7 years.

AGRICULTURAL HOLDINGS CERTIFICATE

This certificate is required where there is an agricultural holding, that is where there is an **agricultural tenant(s)**, who must be notified prior to the submission of the application. If the application site does not include an agricultural holding then you should complete the statement to that effect on the Certificate, from the list above, which you issue with the application.

PART 1 NOTICE

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

It will be very helpful if a copy of each Notice served were to accompany the application.

FEE

The correct fee for your application may be found in the our note Planning Application Fees <http://www.dover.gov.uk/planning/forms/PAFEES.pdf>

DESIGN AND ACCESS STATEMENT

Description and Scope

Most planning applications must be accompanied by a Design and Access Statement. The Statement should explain how a design “process” has been followed. The statement is required to explain and appraise

- Key features of the site, such as buildings, trees, hedgerows, streams and changes in level. The appraisal should explain which of these features is worthy of retention. and how they might be changed or affected.
- The townscape or landscape context of the site, including reference to predominant landforms and land uses, density of development, general height of buildings, viewpoints, the location of any listed buildings and its relationship to any conservation area or area designated for its landscape importance. This information is often best presented in the form of annotated plans, perspectives and diagrams, with a brief summary in the text.
- The design principles and concepts that have been applied to aspects of the development including the amount, layout and scale of the development, its landscaping and its appearance.
- How Development Plan policies and documents have been taken into account.
- How the proposed development will contribute to the government’s Key Planning Objectives concerning climate change and principles of sustainable design and construction.
- What consultations or scoping studies have been undertaken on access and design issues and what account has been taken of the outcomes.
- How specific issues which might affect access to the development have been addressed, including access for disabled people and the emergency services where relevant.
- How prospective users will be able to gain access to the development from the existing transport network and by a range of transport means.
- Why the main access points to the site and the layout of access routes within the site have been chosen.

- How features which ensure good access to the development will be maintained.
- How crime prevention measures have been considered in the design of the development.

Proposals that affect Listed Buildings, Conservation Areas or other areas with specific designations (the Kent Downs Area of Outstanding natural Beauty or a Special Landscape Area) will need particularly careful analysis and justification in the Statement to show that full account has been taken of their status. Specific reference should be made to PPG 15 and its requirements when applications are for listed buildings or buildings in Conservation Areas.

Illustrative material in the form of photographs, annotated sketches, coloured drawings, perspectives, street scene montages, or models is often helpful to the understanding of a proposal and enables a full appreciation of the design of proposed buildings in their wider surroundings, not just the immediately adjacent buildings. The level of illustrative material needed will depend on the scale of the development.

Straightforward or small-scale proposals may just need a brief Statement covering the matters set out above, photographs of the site and its surroundings and plans or drawings in relation to neighbouring development.

If you have provided a very detailed or lengthy statement it would be helpful to include a summary.

When is a Design and Access Statement required?

For all full and outline planning applications and applications for Listed Building Consent except:

- Changes of use, unless they involve operational development (i.e. buildings etc)
- Developments affecting an existing dwelling, or within the curtilage of a dwelling, except those within a Conservation Area, Area of Outstanding Natural Beauty or Site of Special Scientific Interest
- Engineering or mining operations.

A Matrix summarising when a Design and Access Statement is required can be found at the end of this Advice Note

Government policy or guidance:

- PPS 1: Delivering Sustainable Development
- PPS 1: Supplement: Planning and Climate change
- PPS 3: Housing
- PPS 7: Sustainable Development in Rural Areas
- PPG 13: Transport
- PPG15: Planning and the Historic Environment
- DCLG Circular 01/2006 - Guidance on Changes to the Development Control System.

Kent and Medway Structure Plan, 2006:

- Policy EN1 – Protecting Kent’s Countryside
- Policy EN3 – Protection and Enhancement of Countryside Character
- Policy EN4 - Areas of Outstanding Natural Beauty
- Policy EN5 – Special Landscape Areas
- Policy EN14 – Rural Lanes
- Policy QL1 – Quality of Development and Design
- Policy QL6 – Conservation Areas
- Policy QL8 – Buildings of Architectural or Historic Importance
- Policy QL9 – Historic Landscape Features
- Policy NR1 – Development and the Prudent Use of Resources

Dover District Local Plan, 2002

- Policy DD1 – General Design Criteria for New Development

Supplementary Planning Documents or Guidance:

- The Kent Design Guide, 2006

Other Documents:

- Design and Access Statements: How to write, read and use them - CABI, 2006
- How to make Better Planning Applications - English Historic Towns Forum
- Making Better Applications for Listed Building consent, Publication 57 - English Historic Towns Forum
- A Charter for English Heritage Advisory Services, Appendix A - English Heritage.
- Supplementary Planning guidance SPG4 Kent Vehicle Parking Standards – Kent County Council, July 2006.
- Manual for Streets - DCLG 2007.
- The Kent Downs AONB Management Plan
- Safer Places – the Planning System and Crime Prevention - ODPM/Home Office, 2003
- Guidance: To enable applicants seeking planning consent to address the crime prevention requirements of design and access statements – Kent Police.

LOCAL REQUIREMENTS

AFFORDABLE HOUSING STATEMENT

Description and Scope – General Housing

An affordable housing statement will be required where the amount of housing proposed to be built meet the threshold set out below. The statement should include information concerning both the affordable housing and any market housing. The information provided should include the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms or the floor space of the new units. The levels or types of affordability or tenure proposed for different units should be clearly and fully explained. The statement should also include details of any Registered Social Landlords acting as partners in the development and timing of the provision.

In preparing the statement you should contact the Council's Housing Initiatives Manager for more detailed advice.

A Planning obligation or conditions will be used to secure the provision of affordable housing if permission is given. If no Registered Social Landlord is involved, an agreement will always be required. In these circumstances, the statement should include draft Heads of Terms for a planning obligation or be accompanied by a unilateral undertaking. Reference should be made to the section headed Planning Obligation(s)/Heads of Terms in these notes.

Description and Scope – Rural Exceptions

The majority of affordable housing will be provided through general market development. However, affordable housing may be provided in some circumstances as an exception to housing restraint policies outside village confines when fully justified by proven local need and subject to certain criteria being satisfied. A Planning Obligation, to ensure that the exceptional nature of the development remains intact and that it continues to serve a local need, will be necessary if permission is given.

When required:

- Sites of 15 and over new homes. The Council will normally expect 30% of the dwellings to be provided as subsidised affordable housing.

Government policy or guidance:

- PPS3: Housing
- Delivering Affordable Housing

Kent and Medway Structure Plan, 2006:

- Policy HP7 – Affordable Housing Provision
- Policy HP8 – Affordable Housing on Rural Exception Sites

Dover District Local Plan, 2002:

- Policy HS9 – Affordable Housing (note: the percentage referred to in this policy was increased to 30% in June 2004).
- Policy HS10 – Affordable Housing Outside Village Confines

Supplementary Planning Documents or Guidance

Dover District Local Plan. Affordable Housing Supplementary Planning Document – Dover District Council, September 2007.

Affordable Housing: rural Exception Schemes. Supplementary Planning Guidance - Dover District Council, 2002.

Other Documents

- Housing Needs Assessment – Dover District Council 2003

AIR QUALITY ASSESSMENT

Description and Scope

An Air Quality Assessment will be required for proposals that have the potential to cause significant levels of air pollution which may affect a designated Air Quality Management Area (AQMA). The latter would include developments located within the AQMA as well as those that could generate additional vehicular traffic through this area. The assessment should provide information to enable the Council to assess the likely impact on local air quality.

In respect of proposals affecting an AQMA, it may be appropriate in some circumstances for you to fund mitigating measures elsewhere inside the Area to offset any increase in local pollutant emissions resulting from the proposed development. These measures would normally be secured through planning obligations.

Assessments may be required for larger scale development. Whilst smaller infill development within or close to an AQMA is unlikely to require an air quality assessment, the cumulative effects of such development do have an impact on local air quality. Mitigation measures or contributions to any Air Quality Action Plan and / or the Pollution Management Programme may be sought proportionately.

Existing AQMAs include Townwall Street and Snargate Street, Dover. Staff in the Environmental Protection Division of the Council can advise on the need for and scope of the Assessment.

The overall aim of an air quality assessment is to determine whether the development will have a significant impact on air quality or whether the existing air quality environment is unacceptable for the proposed development.

When required

- If the development is likely to cause a deterioration in local air quality (i.e. once completed it will increase pollutant concentrations)
- If the development is located in an area of poor air quality (i.e. it will expose future occupiers to unacceptable pollutant concentrations)
- If the demolition/construction phase will have a significant impact on the local environment (e.g. through fugitive dust and exhaust emissions).

Government policy or guidance:

- PPS 23 – Planning and Pollution Control (including Annex 1: Pollution Control, Air and Water Quality)

- Part IV of the Environment Act 1995 – Local Air Quality management DEFRA Policy Guidance LAQM.PG(03), 2003 – Chapter 7: Air quality and land use planning

Kent and Medway Structure Plan, 2006:

- Policy NR5 – Pollution Impacts
- Policy NR6 – Development Sensitive to Pollution
- Policy NR7 – Air Quality Management Areas

Other Documents:

- Planning for Air Quality - National Society for Clean Air (NSCA)
- Air Quality and Planning Guidance – Kent and Medway Air Quality Partnership (Draft), September 2007
- The London-wide Best Practice Guidance entitled '*The Control of Dust and Emissions from Construction and demolition*' is generally considered to be a useful guide and should help reduce emissions from this stage of a development.

BIODIVERSITY SURVEY AND ASSESSMENT

Description and Scope – Biodiversity

Biodiversity is concerned with wildlife species and habitats and needs to be considered at the very outset of development proposals, as wildlife surveys, if required, are often restricted by season. Wildlife is not restricted to designated areas. Species and habitats which are fully protected by law, or are of conservation concern, occur throughout Dover District.

Within Dover District the sites designated for their biodiversity importance range from international (Ramsar, Special Area of Conservation (SAC) and Special Protection Area for birds (SPA)), through national (National Nature Reserves (NNR) and Sites of Special Scientific Interest (SSSI)) to local (Local Nature Reserves (LNR) and Sites of Nature conservation Interest (SNCI)/Local Wildlife Sites (LWS)). For development applications that may directly or indirectly affect these sites a biodiversity survey and assessment is essential.

Elsewhere, applications should indicate any significant biodiversity interests, either species or habitats, within the development site, or linked to it. Where significant biodiversity interests may be affected, an assessment of those impacts must accompany the application and, where harm to those interests may occur, the assessment must include remedial measures.

Description and Scope – Geology

Geology is concerned with the rocks that underlie the soil. There are places where rock exposures, occurring either naturally (e.g. sea cliffs) or artificially (e.g. mining, quarrying) are important in an understanding of geological processes. In Dover, there are three Regionally Important Geological sites (RIGS) the shale depositions associated with the ex-colleries. Additionally, there are exposures occurring in the ancient and current sea cliffs and foreshore, river sections, particularly of the Dour and underground features such as tunnels and deneholes. Development that is proposed on sites with such exposures should be surveyed and assessed.

When required:

The Local Authority is required by law to have regard to biodiversity in all its functions.

As biodiversity is a complex subject, more comprehensive details in respect of significant species and habitats for which a survey and assessment will be required, together with specific criteria and survey seasons, are given in Dover District Council Local Requirements Biodiversity and Geological Conservation. All assessments on biodiversity must refer to this local requirements document.

Even where no habitats or protected species are present applicants may be required to contribute to the wider biodiversity of the area through the provision of habitats and wildlife protection measures, e.g. the provision of bird and bat boxes.

Applications that involve change to geological or geomorphological features as listed in Part II of '[Biodiversity and Geological Conservation – Dover District Council Local Requirements](#)' will require survey and assessment.

Government Legislation, Policy or Guidance

- The Natural Environment and Rural Communities Act 2006
http://www.opsi.gov.uk/acts/acts2006/pdf/ukpga_20060016_en.pdf
- PPS 9: Biological and Geological Conservation
<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement12>
- Planning for Biodiversity and Geological Conservation: A Guide to Good Practice 2006
<http://www.communities.gov.uk/publications/planningandbuilding/planningbiodiversity>
- Circular 06/05 Biodiversity and Geographical Conservation – Statutory Obligations and Their Impact Within the Planning System
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Kent and Medway Structure Plan, 2006

- Policy EN 3 – Protection and Enhancement of Countryside Character
- Policy EN 7 – County and Local Wildlife Designations
- Policy EN 8 – Protection, Conservation and Enhancement of Biodiversity
- Policy EN 9 – Trees, Woodland and Hedgerows
<http://www.kmsp.org.uk>

Dover District Local Plan, 2002

- Policy CO 8 – Hedgerows
- Policy CO 9 – Green Corridors
- Policy WE – Ponds and Lakes
<http://www.dover.gov.uk/local-plan>

Other Documents/Websites

- Validation of Planning Applications Pilot Draft 2007 Association of Local Government Ecologists
<http://www.alge.org.uk/publications/index.php>
- Bat Surveys: good Practice Guidelines – Bat Conservation Trust 2007
http://www.bats.org.uk/news_events/BatSurveys.asp

- Regionally Important Geological Sites Group
<http://www.kentrigs.org.uk>
- Natural England <http://www.english-nature.org.uk/Special/geological/sites/area ID19.asp>

DAYLIGHT/SUNLIGHT ASSESSMENT

Description and Scope

An unacceptable degree of overshadowing or sense of enclosure to adjoining property should be avoided. The Council applies a 45° code to assess the likely effects of development.

When required:

- Where there is a potentially adverse impact upon the current levels of daylight or sunlight enjoyed by adjoining properties particularly dwellings and their gardens.

Government policy or guidance:

- PPS1 Delivering Sustainable Development

Kent and Medway Structure Plan 2006:

- Policy QL1 – Quality of Development and Design

Dover District Local Plan 2002

- Policy DD1 – General Design Criteria for New Development.

Other Documents:

- Site layout planning for daylight and sunlight. A guide to good practice, Building Research Establishment 2003.

ECONOMIC STATEMENT

Description and Scope

Applications may need to be accompanied by a supporting statement explaining any regeneration benefits from the proposed development, including details of any new jobs that might be created or supported; the relative floorspace totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal.

A statement may also be required if the application involves the loss of existing or potential employment land to another use.

When required:

- To accompany any application which is aimed at achieving regeneration benefits or which will result in loss of existing or potential employment land.

Government Policy or Guidance:

- PPS1: Delivery Sustainable Development
- PPG4: Industrial and Commercial Development and Small firms

Kent and Medway Structure Plan, 2006:

- Policy DO1 – Area Policy for Dover

Dover District Local Plan 2002

- Policy LE1 – Protection of Employment Land

ENVIRONMENTAL STATEMENT

An Environmental Statement may be required for certain categories of development, as defined in Schedule 1 and Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The Regulations require a developer to prepare an Environmental Statement to enable the local planning authority to give proper consideration to the likely environmental effects of such a proposed development (EIA development).

The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

For a submission without an Environmental Statement, which is deemed to be EIA development, the Council must accept the submission as a screening request and, within three weeks, should adopt a Screening Opinion (subject to a provision requesting more information for the specific purpose of screening). If, in the opinion of the Council, an Environmental Statement is required it should notify the applicant to that effect. The applicant then has three weeks in which to respond, or seek a Screening Direction. If the applicant does not so respond, then refusal follows automatically at the end of the three week period, unless an Environmental Statement is submitted in the interim.

For major developments, a Screening Opinion or Scoping Opinion (if the applicant is already aware that an Environmental Statement will be required) should be sought well in advance of an application to avoid significant delays in determining the application.

Applicants should be aware of two judgments of the European Court of Justice in May 2006. These require that where development consent comprises a multi-stage process e.g. outline planning applications, a formal environmental assessment can be required before the approval of reserved matters. The Regulations will also apply to conditions attached to full planning permissions which do not permit development until after the submission of certain detailed matters and their approval by the planning authority.

When required

- If the development is listed in Schedule 1 of the Regulations.
- If the development is listed in Schedule 2 of the Regulations and is likely to have significant environmental effects by virtue of factors such as size, nature or location.

Other Documents

- Town and Country Planning (Environmental Impact Assessment) (England) Regulations 1999

- Town and Country Planning (Environmental Impact Assessment) (England) (Amendment) Regulations 2007
- Guidelines for Landscape and Visual Impact Assessment 2nd Edition- The Landscape Institute & The Institute of Environmental Management and Assessment (ISBN-0-415-23185-X)

FLOOD RISK ASSESSMENT

Description and Scope

The Environment Agency has identified areas within the District that are at risk of flooding. Details of the location of these areas is available on the Environment Agency's web site www.environment-agency.gov.uk, or from the Council.

Where new buildings are proposed in a high risk area a Flood Risk Assessment is required to establish the impact of the development on the flood plain and the level of risk to the occupiers. If your site lies in an area at risk to river or marine flooding or is adjacent to a Main River we recommend that you contact the Environment Agency to discuss the need for and scope of the Assessment. We can tell you if your site is at risk to flooding or near a Main River, or you can check on line at the Environment Agency's website. Of particular use is the Standing Advice that the Environment Agency provides to Local Planning Authorities. This explains when the authority should consult the Agency on a planning application but it also gives considerable information on the need for and type of Flood Risk Assessment that will be required.

The Standing advice is available at www.pipernetworking.com/floodrisk/index.html

A Strategic Flood Risk Assessment was prepared for Dover District in 2007 and is available at www.dover.gov.uk/sfra/home.asp.

When required

- For every application in Flood Zones 2 or 3 (with certain limited exceptions)
- For any application elsewhere with a site area greater than 1 hectare.
- All applications for works and buildings within 20m of the top of the bank of a Main River
- Applications for engineering operations that involve raising the level of land or significantly increasing surface water run-off to non-mains sewer systems such as watercourses and soakaways
- Applications involving the culverting or control of flow of any river or stream.
- Applications where the Environment Agency, Internal Drainage Board and/or other bodies have indicated that there may be a flood risk problem.

Government policy or guidance:

- PPS25: Development and Flood Risk

- Development and Flood Risk: A Practice Guide Companion to PPS25 'Living Draft', 2007

Kent and Medway Structure Plan, 2006:

- Policy NR10 – Development and Flood Risk

Other Documents:

- National Standing Advice to Local Planning authorities for planning applications - Development and Flood Risk - England - User Guidance Note, 2004
- The Environment Agency's [Flood Risk Matrix](http://www.pipenetworking.com/floodrisk/matrix.html)
<http://www.pipenetworking.com/floodrisk/matrix.html>
- Strategic Flood Risk Assessment, Final Report, Dover District Council, 2007 –
www.dover.gov.uk/sfra/home.asp

FOUL SEWAGE AND UTILITIES ASSESSMENT

Description and Scope – Foul Sewage

A foul sewage assessment should include a description of the type, quantities and means of disposal of any trade waste or effluent. All new buildings need separate connections to foul and storm systems. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s). It should be noted that, in most circumstances, surface water is not permitted to be connected to the public foul sewers. The use of soakaways may require satisfactory percolation tests to have been undertaken.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. These should include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land. In some cases, significant easements can potentially sterilise development sites.

Early contact should be made with Southern Water. Where non-mains sewerage systems (such as cesspools or septic tanks) are proposed, their suitability may need to be demonstrated. In particular, applicants may need to show that significant environmental or amenity problems will not arise.

Description and Scope – Surface Water

A surface water drainage assessment will be required for those developments that are likely to generate significant increase in the flow of water across and from the site. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk

by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Description and Scope – Other Utilities

In some circumstances an application should indicate how the development connects to other existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply. Two planning issues arise; firstly, whether the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, and secondly, whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

The applicant should demonstrate that:

- (a) Following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community;
- (b) Proposals incorporate any utility company requirements for new water or gas mains, substations, telecommunications equipment or similar structures;
- (c) Service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;
- (d) Where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

When required

- In respect of foul sewage, for sites larger than 1 hectare.
- If there is a known drainage or localised flooding problem and an assurance from the developer is needed that sewer capacity and flood risk from surface water have been addressed.
- For other utility services, developments of 50 or more dwellings or 1,000 sq m of commercial development or where there is a known supply problem.

Government policy or guidance:

- PPS 1: Delivering Sustainable Development
- PPS25: Development and Flood Risk
- Circular 03/99 - Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development.
- Approved Document Part H of the Building Regulations 2000

Kent and Medway Structure Plan, 2006:

- Policy NR5 – Pollution Impacts

- Policy NR10 – Development and Flood Risk

Dover District Local Plan 2002

- Policy WE1 – Groundwater and Surface Water

Other Documents:

- Development and Flood Risk: A Practice Guide Companion to PPS25 'Living Draft'
- CIRIA C522 document Sustainable Urban Drainage Systems-Design Manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems.

HERITAGE STATEMENT

A heritage statement should demonstrate an understanding of the historic, archaeological and architectural interest of the site and be prepared by an appropriately qualified professional.

Description and Scope – Listed Buildings

All applications for listed building consent and other applications affecting listed buildings will need to be accompanied by a Design and Access Statement. This should set out the design principles and concepts that have been applied to the proposed works and (other than in the case of works only affecting the interior of the building) how issues relating to access to the building have been dealt with. The following matters should be included:

- A schedule of works to the Listed Building
- An assessment of the impact of the works on the setting of the Listed Building or adjacent Listed Buildings,
- A brief statement setting out how para 3.5 of PPG15 has been taken into account, including reference to the historic and architectural importance of the building, how it has evolved, its setting and any special features it may possess.
- A brief explanation of the proposed changes and why they are necessary.
- A statement identifying the impact of the proposal on the special interest and character of the listed building, to include the following:
 - Loss of any historic fabric, e.g. walls, staircases, windows
 - Changes to the layout and plan form
 - Impact of any works on the external appearance and setting of the building
 - A statement confirming that the Building Regulations have been taken into account in formulating the proposals and that the works comply with the requirements of the Regulations. Specific points to be covered include fire protection, means of escape, thermal insulation and accessibility.
- An explanation of how the approach to access has balanced the duties relating to the disabled and the particular historic and architectural significance of the building.

When proposed works include the total or substantial demolition of a listed building, or any significant part of it, the statement should be based on the following criteria, as set out in detail at Para 3.19 of PPG15:

- the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value derived from continued use
- the adequacy of efforts made to retain the building in use, including evidence that the building has been offered on the open market at a realistic price
- the merits of alternative proposals for the site.

Description and Scope – Conservation Areas

A Conservation Area Assessment will be required for applications for planning permission on sites within conservation areas or affecting the setting of a conservation area, and applications for conservation area consent. The assessment could form part of the Design and Access Statement. The written statement will be required to include:

- An assessment of the character of the Conservation Area.
- An assessment of how the proposal has been designed to have regard to the character and/or appearance of the Conservation Area.

Description and Scope - Archaeology

As part of the background research about the site an initial assessment should be undertaken to identify whether it is known or likely to contain archaeological remains. Scheduled Ancient Monuments are identified on the Proposals Map of the Dover District Local Plan. Other sites of archaeological interest are based on the County Council's Sites and Monuments Record and records of areas of archaeological potential. However, not all archaeological remains are recorded and some earthworks or depressions, which appear on historical mapping, may be important local archaeology e.g. hollow ways, hammer ponds or saw pits. You should consult the County Archaeologist to establish the possible archaeological implications of your proposals.

If remains are known or thought likely to exist, an Archaeological Assessment carried out by an archaeological consultant will be required to identify the nature, extent and importance of the remains. Normally this involves a desk based evaluation of existing information and occasionally field evaluations may be necessary. The Assessment should also provide details of the preservation of the remains in situ or a mitigation strategy which may include excavation and recording, as appropriate.

Other Matters

The written statement may also need to include reference to the significance of other historic features on or adjacent to the application site, including historic parks and gardens and the effect of the proposed development on their settings.

When required:

- All applications that affect a Listed Building
- Applications affecting the setting of a Listed Building
- Applications within or affecting the setting of a Conservation Area.

- Applications within or affecting the setting of a Historic Park or Garden
- Proposals affecting Scheduled Ancient Monuments or their settings
- Proposals affecting sites identified on the County Council Sites and Monument Record or areas of archaeological potential.
- When the site is known or thought likely to contain archaeological remains e.g. unidentified earthworks that appear on historical mapping.

Government policy or guidance:

- PPG15 – Planning and the Historic Environment
- PPG 16 – Archaeology and Planning

Kent and Medway Structure Plan, 2006:

- Policy QL6 – Conservation Areas
- Policy QL7 – Archaeological Sites
- Policy QL8 – Buildings of Architectural or Historic Importance
- Policy QL9 – Historic Landscape Features

Dover District Local Plan 2002

- Policy HE1 – Designation and review of Conservation Areas
- Policy HE8 – Landscape setting of Sandwich
- Policy HE9 – Historic Parks and Gardens

Other Documents:

- Design and Access Statements: How to write, read and use them - CABE, 2006
- How to make Better Planning Applications - English Historic Towns Forum
- Making Better applications for Listed Building Consent, publication 57 - English Historic Towns Forum
- A Charter for English Heritage Advisory Services, Appendix A - English Heritage
- Dover Town Centre Conservation Area Character Appraisal – Dover District Council, 2002

LAND CONTAMINATION ASSESSMENT

Description and Scope

Much development takes place on previously developed land. Where there is a possibility that previous uses of the site or adjacent land could have given rise to contamination we will expect to see results of investigations indicating whether or not contamination is present or likely and if so how the contamination is proposed to be dealt with. As a first stage you should establish the former uses of the site, collect physical data, undertake a walk-over survey and consult the regulatory authorities. Early discussions with our Environmental Protection Team are recommended in order to clarify the process.

It is recommended that a desktop study and walkover survey be undertaken for almost every development, even greenfield sites, particularly if there have been previous agricultural uses. Sites which have been used only for residential development may have potential contaminants e.g. from domestic heating oil leaks, garages and basements.

As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990 (in accordance with PPS23).

When required:

- When previous uses on or adjoining the site could have given rise to contamination such as former industrial and commercial processes, petrol filling stations, institutional uses, storage of chemicals (including on farms)
- When an initial desktop and walkover study suggests that contaminants may be present.
- When a site is within 250m of an existing landfill site or a site known to have been used for landfill.

Government policy or guidance:

- PPS 23: Planning and Pollution Control (including Annex 2: Development on land affected by contamination)

Kent and Medway Structure Plan, 2006:

- Policy NR6 – Development Sensitive to Pollution

Other Documents:

- BS10175 Code of Practice for the Investigation of Potentially Contaminated Sites, 2001
- BS5930 Code of Practice for Site Investigations, 1999
- Guidance for the Safe Development of Housing on Land Affected by Contamination, R & D Publication 66, EA & NHBC, 2000
- NHBC Standards Chapter 4 Land Quality - Managing Ground Conditions, 2003
- Contaminated Land Report 11 Model Procedures for the Management of Land Contamination, 2004

- Environment Agency Guidance on Requirements for Land Contamination Reports, 2005
- Contaminated Land – A Guide for Applicants. Dover District Council Environmental health Department guidance <http://www.dover.gov.uk/environmental-health/cont-land-developersguide.asp>

LANDSCAPING DETAILS

Description and Scope

Landscaping is the treatment of private and public space to enhance or protect the site's amenity and its wider setting through hard and soft measures, for example, the planting and retention of trees or hedges or screening by fences or walls. Planting should normally be of indigenous species and take account of soil type, the microclimate and biodiversity considerations.

Landscape proposals involve both the hard and soft elements to the setting of buildings and other developments (e.g. reservoirs). They are an integral part of such developments and Master Plans (indicating themes, rather than detail) or detailed proposals need to demonstrate this integrated approach at the design stage. While Master Plans may be suitable for outline applications, they will be unacceptable for full or reserved matters applications.

Landscaping should be considered in terms of both the Design and Access Statement, expressing how it contributes to the development (and this could include sensory enhancement through colour, scent etc.), and biodiversity (enhancement for wildlife).

In major developments, irrespective of whether an Environmental Statement is required, a landscape, or ecological management plan will be necessary, which will include biodiversity enhancement. The plan should contain objectives, implementation methodology, monitoring and funding arrangements.

Landscaping schemes should include details of:

- Proposed finished ground levels and contours, including changes from pre-development levels
- A soil management strategy where significant earthworks are required.
- Means of enclosure, e.g. fencing, boundary walls or hedging
- Extent and provision for all construction operations including site compounds, haul roads temporary access points etc.
- Car parking layouts
- Other vehicle and pedestrian access routes and circulation areas
- Hard surfacing materials, structures and ancillary objects (lighting columns, refuse bins etc)
- Plans showing the location of existing and proposed shrubs and trees, indicating which are to be retained and which will be removed.

- A schedule of new planting showing species, size at time of planting and planting density
- Notes on cultivation, protection measures and management objectives.
- An implementation programme indicating when and at what stage of the development the landscaping works, including planting, will be carried out.

When required:

All applications where land is used as setting in a development should be accompanied by landscaping details, except for outline applications, which will require a landscape Master Plan.

Government policy or guidance:

- PPS 1: Delivering Sustainable Development
- PPS 7: Sustainable Development in Rural Areas
- PPS 9: Biological and Geological Conservation

Kent and Medway Structure Plan, 2006:

- Policy QL1 – Quality of Development and Design
- Policy EN1 – Protecting Kent’s Countryside
- Policy EN3 – Protection and Enhancement of Countryside Character
- Policy EN4 - Areas of Outstanding Natural Beauty
- Policy EN5 – Special Landscape Areas
- Policy EN14 – Rural Lanes
- Policy QL9 – Historic Landscape Features

Dover District Plan, 2002:

- Policy DDI – General Design Criteria for New Development

Other documents

- BS 5337: 2005 – Trees in relation to construction – Recommendations
- Kent Survey AONB Design Handbook

LIGHTING ASSESSMENT

Description and Scope

External lighting can have significant pollution impacts affecting people's enjoyment of their homes and the countryside and obliterating the night sky. It is an inefficient use of energy resources. Where lighting is proposed, applications should include details of the number, type (e.g. wall mounted or free-standing columns), location and intensity of any lighting installation proposed and the hours when the lighting would be switched on. A lighting impact study may be required for floodlighting proposals particularly for sports grounds or developments close to residential buildings or for sites within the open countryside.

As a general rule, lighting should be proposed only where it is necessary. Cut off lanterns should be used to minimise pollution.

When required:

Where it is intended to install external lighting, full details should be included with the application. This is required for all commercial and residential development that includes external lighting e.g. car parks with security lighting.

Government policy or guidance:

- Manual for Streets – DCLG 2007
- Lighting in the Countryside – DCLG 1997

Kent and Medway Structure Plan, 2006:

- Policy QL1 – Quality of Development and Design

Dover District Local Plan 2002

- Policy DD1 – General Design Criteria for New Development
- Policy ER6 – Light Pollution

Other Documents:

- DCLG Planning Factsheet 2: External Lighting
- The Institution of Lighting Engineers - Guidance Notes for the Reduction of Obtrusive Light 2005
- Environmental Considerations for Exterior Lighting (Factfile No 7) – Chartered Institution of Building Services.

NOISE ASSESSMENT

Description and Scope

A Noise Assessment may be required either for proposals that could cause significant noise disturbance or for noise sensitive developments, such as housing, that are proposed near to major sources of noise, such as main roads, railways or major industrial development. The Assessment should provide information on noise levels and any proposed mitigation measures.

When considering the need for and scope of the Assessment, you are advised to contact the Council's Environmental Protection officers.

When required:

- proposals that generate high levels of noise such as noisy sports; industrial developments using noisy machinery, such as joinery workshops; refrigeration plant and equipment
- new housing adjacent to major sources of noise, including roads, railways and industrial premises

Government policy or guidance:

- PPG 24: Planning and Noise

Kent and Medway Structure Plan, 2006:

- Policy NR5 – Pollution Impacts
- Policy NR6 – Development Sensitive to Pollution

Other Documents

- BS4142: 1997 Method for rating industrial noise affecting mixed residential and industrial areas
- BS8233: 1999 Sound insulation and noise reduction for buildings. Code of practice.

OPEN SPACE ASSESSMENT

Description and Scope

Open space includes parks, play areas, informal recreational space, village greens, outdoor sports facilities and a variety of civic and privately owned green spaces.

Development can potentially impact on open space and sports and recreational buildings and land either directly or indirectly. It can also give rise to a need for new facilities.

If a development is likely to impact in any of these ways, an assessment will be required to show how this would be addressed. This may include on site provision of new facilities, improving existing facilities nearby, or contributing to new facilities elsewhere. Any existing deficiency will need to be taken into account. Proposals for new residential development may have particular requirements relating to children's play space, either on or off site, and its longer term maintenance.

The Council is currently developing quantitative standards for open space through a Development Contributions Supplementary Planning Document and a District Parks and Open Spaces Strategy.

When required:

- Any development that impacts on existing open space.
- Any development that gives rise to the need for new open space

Government policy or guidance:

- PPG17: Planning for open space, sport and recreation
- Assessing Needs and Opportunities: A Companion Guide to PPG17

Kent and Medway Structure Plan, 2006:

- Policy QL11 – Protecting and Enhancing Existing Community Services

Dover District Local Plan 2002

- Policy OS1 – Open Space Protection
- Policy OS2 – New Public Open Space provision
- Policy OS3 – New Housing
- Policy OS4 – Green Wedges
- Policy OS7 – Outdoor Sport and Recreational Facilities
- Policy OS8 – Stonar Lake

PARKING PROVISION**Description and Scope**

Each area of new residential or industrial/commercial development should make adequate provision for parking in order to minimise the impact of parked vehicles on the existing highway network. A statement about how much parking is to be provided and the way in which it will be accommodated should be submitted. (Parking provision will extend to cycle parking). The statement should explain the way in which design of the development ensures that vehicles can be parked in places well related to the property they are intended to serve, and how the design ensures that the parking is secure, e.g. by overlooking.

Developers should be minded not to over allocate for parking, as its availability has a major influence on determining people's transport choices, encouraging car use and contributing to increased congestion. Ideally, provision of parking should be in line with the proposed trip levels predicted for the proposed development and should not exceed the maximum parking standards as set out in Supplementary Planning Guidance 4: Kent Vehicle Parking Standards.

When required:

- Any development of 5 or more dwellings or 1000sq.m. of commercial floorspace

Government policy or guidance:

- PPS 1: Delivering Sustainable Development
- PPS 3: Housing
- PPG13 – Transport

Kent and Medway Structure Plan, 2006:

- Policy TP1 – integrated Transport Strategy
- Policy TP19 – Vehicle parking Standards

Other documents

- Kent and Medway Structure Plan Supplementary Planning Guidance SPG4 – Kent Vehicle Parking Standards, July 2006
- Manual for Streets – DCLG, 2007

PHOTOGRAPHS AND PHOTOMONTAGES

The use of photographs and photomontages is good practice. They provide useful background information and can help to show how development can be satisfactorily integrated with the existing heritage asset and its setting.

Photographs should be dated, numbered and cross-referenced to a plan showing the site and its context.

When they may be required:

- Development or works involving the demolition of an existing building
- Works or development affecting a Conservation Area or a listed building
- Development affecting the Kent Downs Area of Outstanding National Beauty or a Special Landscape Area
- Development affecting important viewpoints

PLANNING OBLIGATION(S)/DRAFT HEADS OF TERMS

The Government's policy, expressed through Circular 05/05, states that developers may be expected to pay for, or contribute to, the cost of additional infrastructure which would not otherwise have been necessary.

The Council is currently developing a Supplementary Planning Document on the use of planning obligations (which may include unilateral undertakings) under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure such development contributions. It is anticipated that this will be adopted during 2008.

In the meanwhile, the Council will seek contributions in appropriate circumstances. Conditions or a combination of conditions and obligations may alternatively be used.

The following issues may generally have implications for larger scale developments and appropriate contributions may be sought:

1. **Open Space and Recreation**
2. **Leisure Facilities**
3. **The Public Realm/Public Art**
4. **Libraries**
5. **Youth and Community Services**

6. Economic Development and Training

7. Education Provision

Other issues include affordable housing (see elsewhere in this advice note), landscape and biodiversity mitigation and highway works.

The District Council will seek advice on the provision of some infrastructure from other bodies. In particular, Mouchel Property Services act for Kent County Council in assessing the need for contributions towards education, libraries and youth services. Their methodology for assessing the need for contributions and the sums required is set out in the County Council's Guide to Contributions for Community Facilities. Intending developers should consult with Mouchel Property Services prior to submitted applications.

Applicants should submit draft planning obligations, if appropriate, with their applications, to include details of the sum of money to be paid for individual requirements, the timings of the payments, the ways in which the contributions are to be used and arrangements for repayment if some or all of the monies are not used in a specified period. Alternatively, applicants should set out how such matters might be covered, at least initially, by condition.

Obligations and/or conditions may also be required in other circumstances where no payment is sought for infrastructure works and these should also be detailed.

Where the applicant considers that the economics of the development cannot support the likely requirements for financial contributions, a **Development Contributions Statement** will be required. This will set out in detail the costs of carrying out a development and the anticipated return on that investment. The purpose of the statement is to allow the Local Planning Authority to have a clear understanding of the economics of developing a particular site and assess whether or not a development is able to meet the full requirements for development contributions likely to be required by the Local Planning Authority.

The viability statement should be in the form of a fully detailed land appraisal setting out the full costs of carrying out the development, including land cost, construction costs, fees and the costs of the various contributions thought likely to be required by the Local Planning Authority.

When required:

- The need for a planning obligation will depend upon the type, location and scale of development proposed and the matters to be addressed. An agreement may be required to help secure the provision of additional infrastructure including affordable housing. However, the Council may seek the provision of such items by the imposition of conditions in the first instance.
- A Development Contributions Statement will be required if the applicant considers that the economics of the development will not support the likely requirements for contributions.

Government policy or guidance:

- PPS1 – Delivering Sustainable Development
- Circular 05/05 – Planning Obligations
- Planning Obligations: Practice Guidance – DCLG 1/08/2006
- Model planning obligation (section 106) agreement – DCLG 15/08/2006

Kent and Medway Structure Plan, 2006:

- Policy QL11 – Protection and Enhancement of Existing Community Services
- Policy QL12 – Provision for New Community Services and Infrastructure
- Policy QL13 – Cultural Development and the Arts
- Policy IM1 – Meeting the Costs of Community and Other Infrastructure Needs Generated by New Development

Dover District Local Plan, 2002:

- Policy DD1 – General Design Criteria for New Development
- Policy OS2 – New Public Open Space Provision
- Policy OS3 – New Public Open Space Provision
- Policy CF3 – Developer Contributions

Supplementary Planning Guidance:

- Kent County Council Developers' Guide to Contributions for Community Facilities, 2007

PLANNING STATEMENT

Description and Scope

A planning statement identifies the context and need for a proposed development and includes an assessment of how it accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority and wider community/statutory consultees undertaken prior to submission. This might be with neighbours, the Town /Parish Council, consultees, etc as well as, for the largest applications, public exhibitions/meetings.

Applications for residential development should detail the number and mix of units, including reference to the number of bedrooms in each unit and on what the mix is based. Applications for the conversion of existing premises to flats should have particular regard to the District Council's Conversion to Flats Guidelines. A completed copy of Appendix 2 of the Guidelines should be submitted.

A separate Statement of Community Involvement will also be appropriate for major developments.

When required:

- When there are complex parking issues or competing policy considerations which require analysis or elaboration to set out the policy context for the development.
- When policy issues not addressed through a Design and Access Statement need to be analysed.
- If the proposal involves the conversion of a property to flats.

- If the site is subject to a site specific policy or Supplementary Planning Guidance or a Supplementary Planning Document

Other Documents

- [Conversion of Flats Guidelines](#) – Dover District Council, May 2006.
- Housing Needs Assessment – Dover District Council, 2003
- [Aylesham Masterplan](#), Supplementary Planning Guidance - Dover District Council, 2005
- [Affordable Housing: Rural Exception Schemes](#), Supplementary Planning Guidance - Dover District Council, 2002
- Affordable Housing Supplementary Planning Document – Dover District Council, September 2007
- [Buckland Mill Planning Brief](#) - Dover District Council, 2003
- St James' Area, Dover Planning Brief - Dover District Council, 2002
- [Security Measures for Retail and Commercial Premises](#) Supplementary Planning Guidance – Dover District Council, 2002
- York Street Site, Dover Planning Brief – Dover District Council 2001
- St James's Area, Dover Planning Brief – Dover District Council, 2001
- [The Kent Design Guide, 2006](#)
- [Marketing Guidelines](#) (Working Draft) – Dover District Council, March 2003
- [Walmer Design Statement](#), 2006

SITE WASTE MANAGEMENT PLAN

Description and Scope

Proposed new development should be supported by Site Waste Management Plans of the type encouraged by the code of practice published by the DTI in 2004 and in accordance with the requirements of the 2008 Regulations. They are an important tool for developers to improve their environmental performance, meet regulatory controls and reduce the costs of disposing of waste. The 2008 Regulations set out what is required of the intending developer. It is acknowledged that such details will frequently not be known at the time of submission of a planning application. However, in appropriate cases, the application should give a general indication of how site waste management is to be addressed and the applicant's view on the appropriateness of a condition requiring the submission and approval of a Site Waste Management Plan prior to the commencement of development should planning permission be granted.

When required:

All applications involving construction projects with an estimated cost greater than £300,000 excluding VAT.

Government policy or guidance:

- PPS10 Planning for Sustainable Waste Management

Kent and Medway Structure Plan, 2006:

- WM3 – Securing waste reduction

Other Documents:

- Department of Trade and Industry (2004) Site Waste Management Plans: guidance for construction contractors and clients, voluntary code of practice.
- The site Waste Management Plans Regulations 2008 (SI 2008 No. 314)
- Explanatory Memorandum to the Site Waste Management Plans Regulations 2008.

STATEMENT OF COMMUNITY INVOLVEMENT**Description and Scope**

Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation set out in the Council's adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

When required:

- Developments involving 10 or more dwellings or, if the number of dwellings is not known, residential development of more than 0.5 hectare.
- Non-residential development where the floor space would be 1,000 sq metres or more or, in the absence of a known floor space, on sites of one hectare or more.
- Major developments involving a change of use.
- Telecommunications development – consultation required with schools or colleges within 500m of the site.
- In some cases of minor development, depending on the scale, nature or location of the application.

Other Documents:

- Statement of Community Involvement, Dover District Council, April 2006

STRUCTURAL SURVEY**Description and Scope**

A structural survey may be required in support of an application if the proposal involves substantial demolition or structural alteration. This report should be prepared by a suitably qualified structural engineer familiar with historic assets and address the condition of a building and identify its defects, whether it is capable of accommodating the proposed works and any proposed remedies.

When required:

- Any application where part of the policy consideration in the Development Plan is whether or not the building(s) are capable of conversion rather than reconstruction.
- Any application relating to a listed building where works are proposed that involve significant elements of demolition or rebuilding or affect the structural integrity of the building.

Government policy or guidance:

- PPG15 – Planning and the Historic Environment

Kent and Medway Structure Plan, 2006:

- Policy QL8 – Buildings of Architectural or Historic Importance.

Other Documents

- A Charter for English Heritage Advisory Services, Appendix A - English Heritage

TELECOMMUNICATIONS DEVELOPMENT – SUPPLEMENTARY INFORMATION**Description and Scope**

Planning applications for mast and antenna development by mobile phone network operators should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure and technical justification and information about the proposed development.

Applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP). Further guidance on the information that may be required is set out in the Code of Practice on Mobile Network Development (2002).

When required:

- Any planning application for mast and antenna development by a mobile phone network operator

Government policy or guidance:

- PPS 8 Telecommunications

Dover District Local Plan, 2002

- Policy TR13 - Telecommunications

Other Documents

- Code of Best Practice on Mobile Phone Network Development – DCLG 2002.

TOWN CENTRE USES

Description and Scope

In line with advice in PPS6, proposals for retail, leisure or business development in locations other than identified in the Local Plan should be refused if they undermine the Plan's strategy. Retail Assessments should identify the need (particularly quantitative) for the proposal; consider the availability, suitability and viability of sequentially preferable alternative sites; and assess the impact on the vitality and viability of the defined Primary Shopping Areas, neighbourhood or village centres, as appropriate.

The level of detail and type of analysis should be proportionate to the scale and nature of the proposal. You are advised to seek confirmation of our requirements in each case, but a general guide is set out below:

When required:

- All new retail proposals, including extensions, outside Primary Shopping Areas defined in the Local Plan. The scope of the Assessment should have regard to the following:
 - For proposed extensions that do not exceed 200 sq.m, the Retail Assessment is not required to include a sequential site assessment (PPS6);
 - For retail developments over 2,500 sq.m. gross floorspace, the Retail Assessment should include a detailed retail impact assessment that fully addresses the impact on the vitality and viability of relevant centres (PPS6).

Government policy or guidance:

- PPS6: Planning for Town Centres

Kent and Medway Structure Plan, 2006:

- Policy EP14 – Development at the Network of Strategic Centres
- Policy EP15 – Sequential consideration of Sites for Retail and Leisure Development
- Policy EP17 – Development of Large Food Stores

Dover District Local Plan 2002

- Policy SP1 – Dover Primary Frontages
- Policy SP2 – Dover Secondary Frontages
- Policy SP3 – Convenience Supermarkets and Superstores
- Policy SP5 – Deal Primary Frontage
- Policy SP6 – Deal Secondary Frontages
- Policy SP8 – Sites at West Street and Park Street, Deal
- Policy SP9 – Sandwich Town Centre Frontages
- Policy SP10 – Local Shops

TRANSPORT ASSESSMENT

Description and Scope

The Council must consider the impact of proposals on travel patterns and the incorporation of sustainable transport measures should be regarded as essential for all major developments. The Transport Assessment (otherwise known as a Traffic Impact Assessment or TIA) should illustrate accessibility to the site by all modes and the likely modal split of journeys to and from the site. It should give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. The content should reflect best practice.

The Assessment will provide a basis for discussion on details such as the level and location of parking and the need to improve access for all modes of transport. When considering proposals to improve access to the site, relevant proposals of the Local Transport Plan should be taken into consideration. The provision of, and/or contributions towards, measures identified in these strategies may resolve the access needs for a development. A planning obligation may be required to secure the implementation of such measures (see the section headed Planning Obligation(s)/Draft Heads of Terms).

A Transport Assessment may precede and support a Travel Plan and will generally, but not exclusively, be required for larger scale developments. They may be needed if traffic affects an Air Quality Management Area, if there are specific local initiatives or targets for reduced road traffic, if there is a particular local traffic problem, if there are likely to be cumulative effects with other development or if the development is close to a sensitive or problematic part of the road network.

PPG13 places great emphasis on accessibility to development by public transport, walking and cycling for a more integrated approach to planning and transport. To this end, the Government has issued guidance and advice on the preparation, scope and use of Transport Assessments to reduce delays in the planning process. At the outline application stage many developers fail to adequately measure the accessibility of their developments to highlight practical and effective measures in sufficient details to improve access by non-car modes of transport, or to include robust travel plans. The Transport Assessment must be conducted with due regard to these documents.

Existing trip levels need to be provided if the developer is proposing a fall back position and applicants also need to provide evidence that the proposed fallback position is relevant.

Developers may need to prepare and submit a scoping study or undertake pre-application discussions prior to submitting a planning application so that the specific requirements of the Transport Assessment can be agreed.

When required:

- Retail and food and drink (A1, A3, A4 and A5) uses exceeding 1000m²
- Office and financial/professional service (A2 and B1(a)) uses exceeding 2500m²
- Research and development/light industrial (B1(b) and (c)) uses exceeding 3000m²
- General industrial (B2) use exceeding 5000 m²
- Storage and distribution (B8) use exceeding 4000m²

- Hotels exceeding 100 bedrooms
- Residential institutions exceeding 100 parking spaces
- Dwellings exceeding 100 units
- New Schools and Colleges
- Non-residential institutions exceeding 2500m²
- Assembly and leisure uses exceeding 1000m²
- Stadia exceeding 1500 seats

Government policy or guidance:

- PPS1: Delivering Sustainable Development
- PPS1: Supplement: Planning and Climate Change
- PPG13: Transport
- Department for Transport Circular 02/2007 Planning and the Strategic Road Network

Kent and Medway Structure Plan, 2006:

- Policy TP3 – Transport and the Location of Development
- Policy TP10 – Supporting Park and Ride
- Policy TP11 – Facilities for Pedestrians and Cyclists
- Policy TP12 – Development and Access to the Primary/Secondary Road network
- Policy TP19 – Vehicle Parking Standards

Other documents

- Supplementary Planning guidance SPG4 Kent Vehicle Parking Standards – Kent County Council, July 2006
- Guidance on Transport Assessment – Department for Transport/DCLG, March 2007

TRAVEL PLAN

A Travel Plan is a general term for a package of measures tailored to meet the needs of individual sites and aimed at promoting environmentally sustainable travel choices for staff, visitors and customers, including reductions in car use, particularly single occupancy journeys. It may be as important as other transport infrastructure and mitigation measures addressed in a Transport Assessment and can be used to identify measures that would reduce the level of the potential traffic impact of development proposals. Travel Plans can address commuter journeys, business travel undertaken during the working day, visitors, and deliveries and how sites can be accessed by alternative modes of transport and thus

widen transport choice. They should be submitted with planning applications for non-residential developments that are likely to have significant transport implications.

You should work up your Travel Plan in consultation with the County Council and local transport providers. In the case of speculative development it may be difficult to fully detail all aspects of a Travel Plan in the absence of a known occupier. Nevertheless, you should submit proposals for the development of a Travel Plan with your application. The implementation of Travel Plans is normally secured by planning conditions or a planning obligation.

A Travel Plan should also include a monitoring strategy (including responsibility for monitoring and arrangements for review and enforcement). The TP should be reviewed at 6 and 12 months during the first year of occupation and annually thereafter.

Travel Plans will generally, but not exclusively, be required for large scale developments having significant transport implications. These may include residential development.

When required:

- Retail and food and drink (A1, A3, A4 and A5) uses exceeding 1000m²
- Office and financial/professional service (A2 and B1(a)) uses exceeding 2500m²
- Research and development/light industrial (B1(b) and (c)) uses exceeding 3000m²
- General industrial (B2) use exceeding 5000 m²
- Storage and distribution (B8) use exceeding 4000m²
- Hotels exceeding 100 bedrooms
- Residential institutions exceeding 100 parking spaces
- New Schools and Colleges
- Non-residential institutions exceeding 2500m²
- Assembly and leisure uses exceeding 1000m²
- Stadia exceeding 1500 seats.

Government Policy or Guidance:

- PPS1: Delivery Sustainable Development
- PPS1 Supplement: Planning and Climate Change
- PPS13: Transport

Kent and Medway Structure Plan, 2006:

- Policy TP3 – Transport and the Location of Development

Other Documents:

- Supplementary Planning guidance SPG4 Kent Vehicle Parking Standards – Kent County Council, July 2006
- Using the Planning Process to Secure Travel Plans: Best Practice Guide for local authorities, developers and occupiers, ODPM and DfT, 2002
- The Essential Guide to Travel Planning – Department for Transport, October 2007
- Making Residential Travel Plans Work: guidelines for new development – Department for Transport, September 2005
- Travel Plans - A Guide for Developers (GIRO84), Transport and Energy Saving Trust

TREE SURVEY/ARBORICULTURAL ASSESSMENT

Description and Scope

Layout plans should identify trees and other important vegetation such as hedgerows that is to be retained or lost to the development as well as trees that may be affected on adjoining land. Where trees are affected a tree condition survey will be required. An arboriculturalist with experience in the protection of trees on development sites should be appointed to carry out the survey. It should cover a range of information about trees at the site and on adjoining land and their contribution to the street scene, visual amenity and ecological importance. Site layouts should take full account of the recommendations in BS 5837:2005, including marking out of root protection areas and the location and type of tree protection to be employed. Layout plans should also indicate the routes of proposed underground services.

When required:

- When proposals could have an impact on significant trees on or adjoining the site, whether or not the trees are protected by a TPO or conservation area status

Government policy or guidance:

- PPS9: Biodiversity & Geological Conservation

Kent and Medway Structure Plan, 2006:

- Policy EN9 – Trees, Woodland and Hedgerows

Other Documents:

- BS 5837: 2005 - Trees in relation to construction - Recommendations
- NJUG 10 - Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees
- APN1 - Driveways Close to Trees AAIS, 1996

VENTILATION/EXTRACTION DETAILS

Description and Scope

For a development likely to require ventilation or extraction, full details of the position and design of ventilation and extraction equipment, including odour and abatement techniques and acoustic (noise) characteristics should accompany the application.

When required:

All planning applications for hot-food take-aways, bars/pubs, restaurant uses and launderettes etc. This information will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

Government policy or guidance:

- PPS 1: Delivering Sustainable Development

Kent and Medway Structure Plan, 2006:

- Policy QL1 – Quality of Development and Design

Other Documents

- BS4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas.
- DEFRA – guidance on the control of Odour and Noise from Commercial Kitchen Exhaust Systems

FURTHER INFORMATION AND CONTACTS

Most of the references to national and local planning policies and other background documents are available on line. Useful web addresses are set out below.

Department for Communities and Local Government – www.communities.gov.uk

Planning Portal – www.planningportal.gov.uk

For national and regional planning policies and guidance (Planning Policy Guidance Notes or Statements, government circulars etc).

Kent County Council – www.kent.gov.uk

For Kent and Medway Structure Plan, Kent Design and other Kent County Council publications

Dover District Council - www.dover.gov.uk

for Dover District Local Plan and Supplementary Planning Guidance and Documents and Statement of Community Involvement

Natural England – www.naturalengland.org.uk

For information on nature conservation and biodiversity

Environment Agency – www.environment-agency.gov.uk

For information on flood risk

CONTACT US

Planning Department, White Cliffs Business Park, Dover CT16 3PJ

Tel: 01304 872486

Email: developmentcontrol@dover.gov.uk

SECTION 3

Checklists

These are available via the Council Web Site www.dover.gov.uk

- V1 Householder application for Full Planning Permission.
- V2 Householder application for Full Planning Permission and Conservation Area Consent for Demolition.
- V3 Householder application for Full Planning Permission and Listed Building Consent.
- V4 Application for Full Planning Permission.
- V5 Application for Outline Planning Permission with some matters reserved.
- V6 Application for Outline Planning Permission with all matters reserved.
- V7 Application for Full Planning Permission and Conservation Area Consent for Demolition.
- V8 Application for Full Planning Permission and Listed Building Consent,
- V9 Application for Full Planning Permission and Advertisement Consent.
- V10 Application for Conservation Area Consent for Demolition
- V11 Application for Listed Building Consent for Alterations, Extension or Demolition of a Listed Building.
- V12 Application for Advertisement Consent.
- V13 Application for Listed Building consent and Conservation Area Consent
- V15 Application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition.
- V16 Application for a Lawful Development Certificate for a proposed use or development.
- V19 Hedgerow Removal Notice
- V21 Application for Approval of Reserved Matters
- V22 Application for removal or variation of a condition following the grant of planning permission.
- V23 Application for works to trees subject to a Tree Preservation Order or within a Conservation Area

Is a Design & Access Statements Required?

| <u>DEVELOPMENT TYPE</u> | <u>Area of Outstanding Natural Beauty.</u> | <u>Conservation. AREA</u> | <u>Site of Special Scientific Interest</u> | <u>OTHER AREA</u> |
|--|---|----------------------------------|---|--------------------------|
| Advertisement | NO | NO | NO | NO |
| T.P.O. works | NO | NO | NO | NO |
| Conservation Consent for demolition | NO | NO | NO | NO |
| Hazard storage | NO | NO | NO | NO |
| Change of use – <u>NO</u> building works | NO | NO | NO | NO |
| Change of use – <u>WITH</u> building works | YES | YES | YES | YES |
| Change of Use for stationing a mobile home | YES | YES | YES | YES |
| Mining operations | See KCC | See KCC | See KCC | See KCC |
| Certificates of Lawful Development | NO | NO | NO | NO |
| Domestic extensions/other works | YES | YES | YES | NO |
| Listed Building Applications | YES | YES | YES | YES |
| New dwelling(s) (including conversions) | YES | YES | YES | YES |
| Commercial development | YES | YES | YES | YES |
| Agricultural Prior Notification | NO | NO | NO | NO |
| Telecom Applications for planning permission | YES | YES | YES | YES |
| Telecom – 56 day notifications | NO | NO | NO | NO |
| KCC | See KCC | See KCC | See KCC | See KCC |
| KCC applications (Dover to determine) | YES | YES | YES | YES |
| Major Development | YES | YES | YES | YES |
| Variation/Removal of conditions | NO | NO | NO | NO |

Design and Access Statements are required even if the application is for works already carried out.

