

**WARWICK DISTRICT COUNCIL**  
**APPLICATION VALIDATION CHECKLIST**

**Why is there a need for a “checklist”?**

The checklist is designed to help all applicants and their agents to present their applications clearly and accurately and accompanied by all the necessary relevant information which the Planning Authority is likely to need in order to make a decision, thereby minimising potential delays in the assessment process. The availability of this information “upfront” will help prospective applicants; will assist public understanding of and community involvement in the application decision making process, whilst also helping to ensure that the application has the best chance of succeeding.

**The most important piece of advice in this checklist is that we welcome pre-application discussions with prospective applicants or their agents.**

At pre-application stage, we will:-

- Advise you of the relevant national and Development Plan policies and guidance which is relevant to your proposals.
- Provide information on any relevant planning history for the site.
- Advise you on the supporting information you need to provide with your application in order to comply with the requirements of this checklist.
- Inform you of a likely timetable for the handling of your application.

This checklist is not a substitute for the process of pre-application discussion which continues to form part of delivering the development control service, but is principally designed to be used as a reference for ensuring that all relevant matters are covered if an application is submitted.

This draft checklist is being published for consultation purposes. All responses received will be carefully considered before the final validation checklist is approved and brought into operation alongside 1APP.

## GENERAL CONTEXT

Virtually all applications require a **form** to be completed, **plans** to be supplied and some form of **supporting statement** to be submitted.

This checklist:-

- Sets out the various types of application form. There is a wide range of types of application and specific forms are available for each type. If you are unsure of the form you need to fill in, please contact us for further guidance.
- Provides guidance on the plans required to be submitted.
- Sets out the specific matters which will need to be addressed in a supporting statement. The more significant applications will usually require supporting statements relating to key issues raised by the proposals e.g. traffic effects, ecological impact or flood risk assessment. In addition since August 2006, the government introduced a requirement for a “**Design and Access Statement**” to be submitted with **most** applications. These statements are required to show how the design of a particular proposal has been thought through in terms of its visual impact on the locality and how accessibility aspects have been considered.

Publicity and consultation are key aspects of the application decision making process. The provision of all necessary information, forms, plans and documents “upfront” with the application will greatly assist public understanding of the whole application decision making process.

## FORMS

Specific forms are available for the following types of application:

1. Householder Application for works or extension to a dwelling.
2. Householder development and Listed Building Consent (for dwellings that are listed buildings and the proposed works affect the character of the listed building).
3. Householder development and Conservation Area Consent (for dwellings in conservation areas where the proposals involve **demolition** of a building in the curtilage of the dwelling).
4. Full planning permission.
5. Full planning permission and listed building consent.
6. Full planning permission and Conservation Area Consent.
7. Outline application with all matters reserved.
8. Outline application with some matters reserved.

9. Full planning permission and advertisement consent.
10. Conservation Area Consent.
11. Listed Building Consent.
12. Advertisement Consent.
13. Advertisement consent and listed building consent.
14. Lawful Development Certificate – Existing use or operation.
15. Lawful Development Certificate – Proposed use or operation.
16. Prior notification for agricultural development – proposed building.
17. Prior notification for agricultural development – proposed farm road.
18. Prior notification for agricultural development – proposed excavation-deposit of waste material.
19. Prior notification for agricultural development – proposed fish tank.
20. Prior notification for telecommunications development.
21. Hedgerow removal notice.
22. Prior notification for demolition of a building or buildings.
23. Reserved matters following outline permission.
24. Removal or variation of condition following grant of planning permission.
25. Details reserved by condition on a planning permission.
26. Works to trees covered by a Tree Preservation Order or Trees in Conservation areas.

## **PLANS**

All applications require:-

- An accurate, up-to-date **site location plan** showing the full extent of the application site, surrounding properties and the nearest road junction (with road names). A north point should be included. The application site (for householder applications normally the house and garden) must be edged in red and any adjoining land in the same ownership must be edged in blue.

- A **block plan** (bird's eye view) at a 1:500 scale showing the relationship of the proposal to its site boundaries and each neighbouring property. With householder applications, this should also show all existing buildings on the property, including garages, conservatories, garden sheds and greenhouses and should show the boundary treatment of the site.
- **Detailed plans** at a scale of not less than 1:100 showing floor plans and elevations of the proposed development. For householder applications, plans should show the layout of rooms on each floor of the whole property and clearly distinguish new works from the existing by use of colour, shading or clearly annotating the plan. The external materials to be used should be shown.

N.B. 1 All plans must be in metric. Imperial scales cannot be accepted.

N.B.2 On sloping sites, sections through the building should be provided to show the relationship of the proposals to adjacent ground levels.

N.B.3 All existing trees or hedgerows on the site should be shown including the full canopy spread of the tree(s) and any drainage infrastructure close to the trees.

N.B.4 With extensions, please make sure that new work is clearly differentiated from existing so that the full extent of the proposed works can be appreciated.

### **PLANS FOR LISTED BUILDING CONSENT APPLICATIONS**

These should always be to a scale not less than 1:100 and should include plans of each floor where works are proposed, clearly distinguishing between existing and new work and showing the full extent of any works of demolition.

Plans of all elevations where alterations or extensions are proposed should be submitted, again clearly distinguishing new works from the existing.

Sections through the building should be included, as appropriate.

N.B. The plans should make clear any changes proposed to walls, windows, doors, shopfronts, signage, roofs, chimneys and other external features as appropriate e.g. drainage/vent pipes, flues, meter boxes, satellite dishes and to internal features (including partitions, staircases, floors, ceilings, roof structure, joinery, fireplaces, cornices and doors).

Large scale details of important architectural details are often required e.g. windows and doors.


### **PLANS FOR CONSERVATION AREA CONSENT APPLICATIONS**

These should include a block plan to a scale of not less than 1:500 showing the location of the building or other structure to be demolished.

## ADDITIONAL SUPPORTING INFORMATION

The checklist that follows sets out the categories of **additional supporting information** that may need to be submitted with your application.


<input type="checkbox"/> 1	<b>Supporting Planning Statement</b>	
	<p><b>When is it required?</b></p> <p>With most “major” planning applications and with applications for “inappropriate” development in a green belt area where “very special circumstances” to justify departing from policy need to be demonstrated. Please discuss the need for this type of statement with a planning officer prior to submitting your application</p> <p><b>What is required?</b></p> <p>A written statement to show how the proposed development accords with policies in the development plan, supplementary planning document or any development brief for the site. It should also include details of any consultations with statutory consultees or wider community involvement undertaken prior to submission.</p>	<p><b>Contact</b></p> <p>Planning Officer within relevant area team</p>
<input type="checkbox"/> 2	<b>Design and Access Statement</b>	
	<p><b>When is it required?</b></p> <p>These statements will be required with all applications except those for change of use (unless operational development is involved) engineering or mining operations, or householder development unless the dwelling house is in a Conservation area.</p> <p><b>What is required?</b></p> <p>A statement demonstrating how the scheme has regard to the townscape and landscape of the wider locality, taking into account the local pattern of streets, spaces, buildings, traditions, materials, landscape features and ecology and showing how the scale and design of the scheme has been arrived at .The “access” component will need to explain how the chosen access arrangements will ensure that all users will have equal and</p>	<p><b>Contact</b></p> <p>Planning Officer within relevant area team</p>

	<p><b>convenient access to buildings and spaces and the public transport network.</b></p> <p><b>Design can also play a key role in Crime Prevention and the design statement should include reference to how the chosen design helps to meet crime prevention objectives.</b></p> <p><b>National Policies and Guidance</b></p> <ul style="list-style-type: none"> <li>• Planning Policy Statement 1: Delivering Sustainable Development</li> </ul> <p>CABE guidance</p> <ul style="list-style-type: none"> <li>• <a href="http://www.cabe.org.uk/publications">http://www.cabe.org.uk/publications</a></li> </ul> <p><b>Relevant Local Plan Policies and Guidance include (not exhaustive)</b></p> <ul style="list-style-type: none"> <li>• DP1 – Layout and Design (Warwick District Local Plan Revised Deposit Version 1996-2011)</li> <li>• DP 6 – Access</li> <li>• DP 12 – Energy Efficiency</li> <li>• RAP2– Extensions to Dwellings</li> <li>• RAP 3 – Replacement Dwellings</li> <li>• WDC Guidance notes on Design and Access statements</li> <li>• Residential Design Guidance (to follow)</li> <li>• DAP3 - Protecting Nature Conservation and Geology</li> </ul>	
<input type="checkbox"/> <b>3</b>	<b>Affordable Housing statement</b>	
	<p><b>When is it required?</b></p> <p><b>In all cases where the size of the development is above the thresholds in the Local Plan affordable housing policy (Policy SC9) or where “rural exception” housing is being provided (Policy RAP5).</b></p> <p><b>Policy SC9 requires the provision of affordable housing in the following circumstances:</b></p> <ul style="list-style-type: none"> <li>• within towns, sites of 10 or more dwellings or 0.25 hectare or more in area;</li> <li>• in rural areas, sites of 3 or more dwellings.</li> </ul> <p><b>Provision is required at a rate of 40% of the number of dwellings proposed. Financial contributions in lieu of on-site provision or alternative off site provision will only be acceptable in exceptional circumstances.</b></p>	<p><b>Contact</b></p> <p>Development Officer Housing Strategy Warwick District Council P.O. Box 2175 Riverside House Milverton Hill Leamington Spa CV32 5QE</p> <p> 01926 456335</p>




	<p><b>An affordable housing statement should be provided in all cases where “rural exception” housing is provided under Policy RAP5.</b></p> <p><b>Where affordable housing is required, the planning application should be accompanied by the Council’s Affordable Housing details form which requires details of tenure/mix to be provided.</b></p> <p><b>What is required?</b></p> <p><b>An outline of how locally affordable housing is to be provided and managed in line with Development Plan policy. This will set out the numbers and types of units, the tenure mix of the units and their size and specification, their location within the development, how they are to be “locally affordable” and how that affordability is to be continued in perpetuity. The proposed affordable homes should meet the needs identified in the latest Housing Needs Assessment or, in the case of rural areas, a Village/Parish Survey.</b></p> <p><b>If the required provision, as defined by Local Plan Policy, is not being proposed the Statement will set out the precise reasons for not doing so, supporting that argument with factual evidence.</b></p> <p><b>In the case of “rural exception” housing, the statement should also demonstrate how the homes will meet the needs of people with a genuine local connection, both initially and in perpetuity. (See also Village/Parish Housing Needs Surveys)</b></p> <p><b>National Guidance</b></p> <ul style="list-style-type: none"><li>• Planning Policy Statement 3: Housing</li></ul> <p><b>Relevant Local Plan Policy and Guidance</b></p> <ul style="list-style-type: none"><li>• SC9 – Affordable Housing</li><li>• Supplementary Planning Document: Affordable Housing &amp; Mixed Communities (Dec 2007)</li><li>• WDC affordable housing details form</li><li>• Housing Assessment for South Warwickshire - Housing Needs of Warwick District (August 2006)</li></ul> <p>Developers pack published by Warwick District</p>	
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	<p>Council Housing Strategy Team (see Affordable Housing Page on Council Website - <a href="http://www.warwickdc.gov.uk/NR/rdonlyres/4A656EA5-2020-48B1-97FA-CB5ABEBC027F/0/Guidancefordevelopersv2.pdf">http://www.warwickdc.gov.uk/NR/rdonlyres/4A656EA5-2020-48B1-97FA-CB5ABEBC027F/0/Guidancefordevelopersv2.pdf</a>)</p>	
<input type="checkbox"/> 4	<p><b>Village/Parish Housing Needs Survey</b></p> <p><b>When is it required?</b></p> <p><b>A Needs Survey is required where affordable housing is proposed on a “rural exception” site under Local Plan Policy RAP5, or when market housing is proposed in a Limited Growth Village under Policy RAP2.</b></p> <p><b>What is required?</b></p> <p><b>A household survey to demonstrate local housing need in a village or parish. This may either be for affordable housing, in the case of “rural exception” sites, or for market housing in Limited Growth Villages.</b></p> <p><b>In the case of “rural exception” housing, the survey should be able to demonstrate a need for affordable housing from people with a local connection. This should include questions on the financial circumstances of those in need in order to assess the types of homes which would be affordable. However, any financial information need not be published. The survey should provide evidence of the type of households in need, the tenure and size/type of home which meets their needs and the nature of the local connection.</b></p> <p><b>Examples of a Needs Survey are available from the Planning Department on request or from the Warwickshire Rural Housing Enabler.</b></p> <p><b>In the case of market housing, the Needs Survey should be able to demonstrate a need from existing village/parish residents. The survey should include the circumstances of the households in need and the types of homes which they require in terms of houses/ flats and numbers of bedrooms.</b></p> <p><b>Needs surveys can form part of a wider Parish Plan survey.</b></p>	<p><b>Contact</b></p> <p>Charles Barlow  Warwickshire Rural Housing Enabler  Warwickshire Rural Community Council  25, Stoneleigh Deer Park  Stareton  Kenilworth  CV8 2LX</p> <p>Tel 02476 303232  Email:  charlesb@wrccrural.org.uk</p>


	<p><b>National Guidance</b></p> <ul style="list-style-type: none"> <li>• Planning Policy Statement 3: Housing</li> <li>• Planning Policy Statement 7: Sustainable Development in Rural Areas</li> </ul> <p><b>Relevant Local Plan Policy and Guidance</b></p> <ul style="list-style-type: none"> <li>• Policy RAP1 – Directing New Housing</li> <li>• Policy RAP4 – Providing Rural Affordable Housing</li> <li>• Supplementary Planning Document: Affordable Housing &amp; Mixed Communities (due Dec 2007)</li> </ul>	
<input type="checkbox"/> 5	<p><b>Transport Assessment</b></p>	
	<p><b>When is it required?</b></p> <p><b>Details regarding the necessity and content of Transport Assessments can be found in Warwickshire County Council’s document ‘Transport and Roads for Developments’ and are best discussed with the District Planning and County Highway Authority before submitting your application.</b></p> <p><b>What is required?</b></p> <p><b>A Transport Assessment will be required for major developments or other developments where particular circumstances could have a significant impact in transport terms. The coverage and detail of the Transport Assessment should reflect the scale of development and the extent of the transport implications of the proposal. For major proposals, the assessment should illustrate accessibility to the site by all modes of transport and the likely modal split of types of journey to and from the site. It should also 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.</b></p> <p><b>National Guidance</b></p> <ul style="list-style-type: none"> <li>• Planning Policy Guidance 13: Transport</li> <li>• Circular 2/2007: Planning and the Strategic Road Network (Dept. of Transport)</li> </ul> <p><b>Relevant Local Plan Policies and Guidance</b></p> <ul style="list-style-type: none"> <li>• DP6 – Access</li> <li>• DP7 – Traffic Generation</li> </ul>	<p><b>Contact</b></p> <p>Kevin Hicks Principal Highway Control Engineer W.C.C. Environment and Economy  ☎ 01926 414133</p> <p>Paul Williams Definitive Map Team Leader Countryside Recreation Unit 11 Montague Road Warwick</p>


	<p>Transport and Roads for Developments – The Warwickshire Guide 2001 (Warwickshire County Council)</p> <p>Local Transport Plan for Warwickshire 2000 (Warwickshire County Council)</p>	
<input type="checkbox"/> 6	<b>Travel Plan</b>	
	<p><b>When is it required?</b></p> <p><b>A (draft) Travel Plan will be required in connection with developments comprising jobs, shopping, leisure services and school facilities which are likely to have significant transport implications. The plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. It should contain measurable targets, arrangements for monitoring and enforcement and a strategy for promoting the plan to occupiers, users, visitors and residents. The Warwickshire County Council Best Practice note sets out the criteria and content..</b></p> <p><b>What is required?</b></p> <p><b>These are plans that outline the way in which the transport implications of a proposal are going to be managed in order to ensure the proposal will reduce dependence on the car, and enhance other modes of transportation. This accords with Government Policy set out in PPS1, PPG13 and it's accompanying Best Practice Guide.</b></p> <p><b>National Guidance</b></p> <ul style="list-style-type: none"> <li>• Planning Policy Guidance 13: Transport</li> </ul> <p>Using the planning process to secure Travel Plans: Best Practice Guide - ODPM and DfT 2002</p> <p><b>Relevant Local Plan Policies and Guidance</b></p> <ul style="list-style-type: none"> <li>• Warwickshire County Council Green Travel Best Practice Note</li> <li>• Warwickshire County Council Travel Plan Template</li> <li>• DP7 – Traffic Generation</li> <li>• DP8 – Parking</li> </ul>	<p><b>Contact</b></p> <p>Nicola Small Project Officer Sustainable Travel W.C.C. Environment and Economy</p> <p> 01926 412105</p>


<input type="checkbox"/> 7	<b>Flood Risk Assessment (FRA)</b>	
	<p><b>When is it required?</b>  <b>Planning applications for development proposals of 1 hectare or greater in Flood Zone 1 and all proposals for new development located in Flood Zones 2 and 3 must be accompanied by an FRA.</b></p> <p><b>Flood Zones are delineated by the Environment Agency's Flood Zone Maps published on their website: <a href="http://www.environment-agency.gov.uk">http://www.environment-agency.gov.uk</a>. The Environment Agency has recently produced Standing Advice in relation to development and flood risk which can be viewed through the following website: <a href="http://www.pipernetworking.com/floodrisk">http://www.pipernetworking.com/floodrisk</a>.</b></p> <p><b>The Agency actively encourages pre-application discussions with developers and their agents and is able to provide formal comments at pre-application stage where the Agency has been consulted. Any submitted FRA must be current and take account of all flood risk up to the time the application is made.</b></p> <p><b>What is required?</b></p> <p><b>This assessment should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed taking climate change into account.</b></p> <p><b>National Guidance</b>  Planning Policy Statement 25: Development and Flood Risk</p> <p><b>Relevant Warwick District Local Plan Policy</b>  DP10 - Flooding</p>	<p><b>Contact</b></p> <p>Mr J Kitchen  Planning Liaison Officer  Environment Agency  Sentinel House  9 Wellington Crescent  Fradley Park  Fradley  Lichfield  Staffs.  WS13 8RR</p>
<input type="checkbox"/> 8	<b>Contamination/Land Stability Survey</b>	
	<p><b>When is it required?</b></p> <p><b>On known contaminated sites and where</b></p>	<p><b>Contact</b></p> <p>Environmental Health</p>

	<p>contamination is thought to be present. Where the history of the site is not known, some survey work may be required.</p> <p><b>What is required?</b></p> <p>A full technical summary of the state of a site in respect of it's ground conditions. This can include the structural stability of a site, particularly where there is a difference of levels, or where there is known to be past or current landfill, or "made" land operations. Surveys can include desk top studies or full ground surveys involving trial bore holes and pits. It will certainly include situations where there is likely to be site contamination. The reports will identify measures needed to remediate, or mitigate against the survey findings.</p> <p>The Environment Health Department is the principal authority in relation to contaminated land. Where there is risk of contamination of controlled waters, the Environment Agency need to be involved. The Planning Authority will consult both agencies where site contamination is an issue.</p> <p>National Guidance</p> <ul style="list-style-type: none"> <li>• Planning Policy Statement 23: Planning and Pollution Control</li> </ul> <p>Relevant Local Plan Policy</p> <ul style="list-style-type: none"> <li>• DP9 – Pollution Control</li> </ul>	<p>PO Box 2176 Riverside House Leamington Spa CV32 5QF</p> <p> 01926 456725</p>
<input type="checkbox"/> 9	<b>Archaeological Assessment</b>	
	<p><b>When is it required?</b></p> <p>Planning applications fulfilling any of the following criteria will only be validated when submitted with <u>either</u> an appropriate archaeological assessment (as advised by the Warwickshire Museum Planning Archaeologist), or a letter from the Warwickshire Museum Planning Archaeologist stating that a pre-determination archaeological assessment is not necessary.</p> <ul style="list-style-type: none"> <li>- Where the proposed development lies within, or adjacent to, a Scheduled Ancient Monument (SAM).</li> <li>- Where the proposed development is associated with a Listed Building.</li> <li>- Where the proposed development is located</li> </ul>	<p><b>Contact</b></p> <p>Planning Archaeologist Museum Field Services The Butts Warwick CV34 4SS</p> <p> 01926 412734</p> <p>English Heritage West Midlands Region 112 Colmore Row, Birmingham B3 3AG.</p> <p> 0121 625 6820.</p>

	<p>within an area included in the <i>Register of Parks and Gardens of special historic interest in England</i> or <i>The English Heritage Register of Historic Battlefields</i>.</p> <p>- Where the proposed development site is larger than 0.25ha in area.</p> <p>Information on the locations of SAMs, Registered Parks and Gardens, and Battlefields is available at <a href="http://www.Magic.gov.uk">www.Magic.gov.uk</a>.</p> <p>It is important to note that pre- or post-determination archaeological assessment or fieldwork may also be necessary for sites which do not fulfill any of the criteria outlined above. The Warwickshire Museum Planning Archaeologist will be happy to provide pre-application advice on any proposed development scheme.</p> <p>Developments within or adjacent to Scheduled Ancient Monuments are likely to require Scheduled Monument Consent (SMC) . On such sites, applicants should contact English Heritage prior to making the planning application.</p> <p><b>What is required?</b></p> <p>The results of an archaeological assessment may be required to accompany a planning application, especially if it has the potential to cause significant disturbance to an archaeological site. The results of the assessment will determine the impact of the proposed development upon the archaeological resource, and what mitigation measures may be appropriate.</p> <p><b>National Guidance</b></p> <ul style="list-style-type: none"> <li>• Planning Policy Guidance 16: Archaeology and Planning</li> </ul> <p><b>Development Plan Guidance</b></p> <ul style="list-style-type: none"> <li>• Warwick District Local Plan 1996-2011 Policy DP4 – Archaeology</li> </ul>	
<input type="checkbox"/> <b>10</b>	<b>Environmental Impact Assessment</b>	
	<p><b>When is it required?</b></p> <p><b>An Environmental Impact Assessment will be required for major developments over a certain</b></p>	<p>Contact Planning Officer within the relevant</p>


	<p>size or where there are significant effects on the local environment. Criteria are set out in the <b>Town and Country Planning Environmental Impact Assessment (England and Wales) Regulations 1999</b>. Applicants can seek a <b>Screening Opinion</b> from the Planning Authority as to whether an EIA is required.</p> <p><b>What is required?</b></p> <p>Circular 02/99 which accompanies the relevant regulations sets out the framework for EIA's. A scoping opinion on the required content of an EIA for a particular site can be requested from the LPA. It is best to discuss schemes which potentially require an EIA with planning officers prior to submission.</p> <p><b>National Guidance</b> Circular 02/99 and 1999 EIA Regulations as listed above</p>	area team
<input type="checkbox"/> 11	<p><b>Noise Impact Assessment</b></p>	
	<p><b>When is it required?</b></p> <p><b>A Noise Impact assessment will be required with all applications for potentially noise producing developments and uses. Noise assessments are also required for applications on sites adjacent to noise producing sites, e.g. residential sites adjacent to a railway line, road, airport or industrial use.</b></p> <p><b>What is required?</b></p> <p><b>A technical assessment prepared by a suitably qualified acoustician setting out predicted noise levels from the proposed development or where the development will be impacted upon by nearby noise producing uses.</b></p> <p><b>National Guidance</b> Planning Policy Guidance 24: Planning and Noise</p> <p><b>Development Plan Guidance</b></p>	<p><b>Contact</b></p> <p>Environmental Health PO Box 2176 Riverside House Leamington Spa CV32 5QF</p> <p> 01926 456725</p>

	Warwick District Local Plan 1996-2011 Policy DP2 – Amenity Policy DP9 – Pollution Control	
<input type="checkbox"/> 12	<b>Tree Survey/Arboricultural Implications</b>	
	<p><b>When is it required?</b></p> <p><b>Where a development site includes trees, or where the canopies of trees on an adjacent site overhang the site boundary, or where there are street trees along the site frontage.</b></p> <p><b>What is required?</b></p> <p><b>Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees) information will be required which shows all trees with their canopies plotted accurately, a schedule of the species, size, condition and amenity importance of each tree, and clear identification of any trees to be felled, together with the reasons for removing those trees. Survey information should be provided using BS5837:2005 A Guide for Trees in relation to Construction. Where trees are shown as to be retained, the means of protecting those trees during construction works will need to be specified.</b></p> <p><b>This information should be prepared by a suitably qualified and experienced arboriculturalist.</b></p> <p>National Guidance BS5837:2005 Guide for Trees in Relation to Construction</p> <p>Development Plan Guidance Warwick District Local Plan 1996-2011</p> <p>Policy DP1 – Layout and Design Policy DP3 – Natural and Historic Environment and Landscape Policy DAP3 – Protecting Nature Conservation and Geology Policy DAP8– Protection of Conservation Areas</p> <p>As stated in the Local Plan, the Council intends to produce detailed Supplementary Planning</p>	<p><b>Contact</b></p> <p>Chris Hastie Strategy Officer (Arboriculture) Leisure &amp; Amenities PO Box 2177 Riverside House Leamington Spa CV32 5QG</p> <p> 01926 456219</p>

	Guidance on trees on development sites.	
<input type="checkbox"/> 13	<b>Biodiversity and Geological Conservation</b>	
	<p><b>When is it required?</b></p> <p><b>When a development is likely to affect a protected or important species or habitat or a protected geological feature. For information on the location of ecological and geological sites, and protected species in Warwickshire and for pre-application advice please see the contact details opposite.. A Natural England License may be required for any development that would affect a European protected species.</b></p> <p><b>What is required?</b></p> <p><b>An indication of any significant biodiversity or geological conservation interests and the location of protected species or their habitats of any protected species, together with an assessment of the potential of the proposed development to cause significant disturbance to an ecological site or a protected species. In particular, European Protected Species such as bats and great crested newts may require surveys prior to determination of planning applications. The results of the assessment will determine the impact of the proposed development upon the ecological/geological resource, and what long-term maintenance, management and/or mitigation measures may be appropriate. Please note that all planning applications should result in an increase in biodiversity (PPS9, 2005).</b></p> <p><b>National Guidance</b></p> <p>Planning Policy Statement 9: Biodiversity and Geological Conservation (August 2005) Circular 06/2005 Biodiversity and Geological Conservation –Statutory obligations and their impact within the Planning System Defra Circular 01/2005 Planning for Biodiversity and Geological Conservation: A Guide to Good Practice</p> <p><b>Development Plan Guidance</b></p> <p>Warwick District Local Plan 1996-2011</p>	<p><b>Contact</b></p> <p>Warwickshire Biological Record Centre Ecology Unit Warwickshire Museum Field Services The Butts Warwick CV34 4SS</p> <p> 01926 412974418060</p>


	<p>Policy DP3 Natural and Historic Environment and Landscape  Policy DAP3 Protecting Nature Conservation and Geology  Local Biodiversity Action Plan  (www.warwickshire.gov.uk/biodiversity)</p>	
<input type="checkbox"/> 14	<b>S106 Planning Obligations</b>	
	<p><b>When is it required?</b></p> <p><b>New developments often place additional pressures on public services and a Section 106 Agreement or unilateral undertaking provides a means of securing funding thereby enabling the provision of a proper level of service for the additional people arising from a development.</b></p> <p><b>This can include:-</b></p> <ul style="list-style-type: none"> <li><b>(a) Contributions towards education provision</b></li> <li><b>(b) Contributions towards libraries</b></li> <li><b>(c) Contributions towards public transport</b></li> <li><b>(d) The provision of, or funding for, affordable housing (see items 3 and 4 above)</b></li> <li><b>(e) The provision of, or contributions towards public open space or its improvement (see item 15 and the Open Space SPD of June 2009 )</b></li> <li><b>(f) Other infrastructure improvements such as off-site highway works or flood alleviation measures</b></li> </ul> <p><b>(The District Council will consult with WCC as service provider on applications related to categories (a), (b) and (c) and developers are encouraged to contact WCC to obtain specific information on their requirements).</b></p> <p><b>NB Policy SC15 of the Local Plan sets out the full range of community facilities for which contributions may be sought.</b></p> <p><b>What is required?</b></p> <p><b>These set out the compensatory and mitigation measures that might arise from the impact of the development both on and off the site. Applicants should clarify the LPA's requirements in pre-application discussion in order to establish the scope of the agreement or undertaking and are encouraged to submit a draft section 106</b></p>	<p><b>Contact</b></p> <p><b>General S106 –</b>  Ian Grace  ☎ 01926 412645 or</p> <p><b>Education</b>  Jenny Andrews  ☎ 01926 412150</p> <p><b>Libraries</b>  Adrian Litvinoff  ☎ 01926 416730</p> <p><b>Public Transport</b>  Andrew Tyrer  ☎ 01926 735669</p>

	<p><b><u>agreement or unilateral undertaking with the application.</u></b></p> <p>National Guidance</p> <ul style="list-style-type: none"> <li>• Section 106 of the Town and Country Planning Act 1990</li> <li>• Circular 05/05: Planning Obligations</li> </ul> <p>Development Plan Guidance Warwickshire Structure Plan 1996-2011 – Policy T.10 Warwick District Local Plan 1996-2011 Policies SC11–15</p>	
<input type="checkbox"/> 15	<b>Open Space Statement</b>	
	<p><b>When is it required?</b></p> <p>(a) For those proposals affecting existing open spaces.</p> <p>(b) On <u>all</u> applications for residential development which add to existing dwelling numbers</p> <p>(c) On appropriate commercial developments</p> <p><b>What is required?</b></p> <p>In the case of proposals under (a) above, it will be necessary to undertake an audit of that open space, identifying its use, purpose, quality and its contribution to the community. The audit will then identify whether its loss can be sustained or whether compensatory or other mitigation measures are needed. This audit will need to involve consultation with the community undertaken by the applicant, and follow the advice set out in PPG17. If it is proposed to develop on open space, a justification against policy SC5 or SC6 will have to be submitted.</p> <p>In cases in categories (b) and (c) , the open space statement and form of provision will need to be based on the advice in the Open Space SPD of June 2009 .Pre-application discussion is strongly advised to clarify the need for either on site provision or a financial contribution to off- site provision.</p> <p><b>NB “Open space” includes space falling within the definitions of that term in the Town and Country Planning Act 1990 or PPG 17.</b></p>	<p>Contact</p> <p>Planning Officer within relevant area team</p> <p>Policy advice: Tony Ward (WDC Development Services) 01926-456503</p> <p>General Open Space requirements: David Anderson (WDC Cultural Services) 01926-456214</p>

	<p>National Guidance PPG 17:Planning for Open Space, Sport and Recreation (July 2002)</p> <p>Warwick District Local Plan 1996-2011: Policy SC5 – Protecting Open Spaces Policy SC6 – Protecting Sport and Recreation Facilities Policy SC11 – Open Space and Recreation Improvements</p> <p>Open Space:SPD (WDC) June 2009</p>	
<input type="checkbox"/> 16	<b>Air quality Assessment</b>	
	<p><b>When is it required?</b></p> <p><b>This will be required for all new build proposals</b></p> <ul style="list-style-type: none"> <li>• <b>within or in close proximity to an Air Quality Management Area</b></li> <li>• <b>where the development could in itself result in the designation of an AQMA</b></li> <li>• <b>where the grant of permission would conflict with, or render unworkable , elements of the LPA’s air quality action plan</b></li> </ul> <p><b>What is required?</b></p> <p><b>This will be a full technical report outlining existing conditions, and predicting likely impacts on air quality arising from new development proposals.</b></p> <p>National Guidance PPS 23:Planning and Pollution Control (Nov 2004)</p>	<p>Contact</p> <p>Environmental Health PO Box 2176 Riverside House Leamington Spa CV32 5QF</p> <p> 01926 456725</p>
<input type="checkbox"/> 17	<b>Heritage Statement</b>	
	<p><b>When is it required?</b></p> <p><b>For all works affecting a listed building or Historic park/Garden. Such information can usually be provided as part of the Design and Access statement required for a listed building application</b></p> <p><b>What is required?</b></p> <p><b>This will need to include a schedule of works and</b></p>	<p>Contact WDC Conservation Officers</p>

	<p>an analysis of the significance of the architecture, archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure both externally and internally, its setting and the setting of adjacent listed buildings. The scope and degree of details necessary will vary according to particular circumstances of each application.</p> <p>With Historic parks/gardens, details will be needed of all historic features that may exist on or adjacent to the site and justification for any proposed works.</p> <p><b>National Guidance</b> PPG 15 “Planning and the Historic Environment” 1994</p> <p><b>Development plan guidance</b> Warwick District Local Plan 1996-2011 Policy DAP4 – Protecting Listed Buildings Policy DAP 7 – Restoration of Listed Buildings Policy DAP 11 – Protecting Historic Parks and Gardens</p>	
<input type="checkbox"/> 18	<b>Retail Assessment</b>	
	<p><b>When is it required?</b></p> <p>These are required with all retail applications that trigger an assessment under PPS 6 and policy UAP3 of the Warwick District Local Plan. Schemes of greater than 1000 sq m outside of town centres are required to undertake a full Retail Impact Assessment in accordance with PPS6. Schemes below this level may be required to undertake more limited retail assessments. It is not necessary to demonstrate the need for retail proposals within the primary shopping area or for other main town centre uses located within the town centre.</p> <p><b>What is required?</b></p> <p>For proposals that are outside of identified town centres, there is the need for an assessment in accordance with PPS6: Planning for town centres.</p>	<p>Tony Ward Senior Planner Planning Policy Warwick District Council 01926 456503</p>

	<p><b>The assessment should include the need for development, whether it is of an appropriate scale, that there are no sites close to a centre for the development, that there are no unacceptable impacts on existing centres, and the accessibility of the site for all transport modes. Advice on these assessments can be found in PPS 6.</b></p> <p>National Guidance Planning Policy Statement 6: Planning for Town Centres (March 2005)</p> <p>Development Plan Guidance: Warwick District Local Plan 1996-2011 Policy TCP1 – 5 – Town Centre Retail Policies Policy UAP3 – Directing New Retail Development</p>	
<input type="checkbox"/>	<b>19 Sustainability Statement</b>	
	<p><b>When is it required?</b></p> <p><b>Normally as part of a planning statement for a large scale development proposal</b></p> <p><b>What is required?</b></p> <p><b>This is a statement that shows how the development addresses sustainability issues particularly in respect of its location and scale. It will identify the environmental, social and economic implications of the development, making clear the benefits and disbenefits. If there are disbenefits, the statement needs to state how they can be mitigated.</b></p> <p><b>National Guidance</b> PPS 1 Delivering Sustainable Development 2005</p>	<p>Contact</p> <p>Planning Officer within relevant area team</p>
<input type="checkbox"/>	<b>20 Landscaping statement</b>	
	<p><b>When is it required?</b></p> <p><b>Some major development proposals which contain large scale new planting or have a significant effect on existing landscape will need detailed information on landscaping “upfront”.</b></p>	<p>Contact</p> <p>Planning Officer within relevant area team</p>

	<p><b>What is required?</b></p> <p>The statement will need to outline in full the landscaping proposals for the development showing how they have been arrived at as an integral element of the built form and how they have regard to the character of the wider area. The statement will identify the rationale behind the selection of species and the planting specification. For the purposes of this requirement, landscaping includes both hard and soft landscaping so that any hard surface treatments will also need to be specified.</p> <p><b>Development Plan Guidance</b> Warwick District Local Plan 1996-2011 Policy DP1 - Layout and Design</p>	
<input type="checkbox"/> 21	<p><b>Lighting/Light Pollution Assessment</b></p>	
	<p><b>When is it required?</b></p> <p>With applications for floodlighting, usually sports pitches or for other leisure related activities e.g. outdoor equestrian facilities.</p> <p>The Environmental Protection Act 1990 requires that light from any premises does not cause nuisance to neighbours. This should be taken into account for any outdoor lighting scheme.</p> <p><b>What is required?</b></p> <p>The assessment will need to identify existing light levels on the application site and the impact of any proposed external lighting on the site environs and the wider locality. Details of light fittings and light spillage will need to be supplied and any mitigation measures designed to minimise light spillage specified</p> <p><b>Development Plan Guidance</b> Warwick District Local Plan 1996-2011 Policy DP9 – Pollution Control</p>	<p><b>Contact</b> Environmental Health PO Box 2176 Riverside House Leamington Spa CV32 5QF</p> <p> 01926 456725</p>
<input type="checkbox"/> 22	<p><b>Structural Survey</b></p>	
	<p><b>When is it required?</b></p> <p>For all applications involving reuse of rural buildings</p>	<p><b>Contact</b> Planning Officer within relevant area team</p>

	<p><b>What is required?</b></p> <p>A technical structural survey of an existing building, identifying its condition, and the likely impact of the development proposals on that structure. In particular, the survey will identify a schedule of works needed to undertake the proposal including measures such as underpinning, structural support, demolition, partial removal, rebuilding, repair and maintenance.</p> <p><b>National Guidance</b> PPS7 Sustainable Development in Rural Areas</p> <p><b>Development Plan Guidance</b> Warwick District Local Plan 1996-2011 Policy RAP 7 –Converting Rural Buildings</p>	
<input type="checkbox"/> 23	<b>Foul Sewerage and Utilities Statement</b>	
	<p><b>When is it required?</b></p> <p>All new buildings need separate connections to foul and storm water sewers. 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 drawings.</p> <p><b>What is required?</b></p> <p>This should include how an application connects to existing utility infrastructure systems (particularly for foul and surface water disposal), explaining whether there is existing capacity within those systems to accommodate the proposal, and if not, the technical measures proposed to overcome the problem, including any off-site measures. In addition, the statement will be expected to show how sustainable drainage methods have been introduced into the development proposal.</p> <p>Foul sewerage assessments should include a description of the type, quantities and means of disposal of any trade waste or effluent. It should</p>	<p><b>Contact</b> Planning Officer within relevant area team</p>

	<p>be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. The use of soakaways will require satisfactory percolation tests to have been undertaken.</p> <p>Where 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 need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required.</p> <p>A Foul Drainage Assessment Form can be found on the Environment Agency's website under Flooding &gt;Development and Flood Risk &gt;Foul Drainage Assessment.</p> <p><b>National Guidance</b>  PPS 23: Planning and Pollution Control  DETR Circular 03/99</p> <p><b>Development Plan Guidance</b>  Warwick District Local Plan 1996-2011  Policy DP11 -Drainage</p>	
<input type="checkbox"/> 24	<b>Car Parking Provision</b>	
	<p><b>When is it Required?</b></p> <p>When parking provision for development is not in accordance with the WDC Vehicle Parking Standards SPD.</p> <p><b>What is Required?</b></p> <p>A statement justifying why the parking provision for development is not in accordance with the Council's Vehicle Parking Standards SPD.</p> <p><b>National Guidance:</b>  Planning Policy Statement 3: Housing  Planning Policy Statement 6: Planning for Town Centres  Planning Policy Guidance 13: Transport</p> <p><b>Development Plan Guidance:</b>  Warwick District Local Plan 1996-2011  Policy DP8 – Parking</p>	<p><b>Contact</b>  Planning officer within relevant area team</p>

	Vehicle Parking Standards Supplementary Planning Document – Nov 2007	
<input type="checkbox"/> 25	<b>Ventilation/extraction equipment</b>	
	<p><b>When is it required?</b></p> <p>The details will be required to accompany all applications for the use of premises for purposes within use Classes A3 (restaurants and cafes, A4(Public House, Wine Bar etc) and A5(hot Food Takeaways). This information (excluding odour abatement techniques unless specifically required) 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</p> <p><b>What is required?</b></p> <p>Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics.</p> <p><b>Development Plan Guidance</b> Warwick District Local Plan 1996-2011 Policy DP9 –Pollution Control</p>	<p><b>Contact</b></p> <p>Planning Officer within relevant area team</p>
<input type="checkbox"/> 26	<b>Photographs and Photomontages</b>	
	<p>These provide useful background information and can help to show how large developments can be satisfactorily integrated into the street scene or landscape.</p>	<p><b>Contact</b></p> <p>Planning Officer within relevant area team</p>
<input type="checkbox"/> 27	<b>Community Facilities Statement</b>	
	<p><b>When is it required?</b></p> <p>With any application which would result in a community facility being no longer available for that purpose. Community facilities includes a wide range of uses within use Class D1 such as places of worship, dental</p>	<p><b>Contact</b></p> <p>Planning Officer within relevant area team</p>

	<p><b>and medical surgeries, community halls, local education facilities, crèches and nurseries for the care of children but can also apply to other facilities that meet a community need where the grant of permission would result in a demonstrable shortfall in the locality</b></p> <p><b>What is required?</b>  <b>The Council will require applicants to provide an assessment demonstrating a lack of need for a community facility within a particular area as part of any planning application which seeks to redevelop or change the use of that facility so it is no longer available to meet a community need. The statement will need to contain evidence to prove that the facility has been actively marketed for a community use for at least a period of twelve months.</b></p> <p><b>Development plan guidance</b>  Warwick District Local Plan 1996-2011  Policy SC8 – Protecting Community Facilities</p>	
<input type="checkbox"/> 28	<p><b>Noise Insulation Details</b></p> <p><b>When is it required?</b>  <b>With any application which could potentially result in noise disturbance to adjoining noise sensitive uses.</b></p> <p><b>What is required?</b>  <b>Details of measures designed to minimise the transmission of noise to adjoining properties from a proposed use or development. Such details will normally be prepared by a qualified Acoustician.</b></p> <p><b>Relevant Development Plan Guidance</b>  Warwick District Local Plan 1996-2011  Policy DP2 Amenity</p>	<p><b>Contact</b>  Planning Officer or  Environmental Health  Officer for advice on  circumstances under  which this will be required.</p>

<input type="checkbox"/> 29	<p><b>Agricultural/Equestrian/Rural Economy Statements</b></p> <p><b>When is it required?</b>  <b>With all applications for residential accommodation required in connection with rural enterprises.</b></p> <p><b>What is required?</b>  <b>A full financial and functional statement to demonstrate that it is essential for residential accommodation to be provided on a particular holding, in accordance with the framework as set out in Annex A of PPS7.</b></p> <p><b>Relevant National Guidance</b>  PPS 7 Sustainable Development in Rural Areas</p> <p><b>Relevant Development Plan Policy</b>  RAP5 Housing for Rural Workers</p>	
<input type="checkbox"/> 30	<p><b>Sustainable Buildings Statement</b></p> <p><b>When is it required?</b>  <b>All applications for new development, redevelopments and changes of use will normally require these statements. Please discuss further with a Planning Officer prior to submitting your application.</b></p> <p><b>What is required?</b>  <b>A written statement to show how the requirements of the Council's Supplementary Planning Document have been addressed in the development proposal. The statement should cover:</b></p> <ul style="list-style-type: none"> <li>• Design and Layout – explaining how the building has been designed to operate efficiently and to adapt to the potential impacts of climate change including measures for conservation and management of water and sustainable drainage.</li> <li>• Energy requirements of the building including how it has been designed to maximise energy efficiency and a detailed statement on how at least 10% of the predicted energy demand of the development will be provided through renewable</li> </ul>	

	<p>sources.</p> <ul style="list-style-type: none"><li>• Water Conservation – setting out the measures that have been included to encourage water conservation such as grey water recycling.</li></ul> <p>The SPD on Sustainable Buildings sets out further details on meeting the Council's requirements and should be referred to for guidance.</p> <p><b>National Policies and Guidance</b></p> <ul style="list-style-type: none"><li>• Planning Policy Statement 1 - supplement on Climate Change</li><li>• Planning Policy Statement 22- Renewable Energy</li></ul> <p>Relevant Warwick District Local Plan Policies and Guidance include</p> <ul style="list-style-type: none"><li>• DP11 – Drainage</li><li>• DP12- Energy Efficiency</li><li>• DP 13 – Renewable Energy</li><li>• SPD on Sustainable Buildings - December 2008</li></ul>	
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## **LISTED BUILDING APPLICATIONS**

4.1 These are applications that are required under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. In particular Section 10 states what has to be provided with such applications. Besides plans and drawings, the Act enables the Council to set out “other particulars” that might be required. This document sets out such particulars. In short, much more detailed information is required with these applications.

4.2 The Council has a Statutory duty, when determining such applications to have “special regard” to the impact of the proposal on the special architectural or historic importance of the Listed Building. In other words the Council is evaluating the impact of the proposals on these special features. It is looking for the least intrusive or invasive proposals. It thus follows that the Council needs to fully understand the proposal. This can only come from a detailed and informative submission by the applicant. It is thus important that plans, drawings and reports are detailed, scaled and accurate. Hand drawn sketches should be avoided at all times, unless they clearly are illustrations.

4.3 We shall require the following:

- A Site Location Plan at minimum 1:2500 scale on an Ordnance Survey Base
- A Block Plan of not less than 1:500 scale. This must show the boundaries of the site; ALL existing buildings, and those on immediately adjoining land, together with the position of the new building works
- A Site Survey plan at an appropriate scale to illustrate buildings, ground levels, and existing features such as hedgerows, trees, fences, walls and how the existing site fits into the neighbourhood with adjoining buildings and features also marked.
- A Building Survey Plan (at not less than 1:100) to show the existing layout of each floor, external elevation, and roofscape, together with appropriate sections. Internal features should also be identified (eg cornices, architraves, fireplaces etc). If a timber framed building is involved then a structural survey is essential so as to identify the function of each timber member.
- A proposals plan (again not less than 1:100) to show the proposed changes, clearly distinguishing between existing and new works. In addition, these plans need to show details such as new rainwater goods, new ventilation and extraction details, positions of new meter boxes, any new ducting, security alarms and security lighting. Details of how sound and thermal installation, including and new damp proofing to be installed will also be need to be illustrated.
- Detailed Plans and drawings of not less than 1:20 scale will be needed to illustrate certain details. These will be needed when new doors, staircases, windows, panelling, fireplaces, plaster mouldings and other decorative features are proposed, and the actual detail of the design is to be important.
- Detailed Schedules of work are essential to describe how, where and why certain work is to be undertaken. For instance how dry and wet rot is to be treated, how joinery, brick or stone repairs are to be carried out, how new brickwork is to be installed including details of bonding and mortar mixes, as well as methods of adding a damp proof course or any form of underpinning. All structural changes to Listed Buildings, for instance the installation of new structural member, should

be clearly identified in schedules or on a drawing. Works that involve timber framed buildings will cross reference to the structural survey as requested above. All full or partial demolition work detail will be identified within a Schedule, together with full details of how propping and shoring is to be installed. .

- 4.4 A Listed Building Statement will be required with each application in addition to the above plans and drawings. This Statement will firstly describe the existing historic and architectural features of the building, cross referencing with these plans and drawings. Particular features or significant detail will be identified. In some cases an outline of the historical evolution of the building will also be necessary. Secondly, the Statement will identify the impact of the proposals upon the historic and architectural features of the building. This shall include impacts on the built form, the existing layout, the external elevations, and on the internal detail of the building. This assessment will cross reference with the plans, drawings and particularly to the Schedule of Works, paying especial attention to new works. This assessment will also evaluate alternative solutions and options to the works proposed, in order to establish if there are other less intrusive or invasive proposals. Finally, the Statement will also evaluate the impact of the proposals on the setting of the Listed Building.
- 4.5 The Statement will need to be accompanied by a full or partial structural survey if significant structural works, repair or maintenance are proposed. Again alternatives need to be reviewed and evaluated.
- 4.6 Particular care needs to be taken with works to Listed Buildings where there might be a conflict between the requirements of the Building Regulations and the fabric of a Listed Building. This usually relates to the provision of fire safety, access, drainage and insulation measures. Early discussion with Council Officers is essential prior to submission of any application in these circumstances.
- 4.7 Further advice on Listed Building applications, the accompanying Statements and the level of details required can be found in PPG15, and also in publications by English Heritage.

## **CERTIFICATES OF LAWFULNESS**

These notes are designed to help you complete your application for a Certificate of Lawfulness to ensure that all relevant information is provided at the outset.

**NB.** There are separate application forms for **existing** or **proposed** developments.

### **PLANS**

A clear site location plan based on an Ordnance Survey extract (usually 1:1250 scale) is always necessary.

For **proposed works**, scaled drawings of all proposed building works to a scale not less than 1:100, which show the works in relation to the existing building, and the site boundaries, are required. For dwelling houses, the plans should show any outbuildings within 5 metres of the house.

For **proposed uses**, existing and proposed floor plans with existing and proposed uses labelled for all parts of the building are required.

For **existing** developments, existing floor plans are required with uses for all parts of the building/site clearly labelled to a scale not less than 1:100.

### **OTHER SUPPORTING EVIDENCE**

The burden of proof in a Lawful Development Certificate is firmly with the applicant and you will need to provide sufficient and precise information.

Statutory declarations or sworn affidavits should be from people with personal knowledge of the existing use or works carried out. Declarations need to be specific and precise.

For sites with a number of uses, aerial or other photographs can be useful where dates can be verified by events.

### **FEES**

The correct fee must be submitted with the application. Any application submitted without the fee, or with an incorrect fee, will be accepted but no action will be taken until the correct fee is received.

Once an application has been registered (i.e. given an application number) fees are not refundable.

### **AGRICULTURAL/FORESTRY DEVELOPMENT**

- Anyone proposing to carry out certain agricultural and forestry developments permitted under Parts 6 and 7 of the Town and Country Planning (General Permitted Development Order) 1995 (the GPDO) must apply to the local planning authority in advance for a 'determination' as to whether the authority's prior approval of certain details of the development is required. An application form is specifically provided for that purpose. It is not suitable if a specific planning application is required - a separate planning application form is available from the local planning authority.
- Part 6 of Schedule 2 to the GPDO grants permitted development rights for a range of agricultural buildings and operations. Rights for erecting, extending or altering a building, and for excavations and engineering operations, are available to larger agricultural units, of at least 5 hectares. More limited rights, including extensions and alterations adding not more than 10% to the content of the original building, are available to smaller units of at least 0.4 hectares.
- Rights for larger units are not available on separate parcels of land of less than 1 hectare, while rights for smaller units are not available on separate parcels of less than 0.4 hectare. Parcels may be separated from the rest of the unit by, for example, land in different ownership or a public road. The rights are subject to various other conditions.

- Anyone proposing to carry out certain permitted development must inform the local planning authority in advance, so that it can if necessary control certain details. (The details concerned are the siting of the development, as well as design and external appearance in the case of buildings, means of construction in the case of private ways, and appearance in the case of fish tanks (cages)). This condition applies on larger agricultural units to:-

the erection, extension or alteration of a building (but see note\* below);  
the formation or alteration of a private way;  
the carrying out of certain excavations and waste deposits (see note 7 below);  
the placing or assembly of a tank or cage for use in fish farming in any waters;

- Part 7 of Schedule 2 to the GPDO grants permitted development rights for various forestry buildings and operations. A similar condition applies to the erection, extension or alteration of a building (but see paragraph below); and the formation or alteration of a private way.
- \*This requirement applies only to 'significant' extensions and alterations (i.e. where the cubic content of the original building would be exceeded by more than 10% or the height of the original building would be increased). Significant extensions and alterations may only be carried out once under permitted development rights.
- The determination arrangements apply to proposed excavations and deposits of waste material which exceed 0.5 hectares in area, either individually or together with the aggregate of (a) the areas of all other unfilled excavations within the agricultural unit, and (b) all other parts of the unit on or under which waste has been deposited and has not been removed.
- What constitutes an 'alteration' or 'rearrangement' for a farm or forestry road will be a matter of fact and degree depending on the circumstances of the case. If you intend to carry out works to an existing road, you should contact the local planning authority in advance to discuss the proposal.

Please provide details of the development on the attached form. The form must be accompanied by a site plan (not less than 1:1250) showing the location of the proposed building, road or excavation/waste deposit or fish tank (cage).

It will help if you discuss your proposal beforehand by contacting an officer of the authority.

The completed form (along with your fee) should be returned to: Warwick District Council, Planning Department, P.O. Box 2178, Riverside House, Milverton Hill, Royal Leamington Spa, CV32 5QH.

**N.B. Parliament has granted permitted development rights for genuine agricultural developments. Are you sure you qualify? Some of the questions in the form are designed to help establish whether or not you benefit from these rights.**

The authority has 28 days from receipt of your application form to respond. You will receive an acknowledgement informing you of the date of receipt. If you do not receive a communication from the District Council within the 28 day period, you are entitled to proceed with the development exactly as notified.

If informal discussions take place with the authority and the original proposal is modified by agreement, there is no requirement to re-submit to the authority. The authority will give written approval to the modification to make it clear that the modified proposals can proceed.

If the authority indicates, within the 28 day period, that they require the formal submission of details for approval, work cannot begin until details have been approved by the authority. Their decision should normally be issued within 8 weeks of receiving the details. When prior approval is required you must, within one week of receiving notice, put up a site notice on or near the land which must stay up for at least 3 weeks.

If approval is refused, or is granted subject to conditions with which you disagree, you have the right to appeal within six months - to the Secretary of State.

### **Removal of Building**

There are requirements for **removal** of buildings/extensions that are permitted under Parts 6 and 7 of the General Permitted Development Order if at a later date the buildings/extensions permanently cease to be used for purposes of agriculture. Information on these requirements will be provided with any approval notice issued under Parts 6 and 7.