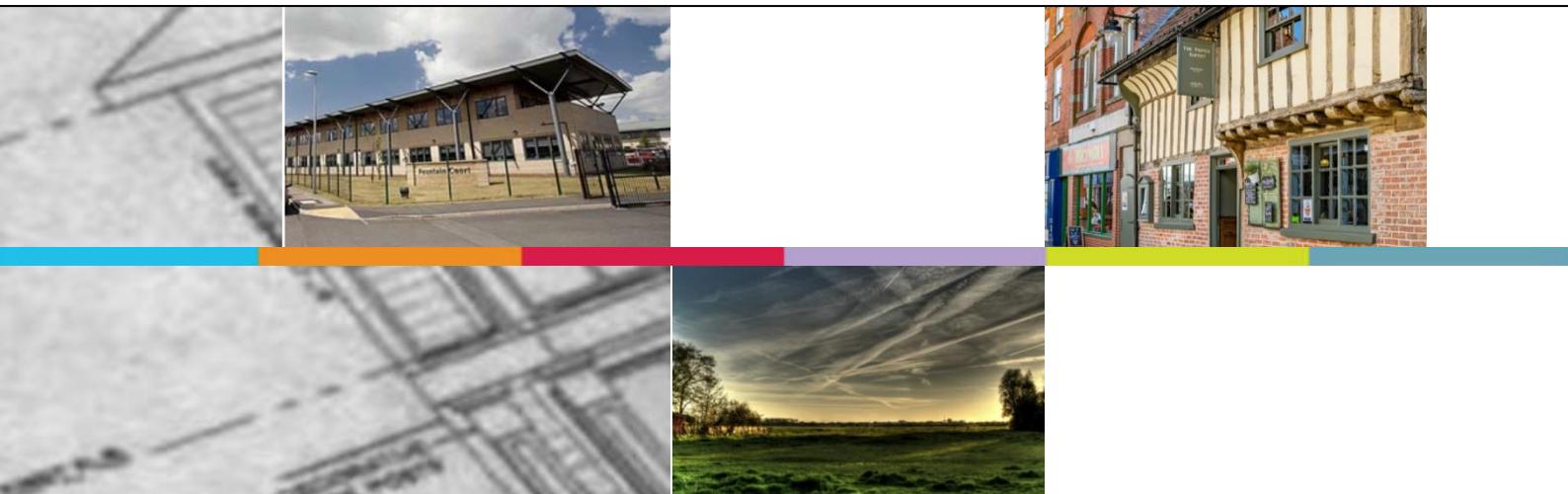


# Planning Application Local Validation Checklist

Adopted 15th February 2024



Please visit our website for further information online guide to planning –  
<http://www.newark-sherwooddc.gov.uk/your-council/planning-services/>

<b>Version Control</b>	<b>Amended</b>
v.2 - 12 June 2023	Reference to Active Travel England under Statements and Reports – Transport Statement/Assessment and Travel Plan
v.3 – 27 <sup>th</sup> October 2023	Updated and Amended Ecological & Protected Species Statement section to include reference to guidance on Preliminary Bat Roost Assessments (inserted at Appendix A)
v.4 – 9 <sup>th</sup> November 2023	Amended date regarding Biodiversity Net Gain – Threshold/Trigger details
v.5 – 15 February 2024	Amended following publication of Biodiversity Net Gain legislation

We are required, by Government, to review and consult on our Local Validation Checklist for Planning applications every two years. This will ensure our Checklist is up to date and reflect current planning policies in accordance with Local and National Guidance. Following public consultation between 19th December 2022 to 13th February 2023, the Checklist was adopted by Planning Committee on 20<sup>th</sup> April 2023.

Welcome to the new look local validation manual for planning applications. The manual has been reviewed to make it easier to use, in order to get started simply click on the type of development that you want to know more about.

We are also putting together a quick and easy to use 'matrix' showing the requirements for development type.

When making a planning application it is vital that it is supported by adequate and accurate information to enable the council, members of the public and other statutory bodies to understand the proposals and allow a proper assessment of the potential impact of the development.

**Planning applications which are not submitted with the correct information as stated within these pages may be treated as invalid and will not be processed until such time as the required information has been submitted.**

If an application is found to be invalid the Receiving Officer will contact the applicant or agent by letter/email specifying the details required to validate the application with a reply date of 21 working days. If after 21 working days no further correspondence has been received, a follow up letter/email will be issued giving a further 7 working days.

After 7 days from date of the second letter/email, if either the required information has not been received or written confirmation of when the information will be submitted has not been received the application and any fees associated will be returned minus any administration fee – minimum of £25.00 or 10% of total fee whichever is higher.

Please note that in exceptional circumstances, further information for a specific application, above and beyond the requirements of the contents of these pages, maybe required. If this is the case one of our officers will be in contact with you directly to discuss this matter.

If you feel that the requested validation information does not meet the requirements set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, then you have a right of appeal for non-determination.

If your application is found to be invalid, The Order allows you to send an "Article 12" notice which must:

- i. set out which information or evidence you as the applicant either consider to be a reasonable requirement for the scale and nature of the development proposal or are not concerned with a matter which it is reasonable to think will be material in the determination of the application;
- ii. state the reasons you, as the applicant, hold that view; and
- iii. request we waive the requirement(s).

Once we have received your application we will notify you of the decision within 8 weeks, although for major this timescale is extended to 13 weeks. Should the dispute remain unresolved, there is a right to appeal under section 78 of the Town and Country Planning Act 1990 in relation to planning applications and section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 for listed building applications for non-determination after the statutory time for determination has expired.

Planning application documents (e.g.: application forms and supporting documents and drawings) are published on our website, however before publishing we are required by the UK General Data Protection Regulations (UK GDPR), the Data Protection Act 2018 and related legislations and best practice to remove 'personal information'.

The following information is asked for on an application form:

- telephone number
- email address
- signatures

We will endeavour to remove this personal information before publishing. Where an agent is acting for you the name, company name, contact details and address of your agent will not be removed unless this is specifically requested.

There are occasions when other personal information is submitted within supporting documents this personal information can include:

- financial information (except in the case of viability assessments)
- car registration plates
- photos of individuals
- a person's age
- physical or mental health information
- views on other individuals - such as their health or anything defamatory or libellous
- how long a person has resided at a property
- a person's employment history
- criminal record - including alleged offences
- children
- racial or ethnic origin
- religious or other beliefs
- political opinions
- membership of a trade union
- sexual orientation or how a person identifies
- and any other information which may directly or indirectly identify an individual person or persons

Even if the applicant, or a person making comments on an application, wants the personal information to be published online, we must endeavour to remove it.

Therefore when submitting an application or comments please can you make sure that the above personal information is only submitted if it is a planning consideration, for example financial information which may support a change of use application from a business to a dwelling to show that a business is not viable or information to show that a fee is not required as the proposed development is for the sole use of a disabled person. We will endeavour to make sure this latter information is not published online.

If you submit personal information as set out in our 'above, please can you ensure that it is either referred to in a covering letter - or contained within a separate document to aid identification and removal from the documents that will be published on-line.

If you require any assistance in this regard, please email [planning@newark-sherwooddc.gov.uk](mailto:planning@newark-sherwooddc.gov.uk)

Whilst the local validation checklist has been prepared in line with Section 62(3) of the Town and Country Planning Act and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and only applies to applications for planning permission, many applicants for other permissions – prior approval, listed building and advertisement consent for example will never have submitted an application previously. This checklist therefore has been drafted to assist such applications.

## **Applications from Council Members or Staff**

If the application is from or on behalf of an elected member or any employee of the Council or Senior officer (currently comprising Senior Leadership Team and Business Managers) or any officer who may have a direct involvement in the determination of the application, the application is required to be determined at Planning Committee. Most planning application forms will require you to identify this - however should this apply to your application please can you also refer to it in your covering letter.

This document is set out in five parts:

- Part 1 - National Requirements
- Part 2 - Local Requirement Validation Checklist 2024
- Part 3 - Statements and Reports
- Part 4 - Application Types
- Part 5 - Development Types

### **Procedure for Reviewing Local Validation List**

With regard to the review and adoption of a local validation list, Communities and Local Government (CLG) guidance formally withdrawn in 2014, recommends a consultation period of not less than 8 weeks. This has now been replaced by guidance in the National Planning Policy Guidance (NPPG).

The current process is set out in paragraph 44 of the NPPG and involves the following three-step process:

#### **Step 1: Reviewing the existing local list**

Local planning authorities should identify the drivers for each item on their existing local list of information requirements. These drivers should be statutory requirements, policies in the National Planning Policy Framework or development plan or published guidance that explains how adopted policy should be implemented.

Having identified their information requirements, local planning authorities should decide whether they need to revise their existing local list. Where a local planning authority decides that no changes are necessary, it should publish an announcement to this effect on its website and republish its local list.

#### **Step 2: Consulting on proposed changes**

Where a local planning authority considers that changes are necessary, the proposals should be issued to the local community, including applicants and agents, for consultation.

#### **Step 3: Finalising and publishing the revised local list**

Consultation responses should be taken into account by the local planning authority when preparing the final revised list. The revised local list should be published on the local planning authority's website. With regard to our list, several changes to legislation and procedure especially the advent of the NPPF and associated NPPG and the Development Management Procedure Order DMPO provide an opportune moment to update our validation list.

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## **Part 1 – National Requirements**

### **Statutory National Validation Requirements**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) outlines what the mandatory national requirements are. This section provides more information on what should be included under the following headings:

- Application form
- Certificates
- Location plan
- Detailed drawings (where applicable)
- Design and access statement (where applicable)
- Application fee (where applicable)
- Biodiversity Net Gain Assessment

Please note that some requirements within this section are beyond what is set out nationally e.g., the provision of plans to an identified scale, direction of north etc. However, to assist applicants and to retain clarification of information requirements within one section, details are provided below and have been locally adopted by the Council. Applicants are encouraged by the Government to submit applications electronically. This can be done via the Planning Portal (there is a service charge for submitting online planning applications, paid to the Planning Portal). There are several advantages to submitting your planning applications online; this includes smaller postage and printing costs and potentially a faster registration of your application. In addition, a service will be available via the Planning Portal and the Council's website to print off particular forms and complete them offline.

The Planning Portal provides a useful guidance on their website to applicant's submitting applications through the [Planning Portal](#).

### **Application Forms**

Keep the description as accurate and concise as possible. However, for listed building applications a detailed description of the works is required, but long descriptions should be included as an attached schedule of works. We recommend you use both upper and lower case when completing all sections of the form.

For applications for changes of use, refer to what the use had changed from and what it is changing to. If the use class is known, then please include this as well.

Only include elements of the proposal in the description that require permission.

When applying for permission, where development has already taken place, use the words 'retention of'.

When applying for a revision or amendment to an earlier approved scheme, make this clear in the description. The relevant application/file reference should also be included in the description where appropriate.

### **Ownership Certificates**

There are two types of certificates that are required to be completed when submitting most planning applications. These are a Certificate of Ownership and an Agricultural Holdings Certificate. Both certificates should accompany planning applications except for certain types of application which are detailed below.

The applicant (or agent acting on behalf of the applicant) is required to sign and date all certificates. By doing so they are confirming that the statements made are accurate to the best of their knowledge. It should be noted that there is a penalty for knowingly or recklessly completing a false or misleading Certificate required by Article 14 of the DMPO. The onus is on the applicant or agent to provide the correct information.

A Certificate of Ownership (Article 7 certificate) must accompany a planning application. This can be one of four certificates (explained below), which provides details of the ownership of the site. It is necessary to 'serve notice' on any owners and agricultural tenants when a proposed development is on or where it affects their land.

Under Section 65(5) of the Town and Country Planning Act 1990 and Section 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 it states that the Council must not entertain an application for planning permission unless the correct ownership certificates have been completed.

### **Types of Ownership Certificate**

- **Certificate A** should be completed if at the beginning of a period of 21 days before the date of submission of an application, you are the owner of all the land that the application relates to. If you are not the sole owner of all the land, to which the application relates, or there are tenants on the site which have a leasehold interest of 7 years or more then you will need to complete a different certificate (see below). You will also need to complete a different certificate if the application relates to alterations to a flat or where a development overhangs the boundary with an adjoining property, or any footings encroach onto adjoining land.
- **Certificate B** should be completed and [Part 1 notice](#) (see below) if you are not the owner(s) of the land, served where you know the names and addresses of all the owners of the land which the application relates to. The details of the names of the persons on whom notice has been served should be completed on this certificate.
- **Certificate C** should be completed if you are not the owner(s) of the land. However, where you know the names and addresses of some of the owners of land to which the application relates, but not all of them. You are required to serve notice on all the owners of the land explained above (Certificate B) and to carry out additional steps to trace the owners that are unknown as explained below (Certificate D).
- **Certificate D** should be completed if you are not the owner(s) of the land and do not know any of the owners of the land to which the application relates. You will need to provide evidence of the steps that you have undertaken to find the owners. This can include carrying out a planning history or land registry search. You will also need to advertise the proposed development in the local newspaper at least 21 days prior to the submission of the application. A copy of this advertisement should be submitted with the application.

### **Part 1 Notice**

A notice to the owners of the land, where the application relates, must be used if Certificate B or C has been completed. A copy of this notice should be served on each of the known individuals identified in the relevant certificate.

### **Agricultural Land Declaration**

Applications are required to be accompanied by an Agricultural Holdings Certificate. This certificate needs to be completed to indicate whether the site forms part of an agricultural holding. The certificate is required whether the site includes an agricultural holding. It is incorporated into the standard application form and must be signed in order for the application to be valid.

This information should be indicated, on the forms, by crossing out any incorrect statements. If the land is part of an agricultural holding you are required to serve notice on the tenant of the holding. If the applicant is the sole tenant or owner, then the first part should be crossed out and 'not applicable' inserted in the second part.

No agricultural land declaration is required for applications for:

- The approval of reserved matters
- Renewal of temporary planning permission
- Discharge or variation of conditions

- Tree Preservation Orders
- Listed building consent
- Lawful development certificate
- Prior notification of proposed agricultural or forestry development
- A non-material amendment(s) to an existing planning permission
- Express consent to display an advertisement.

### **Plans and Drawings**

The DMPO specifies that a location plan is required to be submitted with all applications together with any other plans or drawings necessary to describe the development which is the subject of the application. This will include as a minimum a site layout (block) plan.

In addition, there may be a requirement for additional plans to be submitted as detailed within the local list set out later in this document.

### **Location Plan**

One copy of the location plan must accompany every application for planning permission. The purpose of this plan is to show the location of the site and to identify any other sites, which may also be in the same ownership. We will accept location plans downloaded from the [Planning Portal](http://www.planningportal.gov.uk) ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)) so long as it meets the criteria set out below. Applications which have been submitted with unlicensed Ordnance Survey mapping will be accepted although any possible infringement with copyright laws may be identified to the agent, or applicant where there is not an agent.

The location plan should be based on an up-to-date Ordnance Survey map, at a scale of 1:1250 unless the site is very large and cannot be shown in its entirety on a single sheet of paper in which case a smaller scale may be used, e.g., 1:2500. It should be scaled to fit onto A4 or A3 size paper where possible. If the land is within a rural area for example, a plan at a scale of 1:5000 is acceptable. It shall include the following:

- The application site outlined in red and any land adjoining or close by owned by the applicant should be outlined in blue
- The red line should include all land necessary to carry out the proposed development e.g., land required for access to the site from the public highway, visibility splays, landscaping, car parking and open areas around buildings
- A north arrow.

Where possible, the location plan should include the following:

- At least two adjacent road names
- The properties shown should be numbered or named to ensure that the exact location of the site where the application relates is clear.

### **Design and Access Statement**

Design and Access Statements are required for:

- (a) development which is [major development](#); or
- (b) development in a designated area [in our District this means a Conservation Area] where the proposed development consists of:
  - (i) the provision of one or more dwellinghouses; or
  - (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more; or
  - (iii) applications for listed building consent.

The National Design Guide (Planning practice guidance for beautiful, enduring, and successful places) (Ministry of Housing, Communities & Local Government (MHCLG), 2019) provides useful information in relation to how to

consider design as part of a planning proposal. In addition, whilst CABE no longer exists, its [Design and Access Statements: How to write, read and use them](#) is a useful document.

The Design and Access statement should:

- explain the design principles and concepts that have been applied to the development
- demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account
- explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account
- state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation
- explain how any specific issues which might affect access to the development have been addressed.

Major Development comprises:
10 or more dwellings, or site area for residential development is 0.5 hectares or more and the number of dwellings is unknown; or 1000 square metres or more of floor space; or Development carried out on a site having an area of 1 hectare or more.

### **Design and Access Statements for Listed Buildings**

Design and access statements for Listed Buildings are similar to other design and access statements, in respect of the need for a proportionate approach. However, the content will be different due to the nature of the applications.

Where a planning application is submitted in parallel with an application for listed building consent, then a single, combined statement, should be submitted. This will address both the elements required for a planning application, as well as the following for the listed building consent:

- Explanation of the design principles and concepts that have been applied to the scale, layout and appearance characteristics of a proposal (note: Information on use, amount and landscaping is not required for listed building consent design and access statements that do not also accompany a planning permission)
- Description of the significance of the heritage assets affected and the contribution of their setting to that significance.

Design and Access Statements accompanying applications for listed building consent must provide information on any consultation undertaken, and how the outcome of this consultation has informed the proposed works. Statements must also explain how any specific issues which might affect access to the building have been addressed

Further details of what is required are set out in the [National Planning Policy Framework](#), paragraph 189.

### **Application Fee**

An application fee is required for all applications except for:

- Planning permission for relevant demolition in Conservation Area
- Hedgerow removal notices
- Listed building applications
- S211 notification of tree works in Conservation Areas
- Works to trees protected by a Tree Preservation Order

For other circumstances where fee exemptions or concessions apply please refer to [the Government's website](#). You can also use the [Planning Portal fee calculator](#) to work out how much you will need to pay.

## **Biodiversity Net Gain**

The current national minimum requirements that need to be submitted to validate an application are those set out in [Article 7](#) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as modified and amended by [Part 4, Regulation 15](#) of the Biodiversity Gain (Town and Country Planning) (Modification and Amendments) (England) Regulations 2024. The following is required:

All planning applications.

1. A statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;

All development proposals that are not exempt from the general biodiversity condition ([Exempt Development](#))

2. The pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date) including the completed metric calculation tool used showing the calculations, the publication date and version of the biodiversity metric used to calculate that value;
3. Where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
4. A statement confirming whether the biodiversity value of the onsite habitat is lower on the date of application (or an earlier date) because of the carrying on of activities ('degradation') in which case the value is to be taken as immediately before the carrying on of the activities, and if degradation has taken place supporting evidence of this;
5. A description of any irreplaceable habitat (as set out in column 1 of the [Schedule](#) to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations [2024]) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
6. A plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or and earlier date), including any irreplaceable habitat.

## **Part 2 – Local Requirements Validation Checklist 2023**

### **List of Local Requirements**

This identifies which documents it is considered are reasonable to request in order to validate a planning submission having regard, in particular, to the nature and scale of the development or works and matters likely to be a material consideration in the determination of the application. Accordingly trigger levels are quoted where relevant.

You are advised that whilst the information below is sufficient to allow validation, in considering the application we will need to consider any constraints on the site and how such constraints are to be addressed in order to ensure the proposed development can be implemented in an acceptable manner. For example, these constraints may relate to (but are not necessarily limited to) drainage, contamination, trees, rights of way and archaeology within the site. In some cases, these issues require work to be undertaken before any building work is carried out. In such cases it may be necessary to attach pre-commencement conditions to ensure these matters are appropriately addressed. You are advised to consider whether there is any further information that might assist in addressing such constraints on the application. The Council is committed to making decisions in a timely manner and where permission is to be granted but there remain matters that cannot be addressed during the application process, a pre-commencement condition may assist in issuing decisions earlier. In such circumstances, the case officer will contact you to agree the terms of any pre-commencement conditions in accordance with legislation [www.legislation.gov.uk/uksi/2018/566/made](http://www.legislation.gov.uk/uksi/2018/566/made).

### **Pre-application Service**

We offer a comprehensive pre-application service. Engagement prior to any planning application being formally submitted can be critically important and should provide the applicant and the Council with the opportunity to gain a clear understanding of the objectives of and constraints on development. It also provides an opportunity for wider engagement, where appropriate, with other stakeholders, including the local community, which can deliver better outcomes for all parties.

Further information regarding the Council's pre-application service can be found on our [website](#).

### **Contacting the Local Planning Authority**

The Business Unit operates a duty planner service to answer general planning enquiries. In the first instance why not take a look at the information on [our website](#) as your question may have been addressed there. The service operates Monday to Friday from 2pm until 5pm. Please telephone customer services on 01636 650000 and ask to speak to the duty planner or email [planning@newark-sherwooddc.gov.uk](mailto:planning@newark-sherwooddc.gov.uk).

### **Site Plan (or block plan)**

One copy of the site plan (or block plan) should accompany any application. The site plan should be at a standard scale e.g., 1:200 or 1:500. The site plan shall include the following:

- The direction north
- The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- The position and crown spread of all trees (to scale) where applicable within the application site or within falling distance of the application site.

The site plan should also include the following, unless these would not influence or be affected by the proposed development:

- Identification of sufficient buildings and/or roads on land adjoining the site including access arrangements
- All public rights of way crossing or adjoining the site
- The extent and type of any hard surfacing
- Boundary treatments including walls or fencing where proposed.

## **Existing Floor Plans**

Required for all applications proposing alterations/extensions to buildings including demolition. Plans shall (where applicable):

- a. be drawn to an appropriate metric scale for example, 1:50 or 1:100, annotated accordingly **and** include paper size (e.g.: 1:50 paper size A3). Alternatively, be drawn with the appropriate scale bar shown
- b. show clearly what is there and the height of buildings above ground level
- c. clearly show the relationship between buildings, highlighting any structures to be demolished
- d. where existing buildings or walls are to be demolished these should be clearly shown
- e. for change of use applications (where internal alterations are proposed - must show layout of rooms)
- f. show existing floor plans in the same orientation and scale as proposed floor plans
- g. include individual drawing numbers, and where applicable revision numbers

## **Proposed Floor Plans**

Required for all applications proposing new buildings and/or alterations/extensions. Plans shall (where applicable):

- a. be drawn to an appropriate metric scale for example, 1:50 or 1:100 and annotated accordingly **and** include paper size (e.g.: 1:50 paper size A3). Alternatively, be drawn with the appropriate scale bar shown
- b. show clearly the proposed works in relation to what is already there and the height of buildings above ground level
- c. clearly show the relationship between buildings
- d. for change of use applications (where internal alterations are proposed - must show proposed layout of rooms)
- e. show proposed floor plans in the same orientation and scale as existing floor plans
- f. include individual drawing numbers, and where applicable revision numbers

## **Existing Elevations**

Required for all applications proposing alterations to the exterior of existing building(s), including changes of use where external alterations are proposed and proposals for demolition within the Green Belt or Conservation Area. Plans should:

- a. be drawn to an appropriate metric scale for example, 1:50 or 1:100 and annotated accordingly **and** include paper size (e.g.: 1:50 paper size A3). Alternatively, be drawn with the appropriate scale bar shown
- b. show clearly what is already there and the height of building(s) above ground level
- c. clearly indicate the existing building materials and the style, materials and finish of windows and doors
- d. show any blank elevations; if only to show that this is in fact the case
- e. show existing elevations in the same orientation and scale as proposed elevations
- f. include individual drawing numbers, and where applicable revision numbers
- g. If the application is for a change of use and no change is proposed to the external elevations, a statement must be included to state that no external changes are proposed

## **Proposed Elevations**

Required for all applications proposing new buildings or alterations to the exterior of existing buildings, including changes of use where external alterations are proposed. Plans should:

- a. be drawn to an appropriate metric scale for example, 1:50 or 1:100 and annotated accordingly **and** include paper size (e.g.: 1:50 paper size A3). Alternatively, be drawn with the appropriate scale bar shown
- b. show clearly the proposed works in relation to what is already there and the height of buildings above ground level
- c. clearly indicate the proposed building materials and the style, materials and finish of windows and doors

- d. show any blank elevations; if only to show that this is in fact the case
- e. where any proposed elevation joins another building or is in close proximity, the drawings should clearly show the relationship between buildings, and detail the positions of the openings on each property
- f. show proposed elevations in the same orientation and scale as existing elevations
- g. include individual drawing numbers, and where applicable revision numbers

### **Existing Roof Plans**

Required for all applications proposing alterations to existing buildings. Plans should:

- a. be drawn to an appropriate metric scale for example, 1:50 or 1:100 and annotated accordingly **and** include paper size (e.g.: 1:50 paper size A3). Alternatively, be drawn with the appropriate scale bar shown
- b. show clearly what is already there
- c. clearly indicate the existing roof materials
- d. include individual drawing numbers, and where applicable revision numbers

### **Proposed Roof Plans**

Required for all applications proposing new buildings or external alterations. Plans should:

- a. be drawn to an appropriate metric scale for example, 1:50 or 1:100 and annotated accordingly **and** include paper size (e.g.: 1:50 paper size A3). Alternatively, be drawn with the appropriate scale bar shown
- b. show clearly the proposed works in relation to what is already there, if applicable
- c. clearly indicate the proposed roof materials
- d. include individual drawing numbers, and where applicable revision numbers

## Part 3 – Statements and Reports

### 1. Affordable Housing

#### Threshold/Trigger

Where the proposal provides 11 or more new residential units or where 1000sqm or more residential floor area is proposed

#### What should be included

The statement will need to include:

- i. The mix of private and affordable units with numbers of habitable rooms and/or bedrooms.
- ii. If you are proposing different levels or types of affordability or tenure for different units, you should explain this clearly and fully.
- iii. If you are proposing affordable housing that is not policy compliant, a viability statement will need to be submitted

You should also show the location of the affordable units and the number of habitable rooms and/or bedrooms, and/or the floor space of the units on the floor plans.

#### Other Information

For further detailed information please see Policy DM8 of the Allocations and Development Management DPD and the supporting text (paragraphs 7.38 to 7.45).

### 2. Agricultural Justification

#### Threshold/Trigger

Where the proposal relates to a new or replacement dwelling in the countryside for a rural worker (this is for both a permanent and temporary dwelling) or for an extension to an existing rural worker's dwelling.

#### What should be included

For dwellings to serve new businesses, or new activities within established businesses, proposals will need to be accompanied by a business plan that demonstrates the following:

- i. Clear evidence of a firm intention and ability to develop the enterprise concerned. This could include significant investment in new buildings or permanently sited equipment
- ii. A functional need is demonstrated by showing a dwelling is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. This may arise from the need to be on site day and night in case animals or agricultural processes require essential care at short notice or to deal quickly with emergencies that could otherwise cause serious loss of crops or products
- iii. Clear evidence that the proposed enterprise has been planned on a sound financial basis
- iv. The functional need described at ii) could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

For dwellings to serve existing businesses on well-established units, applications will need to be accompanied by the preceding 3 years audited accounts. Proposals will also need to demonstrate:

- i. There is a clearly established existing functional need showing a dwelling is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. This may arise from the need to be on site day and night in case animals or agricultural processes require essential care at short notice or to deal quickly with emergencies that could otherwise cause serious loss of crops or products
- ii. The need relates to a full-time worker and does not relate to a part-time requirement
- iii. The unit and activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so

- iv. The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

Please note there is a separate fee, payable in addition to the standard planning fee, for applications requiring a viability assessment. The fee is to cover the Council's costs in appointing an independent professional to evaluate the assessment submitted.

### **Other Information**

For further detailed information please see Policy DM8 of the Allocations and Development Management DPD and the supporting text (paragraphs 7.38 to 7.45).

You can also download our Planning Application for an Agricultural Worker's Dwelling - Supplementary Information form on our website.



### **Planning Application for an Agricultural Worker's Dwelling Supplementary Information**

You can submit your completed form by email with any plans and details as an attachment to [planning@nsdc.info](mailto:planning@nsdc.info) or post to Planning Development Business Unit, Newark and Sherwood District Council, Castle House, Great North Road, Newark NG24 1BY

*Please complete in BLOCK capitals. If you provide us with an email address, this will be the preferred method of communication.*

**1) Applicant's details**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Postcode: \_\_\_\_\_ Daytime Tel: \_\_\_\_\_  
 Email: \_\_\_\_\_

**2) Agent's details (if applicable) to whom correspondence should be sent to**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Postcode: \_\_\_\_\_ Tel: \_\_\_\_\_  
 Email: \_\_\_\_\_

**3) Trading name of holding**

\_\_\_\_\_

**4) Applicants status (i.e. Sole trader/Partner/Director):** \_\_\_\_\_

Indicate the size of the site in hectares: \_\_\_\_\_

**5) Details of land farmed – Please attach a plan clearly showing boundaries**

Area	Size of area hectares	Location
a) Area of land owned		Outline boundaries in red on plan
b) Area of land tenanted		Outline boundaries in blue on plan
c) Grazing usually taken		Outline boundaries in green on plan
d) Grazing rights		
e) Area of mowing land		
f) Area of pastures		
g) Area of rough grazing		
h) Area of arable land		
i) Area of woodland		
j) Area of other land		

### **3. Agricultural Land Classification Study/Soil Testing**

#### **Threshold/Trigger**

Studies will be required for major developments on green field land where that land will cease to be used or capable of being used for agricultural purposes including provision for solar panels.

#### **Details of what should be included**

A desk-based study and field study is required to assess the quality of the land and to determine its agricultural classification. The survey should include the following:

- Site description
- Soil resources within the site
- Map of survey observations including gradings
- Where applicable a soil management plan

#### **Other Information:**

National Planning Policy Framework, paragraph 174

Regional Agricultural Land Classification Maps - [Natural England Access to Evidence - Regional Agricultural Land Classification Maps](#)

### **4. Air Quality Assessment**

#### **Threshold/Trigger**

An air quality assessment based on current best practice is required for:

Proposals likely to have an impact on air quality e.g., those requiring an Environmental Impact Assessment (EIA), industrial installations, biomass boilers, combined heat and power plants, where traffic flows will increase by more than 5% on roads with less than 10,000 annual average daily trips, where significant demolition or construction works are proposed etc.

#### **Details of what should be included**

Assessments should be proportionate to the nature and scale of development proposed and the level of concern about air quality and because of this are likely to be location specific. The scope and content of supporting information is therefore best discussed and agreed between the Local Planning Authority and the Council's Environmental Health Officers before it is commissioned. Air quality is a consideration in Environmental Impact Assessment, if one is required, and also in a Habitats Regulations Appropriate Assessment.

The following could be included in assessments and be usefully agreed at the outset:

- a description of baseline conditions and how these could change
- relevant air quality concerns
- the assessment methods to be adopted and any requirements around verification of modelling air quality
- sensitive locations
- the basis for assessing impact and determining the significance of an impact
- construction phase impact and/or
- acceptable mitigation measures.

### **5. Archaeological Assessment**

#### **Threshold/Trigger**

Statements will be required for all proposals involving the disturbance of ground within an area of known archaeological interest. This includes: -

- Sites within historic cores, including Newark's Historic Core, as defined by the Newark and Sherwood District Council's adopted Allocations and Development Management DPD maps
- Certain allocated sites, as defined by the Newark and Sherwood District Council's adopted Allocations and Development Management DPD
- Sites in close proximity to a Scheduled Ancient Monument
- Sites in close proximity to the Battlefield at East Stoke
- Sites in close proximity to church yards

- Sites containing or close to known undesignated archaeological remains as identified on the Nottinghamshire Historic Environment Record

#### **Details of what should be included**

Assessments must be carried out by a suitably qualified person (a person accredited by the Chartered Institute for Archaeologists or equivalent).

National planning policy emphasises the need to carry out an appropriate desk-based assessment. A field evaluation may also be necessary.

The information should include plans showing historic features, listed buildings and structures, historic parks and gardens, historic battlefields & scheduled ancient monuments, an analysis of significance of archaeological, history and character of the building or structures, together with the principles of and justification for proposed work.

This will ensure that appropriate measures are put in place to manage the investigation, recording, analysis and preservation of any remains or otherwise mitigate the effect of the development on areas of archaeological interest.

The Chartered Institute for Archaeologists has published a list of standards and guidance for desk-based assessments which can be viewed on their website: [www.archaeologists.net/codes/cifa](http://www.archaeologists.net/codes/cifa)

#### **Other Information:**

Planning Practice Guidance.

### **6. Bin/Waste Management Information**

#### **Threshold/Trigger**

- All new full residential and commercial developments requiring waste management (collection of bins)
- Proposals for hot food takeaway uses

#### **Details of what should be included**

For residential and commercial developments - scaled plans and information showing how the proposal complies with the Council's "[Guidance for New Developments, Waste Storage and Collection](#)".

For hot food takeaway uses, details setting out measures that will be put in place to reduce litter in the locality for the lifetime of the development

#### **Other information:**

Planning Practice Guidance - [Healthy and safe communities](#), Paragraph: 013 Reference ID:53-013-20220807

Revision date: 07 08 2022

### **7. Biodiversity Net Gain Assessment**

#### **Threshold/Trigger**

All development that is not exempt from the general biodiversity condition ([Exempt development](#))

#### **Details of what must be included:**

A draft Biodiversity Net Gain Strategy that will inform the required Biodiversity Gain Plan (i.e., how you intend to achieve the mandatory, minimum 10% biodiversity net gain).

Elements of this Strategy are likely to be included in various documents forming part of the planning submission, in which case, similar to Government guidance for the national [minimum requirements](#) regarding the general biodiversity gain condition, applicants are encouraged to provide references within the BNG Strategy for where this information is located, rather than duplicate the information within the Strategy document.

The Biodiversity Net Gain Strategy should be prepared by a suitably competent professional ecologist and be in accordance with the British Standard BS8683 'Process for designing and implementing biodiversity net gain – specification'.

The Biodiversity Net Gain Strategy must include the following information:

1. How the Mitigation Hierarchy has been followed
2. How the Biodiversity Gain Hierarchy ([BNG PPG Paragraph 007](#)) has been followed
3. How the [Good Practice Requirements for delivering Biodiversity Net Gain](#) have been adhered to
4. Completed draft post-intervention sheets on the submitted [Statutory Biodiversity Metric](#)
5. Baseline habitat survey information (i.e., descriptions, species lists and photographs) and full details of the habitat condition assessments
6. Confirmation that [Newark and Sherwood District Council's interim policy regarding 'strategic significance'](#) has been adhered to
7. How you propose to secure the onsite BNG considering [Newark and Sherwood District Council's policy regarding significant enhancement](#); and
8. If applicable, how you proposed to source offsite biodiversity units.

The following are also required as GIS shape (.shp) files (preferred) or CAD .dwg files:

- a) The planning application red line boundary; and
- b) The baseline habitat parcels. The attributes table for this file must contain a field for parcel reference numbers, and these references must be used within the submitted Statutory Biodiversity Metric baseline sheets.

#### **Other information**

[The Environment Act 2021 \(Schedule 14\)](#)

[The Biodiversity Gain Site Register Regulations 2024 \(SI No. 45\)](#)

[The Biodiversity Gain Site Register \(Financial Penalties and Fees\) Regulations 2024 \(SI No. 46\)](#)

[The Biodiversity Gain Requirements \(Exemptions\) Regulation 2024 \(SI No. 47\)](#)

[The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024 \(SI No. 48\)](#)

[The Biodiversity Gain \(Town and Country Planning\) \(Consequential Amendments\) Regulations 2024 \(SI 2024 No. 49\)](#)

[The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024 \(SI 2024 No. 50\)](#)

[The Levelling-up and Regeneration Act 2023 \(Commencement No.2 and Transitional Provisions\) Regulation 2024](#)

## **8. Broadband Statement**

#### **Threshold/Trigger**

Residential developments of 10 units or more

#### **Details of what should be included**

Written confirmation that the site will provide superfast broadband.

#### **Other information**

Please see the HBF OpenReach letter dated 3<sup>rd</sup> February 2016 available to view at:

[www.gov.uk/government/publications/superfast-connectivity-in-new-homes](http://www.gov.uk/government/publications/superfast-connectivity-in-new-homes)

## **9. Coal Mining Risk Assessment**

#### **Threshold/Trigger**

Development within High Risk Areas (excluding householder development, listed building or advertisement consent, lawful development certificates, prior approvals/notifications, hazardous substances consent, trees or hedgerow works). However, any development within a coal mining area might be affected and it is advised that developer's read the document set out within the hyperlink in the next paragraph.

#### **Details of what should be included**

A Risk Assessment report should demonstrate how coal mining legacy risks have been considered in the context of the proposed development and how the developer will ensure that the proposed development will be safe and stable. Details of what should be provided are set out within [Coal Authority Guidance for Local Planning Authorities -England](#)

#### **Other information**

Paragraphs 183 and 184 of the National Planning Policy Framework (NPPF) makes it clear that land instability issues should be considered as part of development proposals and that the responsibility for securing a safe development rest with the developer and/or landowner.

<b>10. Climate Change Statement</b>
<b>Threshold/Trigger</b>
Should be provided for all new buildings excluding householder developments
<b>Details of what should be included</b>
Information should be provided of measures to be incorporated within the development to promote energy generation from renewable and low carbon sources and/or energy efficiency measures
<b>Other information</b>
Core Policy 10: Climate Change – Amended Core Strategy, Adopted March 2019

<b>11. Community Infrastructure Levy (CIL) Forms</b>
<b>Threshold/Trigger</b>
CIL may be payable on development which creates net additional floor space, where the gross internal area of new build exceeds 100 square metres. This includes development permitted by a ‘general consent’ (including permitted development). The 100 square metre limit does not apply to new houses or flats, and a charge can be levied on a single house or flat of any size, unless it is built by a ‘self-builder’. However, the initial CIL forms should be completed at planning validation stage even if you intend to apply for a CIL Self – Build Exemption at a later date.
CIL will apply to all such buildings regardless of the type of permission.
Details of the CIL Rates and Charging Zones are set out in the CIL Charging Schedule which can be viewed on the Council’s website at <a href="http://www.newark-sherwooddc.gov.uk/cil">www.newark-sherwooddc.gov.uk/cil</a>
<b>Details of what should be included</b>
To allow the Council to decide if your development is liable for CIL and if so how much, an information form entitled “ <a href="#">Form 1 - Community Infrastructure Levy (CIL) – Additional Information</a> ” should be completed and submitted with your application. <a href="#">CIL guidance note</a> is also available: This includes applications for householder development. This form should be completed even if you intend to apply for a CIL Self – Build Exemption later.
Whilst the Council will not invalidate your application for the lack of this form, its completion will assist.
Where a CIL Liability Notice has been issued, an Assumption of Liability and Commencement Notice should be submitted prior to commencement, there are surcharges of up to £2550 for non-compliance. If you intend to apply for a CIL Self Build Exemption, forms are available on the <a href="#">Planning Portals website</a> which must also be submitted prior to commencement of development as a Self-Build Exemption cannot be applied for retrospectively.

<b>12. Construction Management Plan</b>
<b>Threshold/Trigger</b>
All major developments that generate significant numbers of construction transport movements, large vehicles and/or large loads within rural areas or require access provision along rural roads should be supported by a draft Construction Management Plan. Such developments include solar farms.
<b>Details of what should be included</b>
The scope and level of detail in the draft Construction Management Plan will vary from site to site but the following should be included insofar as it is known at application stage:
<ul style="list-style-type: none"> <li>• Number of vehicles and frequency of vehicles using roads each day / week (as appropriate)</li> <li>• Size(s) of vehicles</li> <li>• Route(s) of vehicles from A-classified roads</li> <li>• Hours of delivery to site</li> <li>• Days of delivery to site each week</li> <li>• Any measures to be put in place to manage all of the above</li> <li>• Construction access.</li> </ul>

### **13. Contamination Survey**

#### **Threshold/Trigger**

In many cases, a contamination survey can be a requirement of a planning condition after planning permission has been granted. However, there are some circumstances where a contamination survey is required at validation stage. These include:

- Certain allocated sites – see Newark and Sherwood District Council's adopted Allocations and Development Management DPD for further information [www.newark-sherwooddc.gov.uk/adm/](http://www.newark-sherwooddc.gov.uk/adm/)
- Certain proposed land uses or development on sites where there may be the potential for contamination due to the former use of the land.

The following former or proposed land uses will require a quantitative risk assessment:

- Coal, mineral mining & processing, both deep mines & opencast
- Smelters, foundries, steel works, metal processing & finishing works
- Heavy engineering & engineering works, e.g., car manufacture
- Military/defence related activities
- Electrical & electronic equipment manufacture & repair
- Gasworks, coal carbonisation plants, power stations
- Oil refineries, petroleum storage & distribution sites
- Manufacture & use of asbestos, cement, lime & gypsum
- Manufacture of organic & inorganic chemicals, including pesticides
- Acids/alkalis, pharmaceuticals, solvents, paints etc.
- Rubber industry, including tyre manufacture
- Munitions/explosives production, testing & storage sites
- Glass making & ceramics manufacture
- Textile industry, including tanning & dyestuffs
- Paper & pulp manufacture, printing works & photographic processing
- Timber treatment
- Food processing industry & catering establishments
- Railway depots, dockyards, garages, road haulage depots, airports
- Landfill, storage & incineration of waste
- Sewage works, farms, stables & kennels
- Scrap yards & breakers yards
- All types of laboratories
- Power stations, electricity substations, gas works
- Chemical and manufacturing plants - using/storing bulk liquid
- Chemicals or discharging of effluent
- Sewage farms and sewage treatment plants
- Quarries or land which has been infilled with unknown fill
- Collieries
- Ministry of Defence sites
- Storing and reprocessing scrap vehicles
- Fuel storage facilities, garages and petrol forecourts
- Abandoned mines, and downstream of such mines if in a flood zone
- Abattoirs, animal waste processing & burial of diseased livestock

The following land uses will require a preliminary risk assessment, site walkover and bill of quantities:

- Other industries and commercial uses not listed in Department for Environment, Food & Rural Affairs (DEFRA) profiles
- Engineering works
- Urban soils (which are comprised of made ground)
- Land with known fill
- Hospitals
- All works employing metal finishing processes - plating, paint spraying
- Vehicle repair garages (no oil storage)
- Works utilizing animal products, for example, tanneries

- Radioactive substances used in industrial activities e.g., gas mantle production, luminising works
- Agriculture – excessive use or spills of pesticides, herbicides, fungicides, sewage sludge & farm waste disposal
- Dry cleaning premises
- Naturally occurring radioactivity, including radon
- Naturally occurring - metals and other substances
- CO<sub>2</sub> & CH<sub>4</sub> production & emissions in coal mining areas, wetlands, peat moors or former wetlands
- Spraying of herbicides and pesticides
- Unregulated tipping activities
- Domestic heating oil leaks
- Railway Land (other than described in high-risk category)
- Gas mantle production, luminising works, dial manufacturers
- Made ground
- Cottage industry
- Allotments

The following land use will require a preliminary risk assessment and site walkover for potential contamination:

- Land which has been bombed
- Burial sites & graveyards
- Garages used for car parking

#### **Details of what should be included**

For detailed information regarding the type of information the Council will require in order to assess an application for planning permission on land possibly affected by contamination please see “A Guide to Developing Land within Nottinghamshire” which is available to view on our [website](#) and is summarised below:

#### Phase I — Desktop Study

The desktop study is the collation of site-specific information in order that a conceptual site model can be established. This conceptual model considers all potential contaminant sources, pathways, and receptors, defined as a pollutant linkage. The desktop study should document the site history and identify all potentially contaminative land uses back to when the site was Greenfield. The conclusions of the report should contain recommendations for any progression to Phase II, if required.

A Phase I - Desktop Study Report should include:

- Purpose of aims and study
- Site location and layout plans (appropriately scaled and annotated)
- Appraisal of site history
- Appraisal of site walkover study
- Assessment of environmental setting, to include:
  - Geology, Hydrogeology, Hydrology
  - Information on mining/quarrying activity
  - Information from EA on abstraction, pollution incidents, water quality and landfill sites.
- Assessment of current/proposed site use and surrounding land uses
- Review any previous site contamination studies (desk based/intrusive) remediation works
- Preliminary risk assessment, based on proposed development and to include:
  - Appraisal of potential/actual contaminant sources, pathways and receptors (Pollutant linkages)
  - Conceptual site model (diagrammatic and written)
- Recommendation for intrusive contamination investigation (if necessary) to include:

- Identification of target areas for more detailed investigation
- Rationale behind design of detailed investigation

### Phase II — Detailed Investigation

The Detailed Investigation phase is the on-site validation of the conceptual model. Through intrusive investigation, chemical testing and quantitative risk assessment, the Phase II study can confirm pollutant linkages and therefore, should also provide appropriate remediation options, if required.

A Phase II – Detailed Investigation should include:

- Review previous site investigation contamination studies (desk-based or intrusive) or remediation works
- Site investigation methodology, to include:
  - Justification of exploration locations
  - Locations of on-site structures, above/below ground storage tanks etc
  - Sampling and analytical strategies
  - Borehole/trial pit logs.
  - Borehole / trial pit log locations
- Results and findings of investigation, to include:
  - Ground conditions (soil and groundwater regimes, including made ground)
  - Discussion of soil/groundwater/surface water contamination (visual, olfactory, analytical)
- Conceptual site model
- Risk assessment – based on source-pathway-receptor
- Details of the site-specific risk assessment model selected and justification in its selection
- Recommendations for remediation – based on proposed land use
- Recommendations for further investigation if necessary

### Phase III — Remediation Strategy / Validation Report

The remediation phase of the process is split into two sections. Firstly, the Remediation Statement is a document detailing the objectives, methodology and procedures of the proposed remediation works. This must be submitted for approval by the Council before any works commence. Secondly, following completion of the works, a Validation Report must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Phase III – Remediation Statements should include: -

- Objectives of the remediation works
- Details of the remedial works to be carried out, to include:
  - Description of ground conditions (soil and groundwater)
  - Type, form, and scale of contamination to be remediated
  - Remediation methodology
  - Site plans/drawings
  - Phasing of works and approximate timescales
  - Consents and licenses e.g. (Discharge consents, waste management licenses etc.)
  - Site management measures to protect neighbours.
- Details on how works will be validated; ensuring remediation objectives are met, to include:
  - Sampling strategy
  - Use of on-site observations, visual/olfactory evidence
  - Chemical analysis
  - Proposed clean-up standards (i.e., contaminant concentration)

## **14. Daylight and Sunlight Assessment**

### **Threshold/Trigger**

Required for major applications where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or buildings, including associated gardens or amenity space.

Applications where the application site itself is subject to potential adverse impact from adjoining buildings or features or where one part of the development is affected by another part of the same development.

### **Details of what should be included**

A daylight, vertical sky component, sunlight availability and shadow study should be undertaken. It is recommended guidance from the BRE is used.

The information should be sufficient to determine:

- The existing and expected levels of daylight, sunlight and overshadowing on neighbouring properties
- The measures that will be taken to mitigate against the expected impact of the proposed development.

## **15. Drainage (Sustainable Drainage Systems (SuDS)) - Surface Water Drainage, and Foul Drainage**

### **Threshold/Trigger**

- All major applications
- Applications that could increase flood risk on site or elsewhere

*NB –Usually information would be required for Areas with Critical Drainage Problems (ACDPs) – However, Nottinghamshire County Council as Lead Local Flood Authority have confirmed they have not designated any critical drainage areas within Newark and Sherwood District at this time.*

### **Details of what should be included**

#### Sustainable Drainage Systems (SuDS)

SuDS are an approach to managing rainwater falling on roofs and other surfaces through a sequence of actions. The key objectives are to manage the flow rate and volume of surface runoff to reduce the risk of flooding and water pollution. SuDS also reduce pressure on the sewerage network and can improve biodiversity and local amenity.

Sustainable drainage is a departure from the traditional approach to draining sites. There are some key principles that influence the planning and design process enabling SuDS to mimic natural drainage by:

- storing runoff and releasing it slowly (attenuation)
- allowing water to soak into the ground (infiltration) [must be 5.0 metres from building, 2.5 metres from boundary]
- slowly transporting (conveying) water on the surface
- filtering out pollutants
- allowing sediments to settle out by controlling the flow of the water
- creating space that will enhance biodiversity and amenity

SuDS should be designed from the outset of the project to maximise the availability of developable land and to achieve high quality, biodiverse rich environments. The hierarchy for SuDS is:

1. into the ground (infiltration)
2. to a surface water body
3. to a surface water sewer, highway drain, or another drainage system
4. to a combined sewer

#### Surface Water

A surface water drainage scheme should include the following information:

- A metric scaled plan of the existing site.
- A metric scaled topographical level survey of the area to metres above ordnance datum (MAOD).
- Metric scaled plans and drawings of the proposed site layout identifying the footprint of the area being drained (including all buildings, access roads and car parks).

- The existing and proposed controlled discharge rate for a 1 in 1 year event and a 1 in 100-year event (with an allowance for climate change), this should be based on the estimated green-field runoff rate.
- The proposed storage volume (attenuation).
- Information on proposed SuDS measures with a design statement describing how the proposed measures manage surface water as close to its source as possible.
- Geological information including borehole logs, depth to water table and/or infiltration test results.
- Details of overland flow routes for exceedance events.
- Drainage hierarchy assessment including detail of which options of the hierarchy are available and why they have been discounted if not utilised. i.e., Infiltration has been discounted due to the impermeable nature of the underlying strata (Mercia Mudstone)
- A management plan for future maintenance and adoption of drainage system for the lifetime of the development.

#### Foul Drainage

For major development incorporating foul drainage into the public sewer details of the impact of the development on the public sewer infrastructure are required. Early discussions with Severn Trent Water or Anglian Water<sup>1</sup> are key in order to determine whether or not a load or flow assessment should be submitted with the planning application.

- 1 Anglian Water serves Barnby in Willows, Harby, Wigsley and part of Fernwood.

The National Planning Practice Guidance and [Building Regulations Approved Document H](#) give a hierarchy of drainage options that must be considered and discounted in the following order:

- 1 Connection to the public sewer
- 2 Package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption)
- 3 Septic Tank
- 4 If none of the above are feasible a cesspool

If a proposal incorporates a non-mains foul drainage system, then a [Foul Drainage Assessment Form](#) should be completed. In addition to this form:

**Proposed treatment plants** - a percolation test must be carried out and the results submitted with the application unless the treatment plant is to be draining into a watercourse.

**Proposed septic tanks and cess pools** - a full impact assessment must be submitted before the application can be registered. This should confirm that the adverse effects summarised in factors (a) to (k) below will not arise. This assessment should focus on the likely effects on the environment, amenity, and public health and, in particular, it should include a thorough examination of the impact of disposal of the final effluent, whether it is discharged to a water course or disposed of by soakage into the ground.

- a. contravention of recognised practices
- b. adverse effect on water sources/resources
- c. health hazard or nuisance
- d. damage to controlled waters
- e. damage to the environment and amenity
- f. overloading the existing capacity of the area
- g. absence of suitable outlets
- h. unsuitable soakage characteristics
- i. high water table
- j. rising ground water levels
- k. flooding

Proposals that are within close proximity to or will have impact upon any open watercourse or culvert should be submitted with a plan showing the location of the watercourse/culvert. Whilst surface water should be kept and dealt with on the application site, details of the impact of surface water discharge from sites into such watercourses, particularly with regard to impacts downstream should be provided.

## **16. Ecological and Protected Species Assessment**

### **Threshold/Trigger**

An ecology survey is required if it is likely that protected species are: -

- affected by the development, for example the effect of a wind turbine proposal on protected birds
- present on or near the proposed site, this can include but is not restricted to: -
  - Applications relating to barns and other buildings <sup>A</sup> capable of supporting protected species (planning application or change of use prior notification application)
  - Where development is within or adjacent to a wildlife corridor or area of natural open space
  - A Greenfield site
  - Where development is within a Local Wildlife Site (LWS)
  - Works involving trees known to house protected species

<sup>A</sup> Additional guidance regarding interpretation of the need for ecology surveys in relation to bats and buildings, **including dwellings**, is provided in a separate Advisory Note which can be accessed at [Appendix A](#).

### **What should be included**

Surveys must be carried out by a suitably qualified ecologists (a member of the Chartered Institute of Ecology and Environmental Management or similar) at the correct time of year, using relevant best practice guidance methods that are appropriate for the species and the area. Surveys and reports should be valid in accordance with best practice guidance regarding the should be up to date and ideally from the most recent survey season.

All surveys must include the author's name, professional details and date of report.

Surveys should include: -

- A desktop study, including consulting the Nottinghamshire Biological and Geological Records Centre, and appropriate habitat and species surveys.
- Identification of natural features, habitats, flora, and fauna.
- An assessment of the implications of the proposed development upon the wildlife habitats or features present, including any measures for mitigating the impact of development – accompanying plans should indicate such mitigation and / or compensation measures.
- Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long term maintenance and management.
- Particular consideration must be given to the presence of protected species such as badgers, bats, barn owls, great crested newts, reptiles and water voles.
- Where appropriate accompanying plans should indicate the location of any significant wildlife habitats or features.

### **Other Information**

In cases where it is not clear which species are present, if at all, a scoping survey (often called an “extended phase 1 survey”) can be carried out. This is useful for assessing whether a species-specific survey is needed.

Further detailed information regarding survey methods for individual species can be found at the following website: <https://www.gov.uk/topic/environmental-management/wildlife-habitat-conservation>

## **17. Economic Statement**

### **Threshold/Trigger**

Required for major developments, excluding householders which are major development by virtue of site area.

### **What should be included**

Applications may need to be accompanied by a support statement of 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
- reference to any regeneration strategies that might be behind or be supported by the proposal.

## **18. Environmental Impact Assessments (EIA)/Environmental Statement**

### **Policy Background**

- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 – further information available on the following website: [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

### **Threshold/Trigger**

The Regulations (see website above) apply to two separate lists of projects:

1. Proposals listed in Schedule 1 of the Regulations 'Schedule 1 projects' require an EIA in every case
2. Proposals listed in Schedule 2 of the Regulations 'Schedule 2 projects' require an EIA only if the project in question is judged likely to give rise to significant environmental effects. Schedule 3 provides further guidance for when assessing whether Schedule 2 projects require an EIA.

### **Screening Opinion**

If you are unsure whether your proposal requires an Environmental Impact Assessment (EIA) you can submit a request to the Local Planning Authority (LPA) for a Screening Opinion. The Local Planning Authority will then screen the proposal against the Regulations and confirm in writing whether or not a full Environmental Impact Assessment is required. The request for a Screening Opinion should include the following:

- a. a plan sufficient to identify the land
- b. a description of the development, including in particular:
  - (i) a description of the physical characteristics of the development and, where relevant, of demolition works
  - (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected
- c. a description of the aspects of the environment likely to be significantly affected by the development
- d. to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from:
  - (i) the expected residues and emissions and the production of waste, where relevant; and
  - (ii) the use of natural resources, in particular soil, land, water, and biodiversity
- e. such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

On receipt of the application for a screening opinion the Local Planning Authority (LPA) will consult relevant organisations and respond to the request within 3 weeks beginning from the date of receipt of a request made or such longer period, not exceeding 90 days from the date of receipt as may be agreed in writing with the person making the request. Where there are exceptional circumstances and it is not practicable for the LPA to adopt a screening opinion within this time period, the LPA may extend the period by notice in writing given to the person who made the request for a screening opinion.

If the LPA considers that the proposal could have significant effects on the environment, then they will require an EIA to be submitted with the planning application. You will be informed, in writing, of the outcome of the screening opinion.

In addition to the above the LPA will undertake a screening opinion on all relevant applications when submitted. It may be at this time that an EIA is requested by the LPA. Where an applicant disagrees with the decision, they may appeal to the Secretary of State for a screening opinion.

The Nottinghamshire Rapid Health Impact Assessment Matrix incorporated within the [Nottinghamshire Planning and Health Framework](#) should be used to assess the health impacts of developments as part of the planning proposal.

### **Scoping Opinion**

A person who is minded making an EIA application may ask the relevant planning authority to state in writing their opinion as to the scope and level of detail of the information to be provided in the environmental statement (a “scoping opinion”):

- a. a plan sufficient to identify the land
- b. a brief description of the nature and purpose of the development, including its location and technical capacity
- c. an explanation of the likely significant effects of the development on the environment
- d. such other information or representations as the person making the request may wish to provide or make.

The LPA must adopt a Scoping Opinion within 5 weeks of receiving a request or such longer period as may be agreed in writing with the person making the request. The LPA will consult the relevant bodies as part of the process.

The LPA will then confirm what they consider to be the main effects of the development and the topics that the Environmental Statement should cover. This does not prevent the LPA from requesting additional information as part of the EIA process. Alternatively, the LPA can screen a proposal as part of the planning application process once a formal planning application has been received.

### **Details of what should be included**

Full details of what to include in an Environmental Impact Assessment / Environmental Statement are set out in full in Schedule 4 of the Regulations.

To ensure the completeness and quality of the environmental statement:

- a. the developer must ensure that the environmental statement is prepared by competent experts; and
- b. the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.

A person who is minded making an EIA application may ask the relevant planning authority to state in writing their opinion as to the scope and level of detail of the information to be provided in the environmental statement (this is called a “scoping opinion”). [Further details on the Scoping Opinion process can be found here.](#)

### **Other Information**

Planning permission cannot be granted for EIA development unless an EIA has been carried out in respect of that development.

## **19. External Lighting Details**

### **Threshold /Trigger**

All proposals involving floodlighting

### **Details of what should be included**

A report written by a suitably qualified person must include: -

- Details of the survey of the surrounding night environment
- Identification of critical viewpoints
- Establishment and calculation of existing lighting conditions
- Summary of baseline measurements and/or calculations

- Analysis of task lighting level recommendations
- Establishment of environmental light control limits
- Statement of new lighting design quality objectives
- Calculated measurement of task working areas
- Calculated measurement of overspill areas
- Obtrusive light calculation of property intrusion
- Viewed source intensities including nominal glare assessment
- Direct upward light ratio
- Comparison of design achievement with baseline values
- Designer's critique of final design constraints
- Viewpoint visualisation
- Virtual walkthrough of illuminated site
- Schedule of model reflection factors
- Schedule of luminaire mounting heights and aiming angles
- Layout plan with beam orientation indication.

## 20. Flood Risk Assessment

### **Threshold/Trigger**

#### When a Flood Risk Assessment is required:

You need to do a flood risk assessment for most developments within one of the flood zones. Full guidance is provided within the National Planning Practice Guidance but a summary is provided below.

This includes developments:

- in flood zones 2 or 3 including minor development and change of use
- more than 1 hectare (ha) in flood zone 1
- less than 1 ha in flood zone 1, including a change of use in development to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and sea (for example surface water drainages, reservoirs)

To find out which flood zone a site is in please see [www.gov.uk/check-flooding](http://www.gov.uk/check-flooding)

#### When a Flood Risk Assessment is not required:

You do not need to do a flood risk assessment for a development that is less than 1 ha in flood zone 1 unless it could be affected by sources of flooding other than rivers and the sea, for example surface water drains.

### When to follow standing advice

You should follow the Environment Agency's standing advice if you're carrying out a flood risk assessment of a development classed as:

- a minor extension (household extensions or non-domestic extensions less than 250 square metres) in flood zone 2 or 3 (extensions such as dormer windows, first floor (only) extensions and similar developments are unlikely to require a Flood Risk Assessment. You are advised to check with us if you require clarification)
- 'more vulnerable' in flood zone 2 (except for landfill or waste facility sites, caravan or camping sites)
- 'less vulnerable' in flood zone 2 (except for agriculture and forestry, waste treatment, mineral processing, and water and sewage treatment)
- 'water compatible' in flood zone 2
- You also need to follow standing advice for developments involving a change of use into one of these vulnerable categories or into the water compatible category.

Please see 'Flood Risk Vulnerability Classifications' (definitions for the above categories)

### **Details of what should be included:**

#### Flood risk assessment

The Environment Agency offers products and packages of information to help you complete your flood risk assessment. Some assessments may need to be completed by a suitability qualified professional who can advise on flood risk management and mitigation measures, for example major developments.

Detailed information as to what to include in a flood risk assessment depending on which flood zone the site lies in is available on the [Environment Agency website](#). Additionally, if your application is for householder or other minor extensions and the development falls within a flood zone, please refer to this page on the [Environment Agency website](#). Please note that different packages of information (products) are available from the Environment Agency to assist with preparing a flood risk assessment, contact information below. Sufficient time should be given to enable the Environment Agency to respond.

In addition to the information above, Flood Risk Assessments should also consider information from the relevant Neighbourhood Plan.

#### Flood risk assessment: standing advice

For all developments covered by standing advice, you must put together a flood risk assessment which includes:

- development site address
- a description of your development
- evidence / information to support the sequential test (if required)
- how the site is likely to be affected by climate change
- site specific flood risk information, for example:
  - an assessment of the flood risk for your development (consider all sources of flooding not just rivers and the sea e.g., surface water, some groundwater) and include an allowance for climate change
  - the estimated flood level for your development, i.e., the 1 in 100-year river flood level or the 1 in 200-year tidal flood level
- arrangements for surface water management
- details of likely occupants and/or users of the development including numbers and future pattern of occupancy
- evidence to inform the Exception test (if required)
- details of any residual risk that remains after flood risk management and mitigation measures are implemented
- any supporting plans and drawings
- who has undertaken the assessment and when it was undertaken
- any information the relevant standing advice tells you to include

## **Other Information**

Flood Risk Assessments should always be proportionate to the degree of flood risk in each case and appropriate to the scale, nature and location of the proposed development or change of use.

The level 2 Strategic Flood Risk Assessment is available on our website at [www.newark-sherwooddc.gov.uk/sfral2/2/](http://www.newark-sherwooddc.gov.uk/sfral2/2/)

To find out if you need a flood risk assessment as part of your planning application please visit: <https://flood-map-for-planning.service.gov.uk/>. You can also use this service to download a printable flood map for planning (PDF) showing your flood zone and request flood risk assessment data.

Further information can be found at [www.gov.uk](http://www.gov.uk) and [National Planning Practice Guidance](#)

Environment Agency - [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

Advice may also be found from the Lead Local Flood Authority at Nottinghamshire County Council for major development schemes at [flood.team@nottscg.gov.uk](mailto:flood.team@nottscg.gov.uk) or Customer Services Centre on 0300 500 8080

The Environment Agency now charges for advice requested outside of their statutory duty to respond to planning applications and strategic documents. Therefore, if an applicant would like advice or Environment Agency involvement in any application or strategic document outside of the statutory process, we would ask that they contact the Environment Agency directly at [planning.trentside@environment-agency.gov.uk](mailto:planning.trentside@environment-agency.gov.uk). The Environment Agency will be able to offer details on what they offer, and the costs associated with this.

## **21. Green Belt Impact Assessment**

### **Threshold/Trigger**

- Applications which propose the demolition and replacement of buildings located within the Green Belt
- Applications which propose extensions, new buildings, or engineering operations in the Green Belt
- All householder applications that propose the extension of dwellings located in the Green Belt

### **What should be included**

Plans and volume, external footprint and floorspace calculations for the following:

- The original building (a building existing on 01/07/1948 or a building as originally constructed on or after that date)
- All existing extensions and outbuildings to the original building
- Any demolition of the original building proposed
- Any demolition of an existing extension(s) and outbuildings proposed
- Any proposed extensions
- Any proposed new buildings

Volume, external footprint and floorspace percentage increase calculations for the following:

- Original building to existing building
- Original building to proposed building
- Existing building to proposed building

## **22. Heritage Impact Assessments (including desk based Archaeological reports)**

### **Threshold/Trigger**

All applications affecting heritage assets and/or their setting. A heritage asset is defined as “*A building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*”

A Heritage Impact Assessment will always be required for the following as they relate to designated heritage assets:

- Listed building consent applications
- Planning permission applications for sites within the setting of a listed building
- Planning permission applications for sites/buildings in or within the setting of a conservation area
- Planning permission applications for sites in or within the setting of a scheduled ancient monument
- Planning permission applications for sites in or within the setting of registered parks and gardens
- Planning permission for relevant demolition in a conservation area.

Heritage Impact Assessments should also be submitted for planning applications affecting non-designated heritage assets, notably where that proposal would result in total loss or significant alteration of the heritage asset. Carrying out a pre-application meeting with the Planning Department will ensure that heritage assets are identified at the earliest stage.

Should a proposal comprise enabling development, you are advised to seek early pre-application advice and refer to [Historic England's Good Practice Advice in Planning: 4 Note](#)

### **What should be included:**

Heritage Impact Assessments for larger scale schemes should be written by a suitably qualified person (for example a member of the Institute of Historic Building Conservation or other relevant body). The assessment should include the author’s name and qualifications.

Applicants are required to provide a description of the significance of the heritage asset and/or its setting. This can be presented in the form of a Heritage Impact Assessment. A Heritage Impact Assessment should provide the local planning authority with enough information to adequately understand the impact of the proposals on the significance of any heritage assets affected. It is necessary to understand:

- how the significance of heritage assets, including their setting will be affected by the proposed development
- what contribution does the site make to the significance of any heritage assets including their setting
- how can the development protect the significance of a heritage asset
- if harm is likely to occur what avoidance - mitigation measures are possible
- what enhancement opportunities are there to better reveal their significance
- is the relationship of heritage assets within a wider setting affected by the proposed development such as relationship between a listed building and associated registered park and garden? - including the need for a views analysis or photomontages
- are there cumulative impacts to consider of a quantum of development in a location and how will this additional development affect the significance of heritage asset(s).

The level of information provided should be appropriate and proportionate to the significance of the heritage asset and the potential impact upon that significance of the proposals. For example, for an application that includes substantial demolition of a heritage asset it is reasonable to expect an applicant to provide a thorough and detailed understanding of the asset, and a thorough explanation of the impact of the demolition on the asset and its setting. An application for a minor alteration to part of the asset is likely only to require detailed information on the affected part of the asset, with only a brief explanation of how the impact relates to the significance of the asset as a whole.

For small scale development the Heritage Impact Assessment should be written by anyone that is competent to do so. This may be the heritage asset owner (for example for a householder application) but for a complex

heritage asset with high levels of significance a heritage professional is required (i.e. conservation architect, architectural historian, building archaeologist).

For proposals that require alterations to or replacement of, for example, doors and windows, these should be shown on a separate plan(s) to a larger scale of 1:10, 1:5, or 1:1 as appropriate. The statement should examine the impact of such changes with reference to the associated plans.

Further detailed information as to what should be included in a Heritage Impact Assessment can be on our website at [www.newark-sherwooddc.gov.uk/planning/heritageconservation/planningandheritageassets/](http://www.newark-sherwooddc.gov.uk/planning/heritageconservation/planningandheritageassets/)

If the proposed development has the potential to disturb buried archaeology or sites of archaeological interest, the Heritage Impact Assessment will need to address any archaeological impacts. Please see [Section 5 'Archaeological Assessment'](#) for further details and advice.

**The following is a guide for preparing a Heritage Impact Assessment:**

**Stage 1: Gathering information**

Heritage assets, especially when designated, will have some documentary information about them. For example, all listed buildings have a statutory list description and Registered Parks, and Gardens have full detailed descriptions that include their historic development. The [Historic Environment Record at Nottinghamshire County Council](#) should be consulted as part of the information gathering stage.

A good set of colour photographs showing the areas specific to the proposals should be included. There are many historic photographs of the district, often showing the application site or building. Historic photographs often reveal information about how the building has changed and can provide justification for proposed alterations or inform the design of an alteration or extension.

Maps can reveal historic layouts of sites and buildings, their relationship with other buildings or structures and surrounding landscapes or gardens. An examination of historic maps will often reveal information on how the site has changed and developed, providing time periods for different building phases. There are many sources of historic and modern maps, such as enclosure and tithe maps, to the more detailed Ordnance Survey maps which were first drawn in the mid-19th century. The types of maps that you should consult will very much depend on the age of the heritage asset and your proposals.

Many buildings and areas in the district are referred to in other sources of information, which is often the work of local historians. For example, the history of many of the villages has been written about. The District or County Council may hold investigative reports on buildings or sites. Where an asset/s lie/s within a conservation area there may be a conservation area appraisal written. Historical directories can be useful sources, especially where the site or building was built for a community purpose, often providing dates of construction, architects, and benefactors.

**Stage 2: Written Description**

A written description should also be provided; the amount and type of information will depend very much on the heritage asset itself and the proposals. If appropriate you may wish to include copies of any documents relating to the heritage asset, discovered as part of Stage 1. The following, to a greater or lesser extent should be included:

- A description of the building/structure/site and its setting (this may include important views towards and away from the heritage asset. The description should include information on architectural style, date(s) of construction, materials and notable characteristics generally and specifically in the location of the proposals. Where proposals affect the setting of a heritage asset you may wish to make reference, if appropriate, to other buildings in the grounds/garden, details of landscaping and views towards and away from the application site.)
- Summary of the building/structure/site's architectural, archaeological, or historical significance. Significance is what people value about the heritage asset. This will often be the architectural interest, but can also be social, community, economic or environmental value. Unusual or rare features will usually have a higher level of significance. Significance will often be derived from the age of the fabric of a building. For example,

late 20th century extensions to an 18th-century farmhouse will not usually be considered to be as significant as the earlier original fabric. Where a heritage asset has numerous phases of development, or differing levels of significance, plans can be used to show this effectively.

- Where a heritage asset forms part of a group, consider the group value or cumulative significance i.e., the significance it has by virtue of being in the presence of other assets.

### Stage 3: Proposals and Justification

The Local Planning Authority must clearly understand your proposals and the reasoning for them. Through a good understanding of the heritage asset, your proposals should be designed to avoid or minimise any harm to the significance of the heritage asset. A written explanation should be provided outlining your proposals and justifying them. Your explanation might answer the following questions:

- What is the need for the new work?
- Can your needs be met in a different way?
- What are the benefits of the new work?
- Could the work harm the heritage asset or put it at risk in anyway?
- Do you understand the heritage asset well enough to make an informed decision?
- Will the benefits outweigh any harm?
- Can you avoid (mitigate) any minor impacts on the heritage?
- Is the scale, design, materials proposed for any new works appropriate?
- Is any new work in the least damaging place?

Should the proposal result in substantial harm to a designated heritage asset, evidence of appropriate marketing is required to demonstrate that a heritage asset has no viable use. Evidence that conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible should also be submitted.

#### Useful information:

Heritage Impact Assessment - <https://www.newark-sherwooddc.gov.uk/heritageassetsandplanning/>

Conservation Area Appraisals - <https://www.newark-sherwooddc.gov.uk/conservationareas/>

## 23. Highway Information for all new residential development

### Threshold/Trigger

All new residential development

### Details of what should be included

In addition to the national requirement for detailed scaled plans the following information is also required:

- Driveway Width (for all new driveways – both shared private driveways and individual driveways)
- Driveway Visibility (for all new driveways – both shared private driveways and individual driveways) and where new boundary treatment is proposed that could affect highway visibility
- Driveway Length (for all new driveways – both shared private driveways and individual driveways)
- Turning areas (for shared driveways)
- Driveway Gradient (for all new driveways – both shared private driveways and individual driveways)
- Bin storage / collection point
- Parking areas
- Location of electric car charging point provision
- For major developments only – parking provision per plot, detailing required and sizes, layout (tandem/rear/front etc.) along with bedroom numbers for each dwelling. This should be provided on an appropriate plan (e.g. layout plan) to enable assessment

### Other Information

For detailed information regarding general principles and minimum standards for the layout and dimensions of roads and paved areas in residential and industrial developments, please see 'Nottinghamshire Highways Design Guide' available to view at [www.nottinghamshire.gov.uk/transport/roads/highway-design-guide](http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide)

## 24. Landscape and Visual Assessments

### Threshold/Trigger

Landscape and visual assessments are required to assess any potential impacts of a proposal on visual amenity and landscape character.

Statements will be required for all proposals which impact on the visual amenity or landscape character of an area. These include, but are not limited to:

- Proposals for wind turbines or solar farms
- Large scale developments
- Certain developments in the Open Countryside

### Details of what should be included

The following documents are available on our website and set the policy background for landscape and visual assessments:

- [Landscape Capacity Study](#)
- [Landscape Character Assessment SPD \(LCA SPD\)](#)
- Core Policy 13: Landscape Character of the Newark and Sherwood Core Strategy

A landscape and visual assessment should usually include the following information:

- Topography: Explanation of how the topography of the site has affected the design of the proposed scheme.
- Current land uses: Explanation of any change of use of land and how it will affect the appearance of the landscape or adjoining land uses
- Existing trees, hedges, woodland blocks, and belt
- Water bodies and ditches: Explanation of the effect of the proposed development on reservoirs, watercourses, ponds etc. that are important for site drainage and wildlife habitat.
- Man-made features: Consideration should be given to any existing visually intrusive man-made features
- Views: Identify key views from the surrounding area to the development site. Explain how the proposed development will be likely to be visible from and/or alter these views. This should include any changes to boundary treatments, access, or vegetation. Consideration should be given as to whether the proposed development is likely to be visible from surrounding areas where there currently are no views. Photos of the site from key views should be provided. These should include existing views and views with the proposed development super-imposed.
- Landscape Character: Where the proposal is located within open countryside or a small settlement, describe the landscape character of the application site and adjacent surroundings. Provide an analysis of the key landscape features and special qualities of the area. Include details of any historic pattern of field boundaries, woodlands and/or settlements in the surrounding area.
- Settlement Character: Where the proposal is located within or adjacent to an existing settlement, describe the character of the settlement. This should include the type of settlement (town, village or hamlet), the predominant type of building (terraced, detached, single or two storey, architectural style, age and typical building materials). Provide an explanation of the effect of the proposal on key views to the wider landscape from the settlement together with the effect of the proposal on local landmarks or any approach roads, gateways, and footways to the settlement.
- Habitat Character: Where the proposal is located on land or is adjacent to land that could provide priority habitats for wildlife (this may include unimproved upland, moorland, coastal wetland, or limestone pavement), describe the effect the proposal may have upon the habitat character, together with any mitigation.
- Heritage Assets: Where the development is located within or adjacent to a heritage asset (listed buildings, scheduled monuments, conservation areas and registered parks and gardens), describe the effect the proposal may have upon any heritage assets.
- Historic Landscapes: This will relate to landscapes such as gardens, parks, parklands, and cemeteries with the statement providing an understanding as to whether the principle of development is appropriate in that location, what mitigation and adaptation measures are possible to protect landscape character and what opportunities there are to enhance landscape character and connectivity.

- Non-designated heritage assets: These may include above and below ground archaeology. Buildings, land or features with a historic, architectural community or archaeological interest can be considered as heritage assets, even if they are not nationally designated. Archaeological interest may apply to heritage assets, whether designated or not, when the development and history of a building may only be revealed through archaeological investigation, when modern features and additions are removed.

## 25. Landscaping Scheme (Hard and Soft Landscaping)

### Threshold/Trigger

Where hard or soft landscaping is proposed. In a number of cases these can be dealt with by way of a planning condition once planning permission has been granted. However, if a scheme is particularly sensitive from either an ecological or visual point of view, then these may be required at the validation stage.

### Details of what should be included

- Metric scale 1:500 (Layout plans) and 1:200 or 1:100 (Planting schemes)
- For residential development, plot nos. should be identified
- Topographical site survey showing spot levels, contours, structures, walls, fences, existing trees (Root Protection Areas), significant shrubs and vegetation; service runs and easements; buildings on site and building edges off-site
- Planting plan should include positions, species/variety, density of planting, maximum size at maturity, grille and guard specifications, weed control measures, slope stabilisation methods, protective measures (from vehicle and pedestrian movements, grazing animals, vandalism etc.)
- Management plans, including objectives and after care maintenance
- Hard landscaping plans should include details of surfacing, footways, boundary walls/fences, retaining walls; protective measures against vehicle impact, pedestrian shortcuts, vandalism (bollards, tree guards, permanent fencing, low walls etc.); lighting, street furniture, special features (artwork etc.), refuse storage structures, utility routes, sub-stations etc.
- Tree lined streets

### Other Information

National Planning Policy Framework - <https://www.gov.uk/guidance/national-planning-policy-framework/12-achieving-well-designed-places>

## 26. Noise Impact Assessment

### Threshold/Trigger

A Noise Impact Assessment is required to determine whether a proposed development will have a significant impact on existing noise levels or whether, when all appropriate forms of mitigation have been considered, the existing noise environment will adversely affect the proposed development. They are required for the following types of development:

- Proposed developments that have the potential to generate noise, for example, industrial units, installation of external air conditioning and ventilation / exhaust system / flue units, workshops, day nurseries, nightclubs, public houses, restaurants/takeaways, schools/colleges, outdoor sports facilities etc.
- Proposed developments located next to an existing noise source, for example, next to an industrial site, a busy road, or railway line.

### Details of what should be included

A noise impact assessment should include the following information:

- Existing background noise levels measured over a 24-hour period (including the cumulative noise levels of all existing units)
- Proposed noise levels (including the cumulative noise levels of all proposed units)
- Any proposed measures to reduce noise from the proposed development
- The system manufacturer's specification of any proposed equipment to be installed, altered or replaced
- Details of the method used to compile the report and examples of the calculations and assumptions made.

Please note that you cannot carry out a noise impact and sound insulation assessment yourself. It must be completed by a qualified acoustician.

#### **Other Information**

For the installation of external air conditioning and ventilation / exhaust system / flue units a separate ventilation and extraction report is required. Please see details regarding '[Ventilation and Extraction Report](#)'.

Please see the relevant prevailing British Standards and Good Practise Guidance.

## **27. Odour Impact Assessment**

#### **Threshold/Trigger**

An Odour Impact Assessment is required to determine whether a suitable standard of amenity can be achieved where development proposals are located adjacent to or within existing uses that might cause a detrimental impact. Examples might include

- water recycling centres (sewage treatment works);
- Agricultural and similar activities that might involve waste handling e.g., poultry sheds

#### **Details of what should be included**

An odour impact assessment should include the following information:

- include details of the baseline of the existing climate around the site
- identify operations that could lead to the generation of odours
- assess the change in baseline conditions that may result from the proposed development
- identify the receptors that could be affected by the odours arising from proposed operations on the site
- recommend mitigation and management measures such as those on DEFRA website, including site layout, enclosure in buildings, managing stockpiled waste and open ground
- recommend proposals to monitor and report on odours and enable effective response to any complaints

Please note that you cannot carry out an odour impact and sound insulation assessment yourself. It must be completed by a qualified odour consultant.

#### **Other Information**

Guidance on the assessment of Odour for planning. Institute of Air Quality Management, May 2014:

<http://iaqm.co.uk/text/guidance/odour-guidance-2014.pdf>

IPPC SRG 6.02 (Farming) Odour Management at Intensive Livestock Installations, Environment Agency 2005:

[https://www.sepa.org.uk/media/60931/ippc\\_srg6\\_02\\_odour-management-at-intensive-livestock-installations-may-2005.pdf](https://www.sepa.org.uk/media/60931/ippc_srg6_02_odour-management-at-intensive-livestock-installations-may-2005.pdf)

IPPC H4 Odour Management Guidance: Environment Agency:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/296737/geh\\_o0411btqm-e-e.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/296737/geh_o0411btqm-e-e.pdf)

Advice can also be sought from the relevant sewerage company – [Anglian Water](#) or [Severn Trent](#).

## 28. Open Space Statement

### Threshold/Trigger

An Open Space Statement is required for all developments that will result in the loss of open space

### Details of what should be included

Application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. Planning permission is not normally given for development of existing open spaces which local communities need. However, in the absence of a robust and up-to-date assessment by a Local Planning Authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements.

Applications involving the loss of playing fields.

The following information is required:

Document	Presenting details on....	
<b>Required for all applications</b>		
Consultation notice	1. The development proposed (description), timescales, case officer contact details and how information can be viewed.	
Existing site plan	2. Extent of the playing field as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015. 3. Location and nature of existing buildings. 4. Location and nature of existing facilities for sport (including the layout of summer and winter playing pitches). 5. Significant features (e.g., trees, slopes, paths, fences, sewers) <sup>1</sup> . 6. Existing levels across the site <sup>1</sup> .	
Proposed site plan	7. Location and nature of the proposed development. 8. Extent of playing field area to be lost (including the area covered by the proposed development and any associated works, e.g., landscaping). 9. Location and nature of all existing facilities for sport (clearly showing any revised locations from the existing plan). 10. Any changes to existing features and levels <sup>1</sup> .	
Supporting statements	11. Extent of playing field area to be lost (area in hectares and see point 8 above). 12. Reason for the chosen location and alternatives considered. 13. Any proposed changes in the provision of indoor and outdoor facilities for sport on the site (including ancillary facilities).	
Document	Present details on...	
<b>Required in relation to specific playing fields policy exceptions</b>		
Drawings	14. Internal layouts and elevations for proposed new, extended or enhanced facilities for sport (including relevant ancillary facilities) <sup>1</sup> .	2, 4 and 5
Supporting statements	15. Current and recent users of the playing field and the nature and extent of their use. 16. How the development fits with the findings of any relevant assessment of need and/or sports related strategy (a copy of, or a web link to, the assessment or strategy should be provided) <sup>1, 2</sup> . 17. How the development will be of benefit to sport (including benefit to existing and potential users) <sup>2</sup> . 18. The specification of any ancillary facilities e.g., sports lighting <sup>1</sup> . 19. The specification of any Artificial Grass Pitch and reason for the chosen surface type <sup>2</sup> .	1, 4 and 5 1, 4 and 5 2, 4 and 5 2, 4 and 5 4 and 5
		4

	<p>20. How any replacement area of playing field and ancillary facilities will be delivered (including to what timescale).</p> <p>21. How, for any replacement area of playing field, equivalent or better quality will be achieved and maintained, including<sup>3</sup>:</p> <ol style="list-style-type: none"> <li>An assessment of the performance of the existing area</li> <li>The programme of works (including pitch construction) for the creation of the proposed replacement area</li> <li>A management and monitoring plan for the replacement area.</li> </ol>	4
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1. Level of detail proportionate to the nature of the development and its impact on the playing field.
2. Relevant for Exception 4 where the loss of an area of playing field with a natural grass surface is proposed to be replaced elsewhere by a new area of playing field with an artificial surface.
3. Details should be undertaken and developed by a suitably qualified and experienced sports turf consultant, satisfy appropriate Sport England and National Governing Bodies of sport design guidance, and have regard to Sport England's 'Equivalent Quality Assessment of Natural Turf Playing Fields' briefing note.

#### Open space required as part of new development for other purposes

Where an application for new development (usually, but not exclusively, for residential purposes) generates a requirement for open space provision in accordance with the planning policy prevailing at the time, details of the provision must be included in the application. The details must include:

- The precise location of the open space land in relation to the layout of the overall scheme (normally, the open space should be shown on the site layout plan(s))
- Details of the layout of the open space including all fixed equipment, fencing, access arrangements and planting
- A timescale for the open space to be completed and made available, preferably in relation to the timescale for the overall development
- Proposals for the future maintenance of the open space. If this involves transferring the site into Council ownership, draft heads of terms of the necessary [s106 agreement](#)
- If provision is to be met by a financial arrangement rather than on site, draft heads of terms of the necessary [s106 agreement](#).

#### Other Information

Further information can be found on the Sports England website <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

## **29. Planning Obligations Pro Forma Statement**

### **Threshold/Trigger**

A Section 106 Agreement is required to secure the following:

#### Affordable Housing

- All new housing developments involving more than 10 units (i.e., 11 or more) or where the maximum combined gross floorspace exceeds 1,000 square metres (gross internal area) regardless of the number of units
- All applications for rural affordable housing that would not otherwise be acceptable in principle regardless of the number of units or floorspace.

#### Community Facilities

- Residential developments of 10 or more dwellings

#### Education

- Residential developments of 10 or more dwellings and where a development generates a need for additional places to be provided in existing primary schools
- In some circumstances (i.e., large scale major housing scheme) the size of the development will generate a requirement for a new school. Where this is required, the developer will be expected to provide site and construction costs including professional fees, furniture and equipment
- Proposals to redevelop an existing school site by a developer would normally trigger need for a replacement school (where the existing school is not surplus to requirements).

#### Health

- Residential – 65 dwellings or more and/or
- Development which places extra demand on the local health care provision through its operation
- Applications for the development of concentrated / multi-tenant housing such as residential care homes, nursing homes, sheltered housing or student accommodation will need to be assessed for their impact on the local healthcare functions on a case-by-case basis

#### Libraries

- Residential development of 10 or more dwellings which generates a need for additional library provision.

#### Open Space

New housing developments as set out below:

- Provision for children and young people; 10 or more dwellings in Settlements Central to delivering the Spatial Strategy<sup>1</sup> or 5 or more dwellings in all other areas of the district
- Amenity green spaces – 30 or more dwellings
- Outdoor sports facilities – 100 or more dwellings
- Allotments and community gardens – 400 or more dwellings
- Natural and Semi-Natural Green Space – 10 or more dwellings

In respect of the above, smaller developments may be required to make a contribution where the development creates or exacerbates a deficiency of open space in the area.

#### Open Space - Suitable Alternative Natural Green Space (SANGS)

- Developments within a 5km radius of Birklands and Bilhaugh SAC (Edwinstowe and Ollerton) that add additional recreational pressure on the SAC by increasing the number of people to the area that may then use the SAC.

<sup>1</sup> Newark Urban Area, Southwell, Ollerton & Boughton, Clipstone, Rainworth, Collingham, Sutton-on-Trent, Farnsfield, Lowdham, Bilshorpe, Edwinstowe and Blidworth

## Transport

Type of Development	Unit size triggering 30 two-way peak hour vehicle trips
Food retail	Per 250m <sup>2</sup> gross floor area(gfa)
Non-food retail	Per 800m <sup>2</sup> gfa
Residential*	Per 50 Units or 1.2hectares
B1(a)** Office	Per 1,500m <sup>2</sup> gfa
B1** Non-office / B2 General Industry	Per 2,500m <sup>2</sup> gfa
B8 Storage & Distribution	Per 3,000 m <sup>2</sup> gfa
Other Uses - Transport Statement thresholds	Please see <a href="#">section on Transport Statement/Assessment</a> below

\* It would be reasonable to expect a contribution towards a residential development containing solely flats/apartments to be in the region of 50% of that expected for Dwelling houses.

\*\* The Use Classes referred are those set out in legislation prior to the Use Class Order being amended in 2020. Any proposal submitted in relation to development types now falling into a different use class should have consideration to the thresholds provided for their former class.

### Details of what should be included

All applications that meet the above triggers must be accompanied by a Draft Heads of Terms. This should include:

- Confirmation as to who is drafting the S106 Agreement (i.e. – if you wish this LPA to draft this, you will need to confirm that you are prepared to pay our reasonable costs)
- Names, addresses and contact details of the solicitor being used
- Proof of Title /Land Registry Information
- Details of the Proposal
- Details of what the Obligation(s) is/are for
- Details of who the interested parties.

If the developer considers that it is not financially viable to enter into an Agreement or that they wish to make reduced payments, a clear and robust Financial Viability Assessment must be submitted. See details for [Viability Assessments](#) below.

### Other Information:

Local authorities are required to keep a copy of any planning obligation together with details of any modification or discharge of the planning obligation and make these publicly available on their planning register.

The detailed requirements can be found in the District Council's Supplementary Planning Document on Developer Contributions [www.newark-sherwooddc.gov.uk/spds/](http://www.newark-sherwooddc.gov.uk/spds/)

## 30. Planning Statement

### Threshold/Trigger

Required for

- All major planning applications
- Applications that are not in accordance with the development plan
- Proposals that require detailed policy consideration

### Details of what should be included

This should provide an explanation and justification for the proposals in the context of relevant national and local plan policies. A suitable statement may include:

- An assessment of the site and its context
- A description of the proposed development
- An assessment of the relevant planning policy and an appraisal of how the proposal accords with that policy context

- The need for the development and any benefits that would arise from the proposed development (such as economic benefits from new employment, provision of community facilities, affordable housing, environmental improvements, regeneration etc.)

### **31. Rights of Way**

#### **Threshold/Trigger**

Required for:

Inclusion of a Right of Way (RoW) within the application boundary or alongside the outside edge

#### **Details of what should be included**

- A plan showing how the RoW is affected or being protected
- A statement of how the RoW will be managed during the development:
  - ability to keep the path open
  - requirement to apply for a temporary traffic regulations order (TTRO) to close the path for the duration due to public safety/provide alternative route
  - requirement to apply for a diversion or extinguishment of the path
- Whether improvement to the paths is anticipated as a result of increased and higher-level use and how that is to be managed. This may involve a 106 agreement
- Proposed future maintenance of the RoW if it is within public open space
- Information as to the future ownership of the land over which the path runs on completion of the development

#### **Other information:**

Early engagement with Rights of Way Team is encouraged: Email: [countryside.access@nottsc.gov.uk](mailto:countryside.access@nottsc.gov.uk)

Phone: 0300 500 8080 Website: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk).

### **32. Statement of Community Involvement**

#### **Threshold/Trigger**

Required for all applications where pre-application consultation has taken place with the local community

#### **Details of what should be included**

The National Planning Policy Framework advises local planning authorities to encourage developers to engage with the local community before submitting their planning application.

The Council will encourage developers to undertake early community consultation particularly for planning proposals that may give rise to local controversy, those that are on sensitive sites or those that are significant in scale. Where pre-application community consultation takes place (which may include local public exhibitions, notices in the press and around the site, notification to local councillors and Parish Councils), a statement should be submitted to describe how, when and where consultation has taken place; a summary of the level and content of responses; and any changes that have been made to the proposed scheme to take account of those responses.

Further information may be found within the Council's adopted [Statement of Community Involvement](#)

### **33. Street Scene Plans**

#### **Threshold/Trigger**

As requested by the Local Planning Authority

#### **Details of what should be included**

Scaled drawings - In some circumstances the LPA will require drawings showing elevations in the context of the street scene. This is to assess the design of the scheme in general and to assess how the proposal will integrate into the existing neighbourhood. For larger developments, internal street scenes will also be required to assess the design of the scheme.

## **34. Structural Survey**

### **Threshold/Trigger**

- Proposals involving the demolition of heritage assets
- Proposals involving the conversion of heritage assets involving significant re-building works (i.e., which involve replacing/rebuilding some or part of a roof or a wall)
- Proposals involving the conversion of rural buildings (both planning applications and change of use applications)

### **Details of what should be included**

This survey must be carried out by a suitably qualified person (such as a chartered member of the Institution of Structural Engineers or equivalent). Each survey must contain the author's name and qualifications.

For proposals involving the demolition of a heritage asset, a full external and internal structural survey is required to explore the structural condition of the building and demonstrate that the building is not structurally capable of repair and/or conversion.

For proposals involving the conversion of a heritage asset or a rural building, a full external and internal structural survey is required to demonstrate that the building is capable of conversion without the need for substantial re-building works. This should be accompanied by annotated plans to show the extent of any repair or re-build works as appropriate.

## **35. Telecoms Supporting Information**

### **Details of what should be included**

Confirmation that development is by or on behalf of a telecommunications code system for operation for the purpose of the operator's telecoms systems (Class A of Part 16 of the General Permitted Development Order).

Evidence that the use of an existing mast, building or structure has been considered.

Statement that the proposed mobile phone base station operations will meet ICNIRP guidelines.

Confirmation of the frequency and modulation characteristics and details of power output in relation to antenna.

## **36. Tourism Need Statement**

### **Threshold/Trigger**

Application for new tourist accommodation outside of defined built-up areas (within the Open Countryside).

### **Details of what should be included:**

This Report would need to provide evidence to demonstrate that there is an identified need in this area for visitor accommodation and should quote information from the [Local Authority's Visitor Economy Strategy 2020-23](#) and other sources, as appropriate.

### **Other Information**

Policy DM8 of the Allocations and Development Management DPD, Core Policy 7 of the Core Strategy, D2N2 Visitor Accommodation Strategy 2017.

## **37. Town Centre Uses Assessment**

### **Threshold/Trigger**

Main town centre uses (see definition below) will require a 'Town Centre Use Assessment' in the following circumstances:

- Sequential Assessment is required for all proposed main town centre uses and retail development, not in an existing centre (area defined on a LPA proposal map) and not in accordance with an up-to-date Development Plan (except for small scale rural offices or other small scale rural development).
- Impact Assessment is required for:
  - Proposed retail development which is located outside of a defined centre and has a gross floorspace equalling or exceeding the levels below; -
    - Newark Urban Area - 400 sqm. (gross)
    - Rest of the District - 350 sqm. (gross)
  - Proposed leisure and office development which is located outside of a defined centre and has a gross floorspace equalling or exceeding 2,500 sqm. (gross)

- Proposed leisure and office development which is located outside of a defined centre and has a gross floorspace of less than 2,500 sqm. (gross) where specifically requested by the Local Planning Authority.

**Definition:** Main town centre uses comprise:

- retail development (including warehouse, clubs and factory outlet centres)
- leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls)
- offices
- arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

**Details of what should be included:**

**Sequential Test** – This should assess the application against the town centre first policy, i.e., it should demonstrate that there are no other more suitable, viable and available sites in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

**Impact Assessment** – The scope of an impact assessment should be proportionate to the level and type of development proposed and can be agreed as part of the Council's pre-application enquiry service (see top of this document).

An Impact Assessment should include assessment of: -

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years the impact should also be assessed for up to 10 years from the time the application is made.

**Other Information**

Please refer to the NPPF, Policy DM11 of the Allocations and Development Management DPD and Core Policy 8 of the Core Strategy.

### 38. Transport Statement/Assessment

**Threshold/Trigger**

All developments that generate significant amounts of transport movement should be supported by a Transport Statement or Transport Assessment. This includes: -

- Those sites identified within the Amended Core Strategy (March 2019) or Allocations & Development Plan Document (July 2013) [ or as may be amended]
- Sites near to environmental designations or sensitive areas (such as Special Protection Area)
- Cumulative impact of multiple development.

**Details of what should be included**

The scope and level of detail in a Transport Assessment or Statement will vary from site to site but the following should be considered when settling the scope of the proposed assessment:

- information about the proposed development, site layout, (particularly proposed transport access and layout across all modes of transport)
- information about neighbouring uses, amenity and character, existing functional classification of the nearby road network
- data about existing public transport provision, including provision/ frequency of services and proposed public transport changes
- a qualitative and quantitative description of the travel characteristics of the proposed development, including movements across all modes of transport that would result from the development and in the vicinity of the site
- an assessment of trips from all directly relevant committed development in the area (i.e., development that there is a reasonable degree of certainty will proceed within the next 3 years)

- data about current traffic flows on links and at junctions (including by different modes of transport and the volume and type of vehicles) within the study area and identification of critical links and junctions on the highways network
- an analysis of the injury accident records on the public highway in the vicinity of the site access for the most recent 3-year period, or 5-year period if the proposed site has been identified as within a high accident area
- an assessment of the likely associated environmental impacts of transport related to the development, particularly in relation to proximity to environmentally sensitive areas (such as air quality management areas or noise sensitive areas)
- measures to improve the accessibility of the location (such as provision/enhancement of nearby footpath and cycle path linkages) where these are necessary to make the development acceptable in planning terms
- a description of parking facilities in the area and the parking strategy of the development
- ways of encouraging environmental sustainability by reducing the need to travel; and
- measures to mitigate the residual impacts of development (such as improvements to the public transport network, introducing walking and cycling facilities, physical improvements to existing roads).
- an assessment against the criteria set out by Active Travel England in their planning application toolkit when the following thresholds are met or exceeded; 150 dwellings, 7,500m<sup>2</sup> of floorspace or a site area of 5 hectares.

In general, assessments should be based on normal traffic flow and usage conditions (e.g., non-school holiday periods, typical weather conditions) and should be based on peak times (rush hours). Projections should use local traffic forecasts such as TEMPRO drawing where necessary on National Road Traffic Forecasts for traffic data.

The timeframe that the assessment covers should be agreed with the local planning authority in consultation with the relevant transport network operators and service providers. However, in circumstances where there will be an impact on a national transport network, this period will be set out in the relevant government policy.

#### **Other Information**

The Highways Authority is based at Nottinghamshire County Council. Contact: Area Office, Nottinghamshire County Council. Tel 0300 500 8080 Website: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

Planning Practice Guidance

National Planning Policy Framework

Active Travel England: Planning application assessment toolkit -

<https://www.gov.uk/government/publications/active-travel-england-planning-application-assessment-toolkit>

## **39. Travel Plan**

### **Details of what should be included:**

Travel Plans need to be proportionate to the type of development they are supporting as set out above. They should identify the specific required outcomes, targets and measures, and set out clear future monitoring and management arrangements all of which should be proportionate. They should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met.

Travel Plans should set explicit outcomes rather than just identify processes to be followed (such as encouraging active travel or supporting the use of low emission vehicles). They should address all journeys resulting from a proposed development by anyone who may need to visit or stay and they should seek to fit in with wider strategies for transport in the area.

They should evaluate and consider:

- benchmark travel data including trip generation databases
- Information concerning the nature of the proposed development and the forecast level of trips by all modes of transport likely to be associated with the development
- relevant information about existing travel habits in the surrounding area
- proposals to reduce the need for travel to and from the site via all modes of transport

- provision of improved public transport services.
- an assessment against the criteria set out by Active Travel England in their planning application toolkit when the following thresholds are met or exceeded; 150 dwellings, 7,500m<sup>2</sup> of floorspace or a site area of 5 hectares.

They may also include:

- parking strategy options (if appropriate – and having regard to national policy on parking standards and the need to avoid unfairly penalising motorists)
- proposals to enhance the use of existing, new and improved public transport services and facilities for cycling and walking both by users of the development and by the wider community (including possible financial incentives).

These active measures may assist in creating new capacity within the local network that can be utilised to accommodate the residual trip demand of the site(s) under consideration.

It is often best to retain the ability to establish certain elements of the Travel Plan or review outcomes after the development has started operating so that it can be based upon the occupational and operational characteristics of the development.

Any sanctions (for example financial sanctions on breaching outcomes/processes) need to be reasonable and proportionate, with careful attention paid to the viability of the development. It may often be more appropriate to use non-financial sanctions where outcomes/processes are not adhered to (such as more active or different marketing of sustainable transport modes or additional traffic management measures). Relevant implications for planning permission must be set out clearly, including (for example) whether the Travel Plan is secured by a condition or planning obligation.

Travel Plans can only impose such requirements where these are consistent with government policy on planning obligations.

#### **Other Information**

It should be noted that if a development meets the thresholds that trigger the need for a Travel Plan you will also need to provide a Transport Statement/Assessment (See section above)

Nottinghamshire County Council has guidance on their website at [www.nottinghamshire.gov.uk/transport/public-transport/plans-strategies-policies/travel-plans](http://www.nottinghamshire.gov.uk/transport/public-transport/plans-strategies-policies/travel-plans) and may be contacted via telephone: 0300 500 80 80 or email: [transport.strategy@nottscce.gov.uk](mailto:transport.strategy@nottscce.gov.uk).

Active Travel England: planning application assessment toolkit -

<https://www.gov.uk/government/publications/active-travel-england-planning-application-assessment-toolkit>

## **40. Tree Surveys**

### **Threshold/Trigger**

A tree survey should accompany all applications where trees may be affected by the proposed development. This includes trees on adjacent land or highways in addition to Ancient Woodlands or existing woodlands

### **Details of what should be included**

A tree survey as per the specification of BS 5837:2012. The survey should be proportionate to the both the amount of development proposed and the number and importance of trees affected by the development.

The location of the trees must be identified on a scaled plan and the planning case officer will also conduct a site visit to check whether trees are present.

If you are unsure whether the development may affect trees you should, as a minimum, submit a site plan to a scale of 1:200 or 1:500 indicating the proposed development and location of tree trunks and the crown spread of all trees within falling distance of the boundary of the application site. Based on this site plan a tree survey may or may not be requested following a desktop review of aerial photographs and other spatial data.

Tree surveys shall include all the information required as per the specification of BS 5837:2012, or by any subsequent updates to this standard.

This includes:

- Location of all existing trees (reference number to be recorded on the tree survey plan) over 75mm in diameter measured at 1.5m above ground level which are:
  - Within the site
  - Overhanging the site
  - Anticipating reasonable future dimensions of the retained/proposed tree growth including any necessary infrastructure adaptions and shading and detritus (fallen leaves, insects, fruits etc)
  - Within a distance of the boundary of the site which is less than half the height of the tree or
  - Located on land adjacent to the development site that might influence the site or might be important as part of the local landscape character.
- Trees which are less than 75mm diameter at 1.5m above ground need not be accurately surveyed but should be indicated
- Existing buildings/structures
- Hard surfaces
- Water courses
- Overhead cables
- Underground services including their routes and depths
- Ground levels throughout the site
- Location of all existing hedges, a list of the woody species that they contain and details of any features within the hedge, e.g., banks or supporting walls
- Soil type(s)
- Wildlife features (e.g., birds, nests, bat roosts - see Wildlife and Countryside Act 1981)
- Historical features
- Any other hard features.

A Tree Survey shall include a Tree Constraints Plan, a Tree Protection Plan, and an Arboricultural Impact Assessment. The tree survey must also include the following information about the trees (that have a diameter greater than 75mm) which are indicated on the plan:

- Species (common and scientific name, where possible)
- Height
- Diameter of the stem measured at 1.5m above ground level
- Root Protection Area (RPA)
- Canopy spread of each tree for all four compass points
- Age Class (e.g., young, semi-mature, mature, over-mature, etc.)
- Assessment of the condition including trunk, crown, roots
- Life expectancy (e.g., very long, long, medium, short, very short)
- A full schedule of tree works including those to be removed and those remaining that require remedial works to ensure acceptable levels of risk and management in the context of the proposed development. The method of disposal of all arisings should also be included along with the precautions to be taken to avoid damage to Root Protection Areas and trees to be retained
- Amenity value- both existing amenity value and proposed amenity value
- British Standard status - colour coded system identifying suitability for retention
- A schedule to the survey should list all the trees or groups of trees.

In assessing the amenity value of trees, regard should be given to three criteria:

- Visibility: The extent to which the trees or woodlands can be seen from a public viewpoint (e.g., a footpath or road)
- Size and Form: Considering factors such as the rarity of trees, their potential growth, and their value as a screen
- Wider Impact: The significance of the trees in their local surroundings considering how suitable they are to their particular setting, as well as the presence of other trees in the vicinity

- All trees that are surveyed must be clearly tagged on site to enable their identification when considering the tree survey.

Further information on trees, as well as a description of common tree work operations can be found on [The Arboricultural Association website](#).

In the case of Ancient Woodlands and/or veteran trees, wholly exceptional reasons and suitable compensation strategy must be provided as part of the application. The assessment shall include:

- A statement demonstrating whether the ancient woodland is the only place for the proposal
- The size of ancient woodland to be affected
- Whether any area of woodland will be lost
- How well connected the woodland is
- Whether there will be damage to root protection areas of the woodland or individual trees
- A survey for protected species (see section [12: Ecological and Protected Species Assessment](#))
- Whether the development has the potential to affect the woodland through changes to air quality or to ground water (pollutants or changes in hydrology). If yes, an assessment and mitigation is required
- Whether access to the woodland will increase
- The current function and planned function, of the land to be lost to development
- Whether any proposed landscaping includes native or exotic species
- Conclusions – of the likely impacts and any mitigation required.

Further information can be found on the [Ancient Woodlands website](#).

#### **Other Information**

For further information please see:

British Standard 5837:2012 – Trees in Relation to Design, Demolition and Construction – Recommendations

National Planning Policy Framework

[The Trees and Design Action Group \(TDAG\)](#)

### **41. Ventilation and Extraction Report**

#### **Threshold/Trigger**

Ventilation or extraction is used to make sure that no nuisance, disturbance, or loss of amenity is caused by odour, fumes, food droplets or noise to nearby properties. It is required in the following circumstances:

- Any developments which include the installation of ventilation systems or air-conditioning units. This includes premises that comprise the sale of food and drink for consumption on the premises or of hot food for consumption off the premises. It covers most restaurants, cafes, pubs, and premises providing hot food take-away. It also includes other businesses where the installation of externally mounted air-conditioning units is proposed
- Should details of the equipment not be known at the time of submission of the application, a condition is likely to be imposed to any grant of permission requiring information detailed below (as appropriate) to be submitted.

#### **Details of what should be included**

A suitably qualified and experienced person with specialist knowledge of ventilation schemes should undertake the design and installation of a ventilation system. In circumstances where the end user of the premises is unknown, or where the specific type of food to be cooked is unknown, the installation should be designed to achieve the highest level of odour control to cater for a worst-case scenario.

#### **1. Information on premises**

The following information should be supplied:

- the number of meals to be served per day
- the method(s) of preparation and cooking
- the types of meal served, e.g., fish and chips, Chinese food, Indian food, pizzas or Italian dishes, etc.
- proposed hours of operation of the business and any ventilation plant.

## **2. Plans and drawings**

Provide a scaled plan showing the internal arrangement of the premises and the dimensions/location of the ventilation system. The plan must contain external elevations of the buildings showing:

- dimensions
- route
- exhaust characteristics (i.e., appearance) of the ductwork in relation to the building.

The location of all filters and the fan must be clearly marked. Where the location of a filter is shown the type must be clearly identified and cross-referenced to the detailed product specification.

## **3. Pre-filters**

A copy of the manufacturer's product data sheet should be supplied clearly showing:

- manufacturer's name
- filter name and product code
- dimensions of the pre-filter
- nature of the filter media
- manufacturer's recommendations on the frequency and type of maintenance of the pre-filter having regard to the conditions that it will be used under.

## **4. Electrostatic precipitators (ESP) (where proposed)**

A copy of the manufacturer's product data sheet should be supplied clearly showing:

- manufacturer's name
- ESP name and product code
- dimensions of the ESP
- flow rate rating.

Manufacturer's recommendation on the frequency and type of maintenance of the ESP having regard to the conditions that it will be used under.

## **5. Carbon Filters (where proposed)**

The details and type of carbon filter units should be identified. A copy of the manufacturer's product data sheet should be supplied that clearly shows:

- manufacturer's name
- filter name and product code
- dimensions of the filter panel
- the total number of filter panels in the filter bed.

The following information should also be included:

- the nature of the carbon (including product type)
- the frequency of replacement of the carbon units having regard to the conditions that it will be used under. The assumptions to this calculation must be clearly stated, including the frequency and duration of use. The manufacturer should provide recommendations on the frequency and type of maintenance required
- total volume of carbon expressed in cubic metres
- total mass of carbon expressed in kilograms
- total surface area of the panels exposed to the exhausted air
- dwell time of the gases in the filter compartment and the control setting at which this is achieved. The assumptions to this calculation must be clearly stated and should include the air change rate for the setting quoted.

## **6. Odour counteractant or neutralising system (where proposed)**

The details and type of counteractant or neutralising system should be identified. A copy of the manufacturer's product data sheet should be supplied that clearly shows:

- manufacturer's name
- name of delivery system and product code

- counteractant or neutralising chemical to be used
- COSHH data sheets for chemical to be used
- anticipated counteractant or neutralising delivery rate.

## 7. Cooker hood

The following information on the characteristics of the cooker hood should be supplied that clearly shows the:

- length that the cooker hood overhangs the appliances
- face velocity at the cooker hood, expressed in metres per second
- dimensions of the opening of the cooker hood.

## 8. System Operation

In addition to the specification of the components the following must be provided about the system:

- extract rate (expressed as m<sup>3</sup>/s) at the proposed rate of extract
- dwell time of the gases in the carbon filtration zone
- volume of the kitchen
- efflux velocity

Note: The system performance is dependent upon the extract rate of the air. Where the rate can be adjusted by the use of dampers or a variable speed fan, then the conditions under which the extract rate can be achieved must be described.

## 9. Flue Design

The height and velocity of the final discharge are the two important factors. Generally, the greater the flue height, the better the dispersion and dilution of odours. The discharge of air should be at a minimum height of 1m above the roof ridge, especially if there are buildings nearby that may affect odour dispersion and dilution.

Where this is not possible (e.g., because of ownership or structural constraints), additional techniques will be required to reduce odours, such as an increase in efflux velocity and additional filters, etc.

The final discharge should be vertically upwards, unimpeded by flue terminals. The number of bends in the ducting should be minimised and the ducting should have a smooth internal surface.

## 10. Noise

Data on the noise produced by the system should be provided including:

- sound power levels or sound pressure levels at given distances (the assumptions to this calculation must be clearly stated)
- an octave band analysis of the noise produced by the system should also be provided, where possible and
- hours of operation of the ventilation system (where this differs from the hours of opening).

## 11. Maintenance

A schedule of maintenance must be provided including details for:

- cleaning of washable grease filters
- frequency of inspection and replacement of all filters (grease filters, pre-filters, and carbon filters where proposed)
- inspection and servicing of fans
- if schedule is not based on manufacturer's instructions include the reasons why.

## 12. Additional notes for guidance

The air inlets must not permit pests to enter the kitchen. Fly screens are an example of how this can be achieved.

Sufficient air must be permitted into the premises to replace air extracted. The method for supplying this make-up air should be detailed.

The route of the air into the kitchen must not result in its contamination, for example passage through a toilet. Separate provision must be made for ventilation of a toilet.

There must be sufficient access points to permit adequate cleaning of all the ductwork.

#### **Other information**

For further information please contact the Council's Public Protection team on 01636 650000 or email [customerservices@newark-sherwooddc.gov.uk](mailto:customerservices@newark-sherwooddc.gov.uk)

## **42. Viability and Marketing Statements**

#### **Threshold/Trigger**

Where applicants do not consider that development schemes would be viable in relation to the policy requirements and/or planning obligations made of them, a viability assessment justifying the reasons for this must accompany the planning application.

Where applicants consider that a building cannot retain its employment or community use and an alternative use is the only viable option.

Where the application proposes the removal of a rural worker occupancy condition.

#### **Details of what should be included**

All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs.

Where the developer considers that it is not financially viable to enter into an agreement, or that they can make reduced payments, then a clear and robust financial viability assessment must be submitted. This should include the following information:

- Schedule of both gross and net internal floor areas
- Land purchase price (with proof), and the estimated market value of the site
- Date of land purchase
- Schedule of development costs (normals)
- Schedule of development costs (abnormals)
- Proof of development costs (abnormals)
- Reasons why full costs (including abnormals) were not reflected in the purchase price
- Expected sale price of dwellings/buildings (including at what date/s)
- Intended profit level/s (including profit type).

In relation to affordable housing the assessment should include all the above and details of the amount of affordable housing (%) that could be provided against a diminishing scale of profit levels, to the level of full affordable housing provision.

Known costs such as site clearance, preparation, retaining walls, piling, infrastructure provision and or diversion, highways work, servicing, flood mitigation measures, archaeology, decontamination/remediation will not be considered as abnormals. Where abnormal costs can clearly be demonstrated, a reduction in the contribution may be agreed on a site-by-site basis.

For proposals involving the loss of employment or community use and for the removal of a rural worker occupancy condition, applications should be accompanied by appropriate marketing of the building/site. This should include:

- a. copy of the sales particulars prepared
- b. details of the original price and the new guide price
- c. schedule of the advertising carried out with copies of the advertisements and details of where the advertisements were placed and when, along with an estimate of the expenditure incurred from advertising

- d. the confirmed number of sales particulars which have been distributed, along with a breakdown of where the enquiries resulted from, for example, from the "for sale" or "to let" board, advertisements etc.
- e. details of the number of viewings carried out
- f. resulting offers and why they were dismissed
- g. confirmation of whether a "for sale" or "to let" board was erected and the dates displayed, or if not, the reasons behind the decision
- h. timetable of events from the initial appointment of the agent to current date.

**Please note there is a separate fee, payable in addition to the standard planning fee, for applications requiring a viability assessment. The fee is to cover the Council's costs in appointing an independent professional to evaluate the assessment submitted.**

#### **Other Information**

Any viability assessment should be prepared on the basis that it will be made publicly available in accordance with national guidance. Information used in viability assessment is not usually specific to that developer and thereby need not contain commercially sensitive data.

Should an exemption from publication be sought, the Local Planning Authority must be satisfied that the information to be excluded is commercially sensitive. This might include information relating to negotiations, such as ongoing negotiations over land purchase, and information relating to compensation that may be due to individuals, such as right to light compensation. The aggregated information should be clearly set out to the satisfaction of the decision maker. Any sensitive personal information should not be made public.

An executive summary prepared in accordance with data standards published by government and in line with the template will present the data and findings of a viability assessment more clearly so that the process and findings are accessible to affected communities. As a minimum, the government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in this guidance where applicable, and return to developer. Where a viability assessment is submitted to accompany a planning application, the executive summary should refer back to the viability assessment that informed the plan and summarise what has changed since then. It should also set out the proposed developer contributions and how this compares with policy requirements.

#### **Other information**

[www.gov.uk/government/publications/department-for-communities-and-local-government-appraisal-guide](http://www.gov.uk/government/publications/department-for-communities-and-local-government-appraisal-guide)

and [www.rics.org](http://www.rics.org)

[www.gov.uk/guidance/viability](http://www.gov.uk/guidance/viability)

## **Part 4 - Application Types**

The following list provides a list of the most common application types and information required to be submitted. The links will provide access to the relevant descriptions and information within this checklist.

### **Advert Consent**

For proposals to display an advertisement or sign which requires advert consent the following information will be required.

Always required

- Application form
- Fee
- A scaled plan identifying the location of the site by reference to at least two named roads, and proposed position of advertisement

Sometimes required\*

- Existing and proposed elevations to a scale of 1:50 or 1:100
- Photo montages -to show the sign in its proposed location
- Scaled details of the sign at 1:50 or 1:100 showing the advertisement size, siting, materials and colours to be used. This includes the font size, colour and appearance
- height above ground of the advert
- extent of projection by scaled section and details of method and colours of illumination (if applicable)
- Site block plan - if the sign is not located on an existing building
- where plans are submitted, these shall include individual drawing numbers with revision numbers where applicable
- include a scale bar

\*Please note that the information listed above is often required in order to assess the impact upon highway safety and public amenity. Whilst not required in order to submit a valid application, this information will often be required in order to assess the proposal. It is advised this is submitted as part of the initial application to minimise the risk of the application being refused due to insufficient information being provided.

[The Planning Portal provides a useful Guidance Note 12](#)

## **Householder**

The list below will be sufficient to ensure that any planning application is validated and thus can progress through the planning application process. The list does not cover every eventuality given that, from time to time, issues can arise which require further information to be submitted. The Case Officer will contact you should this be the case.

Always required:

- Application Form
- Fee
- Ownership Certificate
- Agricultural Holdings Certificate
- Site Location Plan
- Block Plan
- Existing Floor Plans – where an extension to a building is proposed or a building/extension is being demolished or alterations to be undertaken that affect the floor area
- Proposed Floor Plans – where new floor area is proposed
- Existing Elevation Plans – where an extension to a building is proposed
- Proposed Elevation Plans – where a new building is proposed, or fence/wall etc.

Sometimes required:

- Agricultural Justification - an application for an extension to an existing rural worker's dwelling.
- Archaeological Assessment - an application within Newark's Historic Core or in close proximity to a Scheduled Ancient Monument, the Battlefield at East Stoke, a church yard.
- Community Infrastructure Levy (CIL) forms – an application where the gross internal area of the new-build exceeds 100 square metres.
- Design and Access Statement – where the property is within the Conservation Area and floor area proposed is 100m<sup>2</sup> or more.
- Ecological and Protected Species Assessment - Where protected species are present on or near the site. This can include: -
  - Applications relating to barns and other buildings capable of supporting protected species
  - Where development is within or adjacent to a wildlife corridor or area of natural open space
  - Where development is within a Special Protection Area (SPA), potential Special Protection Areas (pSPA), Site of Special Scientific Interest, Site of Important Nature Conservation (SINC), Local Wildlife Site (LWS)
  - Works involving trees known to house protected species
- Flood Risk Assessment - applications where the site is located in flood zones 2 or 3 and the footprint is more than 250 square metres.
- Flood Risk Standing Advice - applications where the site is located in flood zones 2 or 3 and the footprint is less than 250 square metres.
- Green Belt Impact Assessment - all householder planning applications in the Green Belt
- Heritage Impact Assessment - applications that:
  - Involves a listed building
  - Is within the setting of a listed building
  - Is within a conservation area
  - Is within the setting of a conservation area
  - Involves a scheduled ancient monument
  - Is within the setting of a scheduled ancient monument
  - Local interest building
- Highway Information - applications that involves a new driveway (where planning permission is required) or new boundary treatment close to an existing highway or a public right of way is within or alongside the site
- Tree Survey - applications where trees may be affected

[The Planning Portal provides a useful Guidance Note 01](#)

## **Full Planning Permission**

The list below will be sufficient to ensure that any planning application is validated and thus can progress through the planning application process. The list does not cover every eventuality given that, from time to time, issues can arise which require further information to be submitted. The Case Officer will contact you should this be the case.

Always required:

- Application Form
- Fee
- Ownership Certificate
- Agricultural Holdings Certificate
- Site Location Plan
- Block Plan

Usually required

- Biodiversity Net Gain Assessment
- Existing Floor Plans – where an extension to a building is proposed or a building/extension is being demolished
- Proposed Floor Plans – where new floor area is proposed
- Existing Elevation Plans – where an extension to a building is proposed
- Proposed Elevation Plans – where a new building is proposed, or fence/wall etc.
- Existing Roof Plans – where an extension to an existing building is proposed
- Proposed Roof Plans – where a new building or extension is proposed

Sometimes required:

- Affordable Housing Statement
- Agricultural Justification - an application for a new agricultural rural worker's dwelling.
- Air Quality Assessment
- Archaeological Assessment - an application within Newark's Historic Core or in close proximity to a Scheduled Ancient Monument, the Battlefield at East Stoke, a church yard.
- Bin /Waste Management Information
- Community Infrastructure Levy (CIL) forms – an application where the gross internal area of the new-build exceeds 100 square metres.
- Contamination Survey
- Daylight and Sunlight Assessment
- Design and Access Statement – where the property is within the Conservation Area and floor area proposed is 100m<sup>2</sup> or more.
- Drainage including Surface Water Drainage, Sustainable Drainage Scheme (SuDS) and Foul Drainage
- Ecological and Protected Species Assessment - Where protected species are present on or near the site.

This can include: -

- Applications relating to barns and other buildings capable of supporting protected species
- Where development is within or adjacent to a wildlife corridor or area of natural open space
- Where development is within a Special Protection Area (SPA), potential Special Protection Areas (pSPA), Site of Special Scientific Interest, Site of Important Nature Conservation (SINC), Local Wildlife Site (LWS)
- Works involving trees known to house protected species
- Economic Statement
- Environment Impact Assessment (EIA) / Environmental Statement
- External Lighting Details
- Flood Risk Assessment - applications where the site is located in flood zones 2 or 3 and the footprint is more than 250 square metres.
- Flood Risk Standing Advice - applications where the site is located in flood zones 2 or 3 and the footprint is less than 250 square metres.

- Green Belt Impact Assessment - all householder planning applications in the Green Belt
- Heritage Impact Assessment - applications that:
  - Involves a listed building
  - Is within the setting of a listed building
  - Is within a conservation area
  - Is within the setting of a conservation area
  - Involves a scheduled ancient monument
  - Is within the setting of a scheduled ancient monument
  - Is a local interest building
- Highway Information - applications which involve a new driveway (where planning permission is required) or new boundary treatment close to an existing highway or a public right of way is within or alongside the site
- Landscape and Visual Impact Assessment
- Landscaping Scheme – applications which are proposing new landscaping or removal of existing
- Noise Impact Assessment
- Open Space Assessment
- Parking Plan – for all development which result in a change in parking requirements or loss of parking provision including location of electric car charging point provision
- Planning Obligations Pro Forma Statement /Draft Head(s) of Terms
- Planning Statement and Additional Supporting Information
- Rights of Way
- Schedule of Works
- Statement of Community Involvement
- Street Scene Plans
- Structural Survey
- Telecoms Supporting information
- Town Centre Uses Assessment
- Transport Statements / Assessments
- Travel Plan
- Tree Survey - applications where trees may be affected
- Ventilation and Extraction Report
- Viability and Marketing Statement

[The Planning Portal provides a useful Guidance Note 04](#)

### Hedgerow Removal Notice

Always required

- Site location plan identifying the hedgerow(s) to be removed
- Application form (preferably) or a written notification in the form as set out in Schedule 4 to the Hedgerow Regulations
- Statement of reasons for the works, confirming whether the applicant is the owner, tenant or manager of the hedgerow, or the relevant utility company eligible to remove it
- Evidence that the hedge is less than 30 years old or is not of archaeological or ecological importance.

[The Planning Portal provided a useful guidance note for Hedgerow Removal Notice](#)

### Listed Building Consent

Always required:

- Application Form
- Ownership Certificate
- Heritage Impact Assessment
- Listed Building Design and Access Statement
- Location Plan
- Site Plan

- Plans, elevations, and sections of the building, as existing relevant to the proposed alteration
- Plans, elevations, and sections of the building to show the alterations proposed (as relevant to the proposal)

Sometimes required:

- Schedule of Works
- Photographs of all elevations of the building (to convey its general character) and detailed photographs (internal and/or external) of those parts where alterations or extensions are proposed. If available, old photographs may be particularly valuable
- In the case of Grades, I and II\* and, exceptionally, some Grade II listed buildings, specific internal details at a scale of 1:10, 1:5 or 1:1 may be requested.

The following additional information will be needed where the structural condition of the building requires it or where the building is to be converted to a new use:

- A building surveyor's or structural engineer's report and methodology statement, indicating on measured drawings of the building, as existing, any structural problems and a clear methodology for their rectification or alteration, including a proposed sequence of works and details of temporary works and propping.
- Joinery details - details of, for example, doors and windows should be shown to a larger scale of 1:10, 1:5, or 1:1 as appropriate.

[The Planning Portal provides a useful Guidance Note 11](#)

### **Non-material Amendment**

Always required:

- Application form
- Fee

Sometimes required (Information required will be dependent upon the non-material amendment being sought):

- Existing and proposed elevations
- Existing and proposed floor plans
- Site block plan

[The Planning Portal provides a useful Guidance Note 34](#)

### **Outline with all Matters Reserved**

Always required:

- Application Form
- Fee
- Site Location Plan
- Block Plan

Sometimes required:

- Proposed Floor Plans
- Proposed Elevation Plans
- Archaeological Assessment - an application within Newark's Historic Core or in close proximity to a Scheduled Ancient Monument, the Battlefield at East Stoke, a church yard.
- Community Infrastructure Levy (CIL) forms – an application where the gross internal area of the new-build exceeds 100 square metres.
- Contamination assessment
- Drainage including Surface Water Drainage, Sustainable Drainage Scheme (SuDS) and Foul Drainage
- Biodiversity Net Gain Assessment
- Ecological and Protected Species Assessment - Where protected species are present on or near the site.

This can include: -

- Applications relating to barns and other buildings capable of supporting protected species
- Where development is within or adjacent to a wildlife corridor or area of natural open space

- Where development is within a Special Protection Area (SPA), potential Special Protection Areas (pSPA), Site of Special Scientific Interest, Site of Important Nature Conservation (SINC), Local Wildlife Site (LWS)
  - Works involving trees known to house protected species
- Flood Risk Assessment - applications where the site is located in flood zones 2 or 3 and the footprint is more than 250 square metres.
- Heritage Impact Assessment - applications that:
  - Involves a listed building
  - Is within the setting of a listed building
  - Is within a conservation area
  - Is within the setting of a conservation area
  - Involves a scheduled ancient monument
  - Is within the setting of a scheduled ancient monument
  - Is a local interest building
- Highway Information - applications that involves a new driveway (where planning permission is required) or new boundary treatment close to an existing highway or a public right of way is within or alongside the site
- Landscaping details
- Tree Survey - applications where trees may be affected

Detail will be required of

- the use or uses proposed for the development and any distinct development zones within the site identified
- amount of development - the amount proposed for each use
- indicative access points - an area or areas in which the access point or points will be situated (where these matters are reserved for subsequent approval)

[The Planning Portal provides a useful Guidance Note 34](#)

### Outline with some Matters Reserved

Always required:

- Application Form
- Fee
- Site Location Plan
- Block Plan

Sometimes required (dependent on matters that have not been reserved):

- Proposed Floor Plans
- Proposed Elevation Plans
- Affordable Housing
- Archaeological Assessment - an application within Newark's Historic Core or in close proximity to a Scheduled Ancient Monument, the Battlefield at East Stoke, a church yard.
- Community Infrastructure Levy (CIL) forms – an application where the gross internal area of the new-build exceeds 100 square metres.
- Contamination assessment
- Drainage including Surface Water Drainage, Sustainable Drainage Scheme (SuDS) and Foul Drainage
- Biodiversity Net Gain assessment (for all proposals that are not exempt from the general biodiversity condition (Exempt development))
- Ecological and Protected Species Assessment - Where protected species are present on or near the site. This can include: -
  - Applications relating to barns and other buildings capable of supporting protected species
  - Where development is within or adjacent to a wildlife corridor or area of natural open space

- Where development is within a Special Protection Area (SPA), potential Special Protection Areas (pSPA), Site of Special Scientific Interest, Site of Important Nature Conservation (SINC), Local Wildlife Site (LWS)
  - Works involving trees known to house protected species
- Flood Risk Assessment - applications where the site is located in flood zones 2 or 3 and the footprint is more than 250 square metres.
- Heritage Impact Assessment - applications that:
  - Involves a listed building
  - Is within the setting of a listed building
  - Is within a conservation area
  - Is within the setting of a conservation area
  - Involves a scheduled ancient monument
  - Is within the setting of a scheduled ancient monument
  - Is a local interest building
- Highway Information - applications that involves a new driveway (where planning permission is required) or new boundary treatment close to an existing highway or a public right of way is within or alongside the site
- Tree Survey - applications where trees may be affected

Detail will be required of:

- the use or uses proposed for the development and any distinct development zones within the site identified
- amount of development - the amount proposed for each use
- indicative access points - an area or areas in which the access point or points will be situated (where these matters are reserved for subsequent approval)

[The Planning Portal provides a useful Guidance Note 05](#)

### **Planning Permission for Relevant Demolition in Conservation Area**

Always required

- Application Form
- Site Location Plan
- Block Plan
- Heritage Impact Assessment
- Existing Floor Plans
- Existing Elevations Plans

Sometimes required

- Photographs
- [The Planning Portal provides a useful Guidance Note for planning permission for relevant demolition in a conservation area](#)
- Preliminary Bat Roost Assessment (See [Appendix A](#) for guidance)

### **Reserved Matters**

Always required:

- Application Form
- Fee
- Site Location Plan
- Block Plan

Sometimes required depending on the Reserved Matters being sought:

- Proposed Floor Plans
- Proposed Elevation Plans
- Archaeological Assessment - an application within Newark's Historic Core or in close proximity to a Scheduled Ancient Monument, the Battlefield at East Stoke, a church yard.

- Community Infrastructure Levy (CIL) forms – an application where the gross internal area of the new-build exceeds 100 square metres.
- Contamination assessment
- Drainage including Surface Water Drainage, Sustainable Drainage Scheme (SuDS) and Foul Drainage
- Ecological and Protected Species Assessment - Where protected species are present on or near the site. This can include:
  - Applications relating to barns and other buildings capable of supporting protected species
  - Where development is within or adjacent to a wildlife corridor or area of natural open space
  - Where development is within a Special Protection Area (SPA), potential Special Protection Areas (pSPA), Site of Special Scientific Interest, Site of Important Nature Conservation (SINC), Local Wildlife Site (LWS)
  - Works involving trees known to house protected species
- Flood Risk Assessment - applications where the site is located in flood zones 2 or 3 and the footprint is more than 250 square metres.
- Heritage Impact Assessment - applications that:
  - Involves a listed building
  - Is within the setting of a listed building
  - Is within a conservation area
  - Is within the setting of a conservation area
  - Involves a scheduled ancient monument
  - Is within the setting of a scheduled ancient monument
  - Is a local interest building
- Highway Information - applications that involves a new driveway (where planning permission is required) or new boundary treatment close to an existing highway or a public right of way is within or alongside the site
- Landscaping details
- Tree Survey - applications where trees may be affected

Detail will be required of:

- the use or uses proposed for the development and any distinct development zones within the site identified
- amount of development - the amount proposed for each use
- indicative access points - an area or areas in which the access point or points will be situated (where these matters are reserved for subsequent approval)

[The Planning Portal provides a useful Guidance Note 23](#)

#### **Approval of Details Reserved by Condition (Discharge of a Condition(s) on a Planning Permission)**

Always required:

- Application Form
- Fee
- Details required by the condition

[The Planning Portal provides a useful Guidance Note 27](#)

#### **Removal or Variation of Conditions**

Always required:

- Application Form
- Fee
- Details required by the condition

[The Planning Portal provides a useful Guidance Note 25](#)

#### **Lawful Development Certificate for Existing Use or Development**

Always required:

- Application Form

- Fee
- Location Plan
- Supporting evidence e.g., affidavits, historic photos, utility bills/official documents.

[The Planning Portal provides a useful Guidance Note 14](#)

### Lawful Development Certificate for Proposed Use or Development

Always required:

- Application Form
- Fee
- Location Plan
- Site block plan
- Existing and proposed elevations
- Existing and proposed floor plans

[The Planning Portal provides a useful Guidance Note 15](#)

### Lawful Development Certificate for Listed Buildings

Applications for Certificates of Lawfulness of Proposed Works should include the following information:

Always required:

- Application Form including:
  - detailed description of the proposed works (including existing and proposed materials and finishes) together with details of those part(s) of the building likely to be affected
  - the reasons the applicant thinks they are entitled to a Certificate of Lawfulness of Proposed Works (i.e., why they think the proposed works do not affect the special architectural or historic interest of the listed building)
  - A statement as to the applicant's interest (ownership, tenancy etc) in the listed building(s) and any interest of any other person
  - details of listed building grading – if not known, this information can be found in the National Heritage List for England, which is available on Historic England's website at: <https://www.historicengland.org.uk/listing/the-list>
- Location Plan (identifying the listed building(s) to which the application refers)
- Existing and proposed elevations, where applicable
- Existing and proposed floor plans, where applicable

Sometimes required:

- Any other relevant information

#### What is a Certificate of Lawfulness of Proposed Works?

A Certificate of Lawfulness of Proposed Works is a legal document stating the lawfulness of proposed works to a listed building and, are therefore, not liable to enforcement under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Works would be lawful if they do not affect the character of the listed building as a building of special architectural or historic interest. Sections 26H and 26I of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as inserted by section 61 of the Enterprise and Regulatory Reform Act 2013) established a procedure that enables anyone who wishes to do so, to apply to the local planning authority to determine whether proposed works to a listed building are lawful, and if so, be granted a Certificate to that effect. A Certificate granted for proposed works will specify the listed building (by reference to a plan or drawing) included in the Certificate and describe the precise nature of the works which are considered lawful. The Certificate will give the reasons for determining the works to be lawful and specify the date of issue of the Certificate. Once issued, Certificates of Lawfulness of Proposed Works are valid for 10 years from the date of issue of the Certificate i.e., the works certified must be carried out within 10 years from the date the Certificate is issued. The responsibility is on the applicant to provide evidence to support the application.

## **Permission in Principle**

These applications are an alternative way of obtaining planning permission for housing-led development. It separates the consideration of matters of principle for the proposed development from the technical detail of the development. Find out more by visiting <https://www.gov.uk/guidance/permission-in-principle>.

Always required

- Application Form
- Fee
- Location Plan
- Site block plan

## **Technical Details Consent (in relation to Permission in Principle)**

Following the granting of Permission in Principle (PIP) an application for Technical Details Consent can be made, validation requirements are the same as for a planning application - so please refer to the relevant development type. Please note you must make reference to the PIP application number in your submission. Find out more by visiting <https://www.gov.uk/guidance/permission-in-principle>.

## **Prior Approval / Notification**

The following procedures apply to the applications set out below for prior approval or change of use:

Agricultural buildings to dwellinghouses	Installation or alteration etc of stand-alone wind turbine on domestic premises
Agricultural buildings to state-funded school or registered nursery	Offices to dwellinghouses
Agricultural buildings to a flexible commercial use	Premises in light industrial use to dwellinghouse
Agricultural development on units of 5 hectares or more and forestry	Provision of a temporary state-funded school on previously vacant commercial land
Business, hotels etc. to state-funded schools or registered nursery	Renewable Energy
Click and collect facilities	Retail or betting office or pay day loan shop to assembly and leisure
Communications	Retail, betting office or pay day loan shop or casino to restaurant or café
Demolition of building(s)	Retail, takeaway, betting office, pay day loan shop, and launderette uses to offices
Demolition of buildings and construction of new dwellinghouses in their place	Retail, takeaways and specified sui generis uses to dwellinghouses
Dwellings on detached buildings in commercial/mixed use	Specified sui generis uses to dwellinghouses
Dwellings on detached dwellings	Storage or distribution centre to dwellinghouses use
Dwellings on flats	Temporary use of buildings or land for film making purposes
Dwellings on terraced buildings in commercial/mixed use	Toll collection
Dwellings on terraced dwelling	
Enlargement, improvement or other alteration of a dwellinghouse	

### **Agricultural buildings to dwellinghouses**

The application must be accompanied by:

- a written description of the proposed development or application form, which must include any building or other operations proposed
- plan indicating the site and showing the proposed development
- statement specifying the net increase in dwellinghouses proposed by the development
- a statement specifying (i) the number of smaller dwellings proposed; (ii) the number of larger dwellings proposed; (iii) whether previous development has taken place under Class Q within the established agricultural unit, and if so the number of smaller and larger dwellinghouses development under Class Q
- a floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- the developer's contact address
- developer's email address if content to receive communication electronically
- any fee required to be paid

## **Agricultural buildings to state-funded school or registered nursery**

### **Agricultural buildings to a flexible commercial use**

The application must be accompanied by:

- a written description of the proposed development or application form, which must include any building or other operations proposed
- plan indicating the site and showing the proposed development
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- the developer's contact details
- developer's email address if content to receive communication electronically
- any fee required to be paid

## **Agricultural development on units of 5 hectares or more and forestry development**

The application must be accompanied by:

- a written description of the proposed development or application form
- plan indicating the site
- the materials to be used
- any fee required to be paid

[The Planning Portal provides a useful Guidance Note 16](#)

## **Retail or betting office or pay day loan shop to assembly and leisure**

### **Retail, takeaway, betting office, pay day loan shop, and launderette uses to offices**

### **Business, hotels etc. to state-funded schools or registered nursery**

### **Installation or alteration etc. of stand-alone wind turbine on domestic premises**

## **Renewable Energy**

The application must be accompanied by:

- a. a written description of the proposed development or application form
- b. plan indicating the site and showing the proposed development
- c. the developer's contact address
- d. developer's email address if content to receive communication electronically
- e. any fee required to be paid

## **Retail, betting office or pay day loan shop or casino to restaurant or café**

The application must be accompanied by:

- a written description of the proposed development or application form, which must include any building or other operations proposed
- plan indicating the site and showing the proposed development
- the developer's contact address
- developer's email address if content to receive communication electronically
- any fee required to be paid

## **Click and collect facilities**

The application must be accompanied by:

- a written description of the proposed development or application form, which must include any building operations proposed
- plan indicating the site and showing the proposed development
- the developer's contact address
- developer's email address if content to receive communication electronically
- any fee required to be paid

## **Specified sui generis uses to dwellinghouses**

### **Retail, takeaways and specified sui generis uses to dwellinghouses**

The application must be accompanied by:

- a written description of the proposed development or application form, which must include any building or other operations proposed
- plan indicating the site and showing the proposed development
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- statement specifying the net increase in dwellinghouses proposed by the development
- a floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls and the elevations of the dwellinghouses
- the developer's contact address
- developer's email address if content to receive communication electronically
- any fee required to be paid

## **Offices to dwellinghouses**

### **Premises in light industrial use to dwellinghouses**

### **Temporary use of buildings or land for film making purposes**

These applications must be accompanied by:

- a written description of the proposed development or application form
- plan indicating the site and showing the proposed development
- a floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls and the elevations of the dwellinghouses
- statement specifying the net increase in dwellinghouses proposed by the development
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- the developer's contact details
- developer's email address, if content, to receive communication electronically
- any fee required to be paid

## **Storage or distribution centre to dwellinghouses**

### **Provision of a temporary state-funded school on previously vacant commercial land**

The application must be accompanied by:

- a written description of the proposed development or application form
- plan indicating the site and showing the proposed development
- statement specifying the net increase in dwellinghouses proposed by the development
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- the developer's contact details
- developer's email address, if content, to receive communication electronically
- any fee required to be paid

## **Communications**

The application must be accompanied by:

- a written description of the proposed development
- plan indicating the proposed location
- any fee required to be paid
- the developer's contact details
- developer's email address, if content, to receive communication electronically
- a notice of development<sup>2</sup>

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<sup>2</sup> The developer must give notice of the proposed development to any person (other than the developer) who is an owner of the land to which the development relates, or a tenant, before making the application.

- a notification of the proposal<sup>3</sup>
- where the development is within 3km of the perimeter of an aerodrome, evidence must be provided of notification with the Civil Aviation Authority, the Secretary of Defence, or the aerodrome operator as appropriate

[The Planning Portal provides a useful Guidance Note 20](#)

**New dwellinghouses on detached blocks of flats**

**New dwellinghouses on detached buildings in commercial or mixed use**

**New dwellinghouses on terrace buildings in commercial or mixed use**

**New dwellinghouses on terrace buildings in use as dwellinghouses**

**New dwellinghouses on detached buildings in use as dwellinghouses**

These applications must be accompanied by:

- a written description of the proposed development, which must include details of any dwellinghouse, and other works proposed under these Classes comprising:
  - i. engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses
  - ii. works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses
  - iii. works for the construction of appropriate and safe access and egress to access to and egress from the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases
  - iv. works for the construction of storage, waste, or other ancillary facilities reasonably necessary to support the new dwellinghouses
- a plan which is drawn to an identified scale and shows the direction of North indicating the site and showing the proposed development
- floor plans which are drawn to an identified scale and show the direction of North indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors, walls and the existing and proposed elevations of the building
- a written statement specifying the number of new dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the building immediately prior to development (that is, additional to any dwellinghouses in the existing building)
- a list of all addresses of the flats within the existing block of flats any flats and any other premises in the existing building
- the developer's contact address
- the developer's email address if the developer is, content to receive communications electronically
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- a report from a chartered engineer or other competent professional confirming that the external wall construction of the existing building complies with paragraph B4(1) of Schedule 1 to the Building Regulations 2010
- any fee required to be paid.

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<sup>3</sup> Where the proposed development consists of the installation of a mast within 3 kilometres of the perimeter of an aerodrome, the developer must notify the Civil Aviation Authority, the Secretary of State for Defence, or the aerodrome operator, as appropriate, before making the application.

## **Demolition of buildings and construction of new dwellinghouses in their place**

The application must be accompanied by:

- the address or location of the development
- a written description of the proposed development, which must include details of the building proposed for demolition, the building proposed as replacement and the operations proposed under paragraph ZA (3) of the Town and Country Planning (General Permitted Development)(England) Order 2015. These operations are provided below
- a plan, drawn to an identified scale and showing the direction of North, indicating the site of the proposed development
- drawings prepared to an identified scale and showing external dimensions and elevations of:
  - the building proposed for demolition,
  - the building scheduled as replacement, and, in the direction of North, the positioning of each, together with
    - where the building proposed as replacement is a block of flats—
      - the position and dimensions of windows, doors and walls in the block and in each dwellinghouse in it,
      - the dimensions and use of all habitable and other rooms in each dwellinghouse in it
    - where the building proposed as replacement is a single dwellinghouse—
      - the position and dimensions of the windows, doors and walls in it and
      - the dimensions and use of all habitable and other rooms in it.
- a written statement specifying
  - the number of dwellinghouses in the building proposed for demolition and
  - the number of new dwellinghouses proposed in the building proposed as replacement
- a site-specific flood risk assessment when the site is in Flood Zone 2 or 3
- a written statement in respect of heritage and archaeological considerations of the development
- a report from a chartered engineer or other competent professional confirming that the external wall construction of the existing building complies with paragraph B4(1) of Schedule 1 to the Building Regulations 2010
- the developer's contact address
- the developer's email address, if content to receive communications electronically
- any fee required to be paid.

The operations in question are:

- a. operations reasonably necessary for the demolition and construction, which may include the installation of a basement or cellar in the new building, whether or not there is one in the old building
- b. works for the removal of plant servicing the old building
- c. works for the disconnection of services from the old building
- d. works for the removal of any means of access to and egress from the old building
- e. works for the removal of storage and waste from the old building
- f. works for the installation of plant to service the new building
- g. works for the installation of services to be connected to the new building
- h. works to enable access to and egress from the new building, including means of escape from fire
- i. works for the construction, within the new building, of storage, waste or other ancillary facilities to support the new building
- j. the use of scaffolding and other temporary structures to support the operations listed in paragraphs (a) to (i) over a period:
  - i. starting with their installation no earlier than one month before the beginning of those operations
  - ii. ending with their removal no later than one month after the completion of those operations.

## **Enlargement, improvement, or other alteration of a dwellinghouse**

The application must be accompanied by:

- a written description of the proposed development or application form including-
  - how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse
  - the maximum height of the enlarged part of the dwellinghouse; and
  - the height of the eaves of the enlarged part of the dwellinghouse
- location plan showing proposed site
- plans showing the proposed development
- the addresses of any adjoining premises
- the developer's contact details
- appropriate fee

[The Planning Portal provides a useful Guidance Note](#)

## **Demolition of building(s)**

The application must be accompanied by:

- a written description of the proposed development or application form
- a statement that a notice has been posted<sup>4</sup>
- any fee required to be paid

[The Planning Portal provides a useful Guidance Note](#)

## **Toll road facilities**

The application must be accompanied by:

- a. written description of the development
- b. plans and elevations of the proposed development
- c. any fee required to be paid

## **Permission in Principle**

These applications are an alternative way of obtaining planning permission for housing-led development. It separates the consideration of matters of principle for the proposed development from the technical detail of the development. Find out more by visiting <https://www.gov.uk/guidance/permission-in-principle>.

Always required

- Application Form
- Fee
- Location Plan
- Site block plan

## **Technical Details Consent (in relation to Permission in Principle)**

Following the granting of Permission in Principle (PIP) an application for Technical Details Consent can be made, validation requirements are the same as for a planning application - so please refer to the relevant development type. Please note you must make reference to the PIP application number in your submission. Find out more by visiting <https://www.gov.uk/guidance/permission-in-principle>.

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<sup>4</sup> *The application requires the applicant or agent to erect a site notice for no less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the Local Planning Authority. Following this, a statement will need to be submitted to the Local Planning Authority with a description of where the site notice was put and date it was displayed.*

## **Works to Trees in Conservation Area**

Always required

- Application Form – whilst not legally required we recommend the form available on the [Planning Portal](#). If you chose not to use the application form, the following minimum information will be required:
  - Your contact details
  - Owners' details
  - Site address (location of tree/s)
  - Information on the works to proposed, including species (e.g.: felling of 2 Silver Birch trees (T1 and T2))
- Site Location Plan - does not have to be ordnance survey but must clearly show the location of the tree(s) relative to surrounding buildings/roads.

Note: It is vital that you clearly specify the works you want to carry out for each tree included in your application. A proposal simply to “cut back”, “lop” or “trim” some branches is too vague because it fails to indicate the extent of the works. Reductions should be specified by actual measurements and not percentages, where possible, and reflect the finished result, but may also refer to lengths of parts to be removed to aid clarity, e.g., ‘crown reduce in height by 2.0m and lateral spread by 1.0m, all round, to finished crown dimensions of 18m in height by 11m in spread (all measurements approximate.)’. Alternatively, you can annotate a drawing or photograph to show which branches are to be reduced/removed. Examples of common tree work operations, including crown reduction and crown lift can be found on [The Arboricultural Associations website](#).

Sometimes required:

- Photographs - provide both close up photographs of the tree itself and also showing the tree(s) within their wider surroundings
- Be accompanied, as applicable, by appropriate evidence describing any structural damage to property or in relation to tree health or safety
- Evidence of the immediate risk, including details of risk/damage/condition. The [ISA Tree Risk Assessment form](#) provides a guide for collecting and recording tree risk assessment information
- Works in general should comply with BS3998-2010
- Replanting information, where applicable.

## **Works to Trees Subject to a Tree Preservation Order (TPO)**

Always required

- Application Form
- Site Location Plan - does not have to be ordnance survey but must clearly show the location of the tree/s
- Tree assessment – species, spread, roots and position of trees; details of the works you propose; why the works are necessary and any proposed replacement trees. Details can also be found within BS 3998-2010
- Tree felling - Be accompanied, as applicable, by appropriate evidence describing any structural damage to property or in relation to tree health or safety (to be provided by a relevant engineer, building/drainage surveyor, or other appropriate expert)

Note: It is vital that you clearly specify the works you want to carry out for each tree included in your application. A proposal simply to “cut back”, “lop” or “trim” some branches is too vague because it fails to indicate the extent of the works. Reductions should be specified by actual measurements and not percentages, where possible, and reflect the finished result, but may also refer to lengths of parts to be removed to aid clarity, e.g., ‘crown reduce in height by 2.0m and lateral spread by 1.0m, all round, to finished crown dimensions of 18m in height by 11m in spread (all measurements approximate.)’. Alternatively, you can annotate a drawing or photograph to show which branches are to be reduced/removed. Examples of common tree work operations, including crown reduction and crown lift can be found on [The Arboricultural Associations website](#).

Sometimes required:

- Photographs - provide both close up photographs of the tree itself and also showing the tree(s) within their wider surroundings
- Appropriate evidence describing any structural damage to property or in relation to tree health or safety
- Evidence of the immediate risk, including details of risk/damage/condition. The [ISA Tree Risk Assessment form](#) provides a guide for collecting and recording tree risk assessment information
- Replanting information, where applicable.

**Urgent works to Protected Trees (presents an immediate risk of serious harm)**

Where a tree presents an immediate risk of serious harm (for example injury to a passing pedestrian due to the tree falling) and work is urgently needed to remove that risk, tree owners or their agents must give written notice to the local authority as soon as practicable after that work becomes necessary. **Work shall only be carried out to the extent that it is necessary to remove the risk.**

The applicant/owner is still required to notify the local authority of the works and must provide the following:

- Contact details of person reporting the risk
- Owner details
- Site address of location of tree(s)
- Species of tree
- TPO reference (e.g., TPO N123)
- Evidence of the immediate risk, including details of risk/damage/condition. The ISA Tree Risk Assessment form provides a guide for collecting and recording tree risk assessment information - [ISABasicTreeRiskAssessmentForm\\_Instructions.pdf](#) ([isa-arbor.com](#))
- Supporting information/justification from a suitably qualified professional – photographs can be provided showing damage.

You may be required to plant a replacement tree to ensure the ongoing presence of trees at the site.

If the danger is not immediate the tree does not come within the meaning of the exception, 5 working days prior written notice must be given to the local authority before cutting down or carrying out other work on a dead tree. The authority's consent for such work is not required.

The exceptions also allow removal of dead branches from a living tree without prior notice or consent.

## Part 5 – Development Types

Residential New Build	Residential Conversions
<p>Always required</p> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Ownership certificate</li> <li>• Existing and proposed elevations</li> <li>• Existing and proposed floor plans</li> <li>• Fee</li> <li>• Location plan</li> <li>• Site block plan</li> <li>• Parking information including electric car charging point provision</li> </ul> <p>Sometimes required</p> <ul style="list-style-type: none"> <li>• Affordable housing -all planning applications for residential development on sites of 11 dwellings or more or those with a combined floorspace of more than 1000sqm.</li> <li>• Agricultural justification</li> <li>• Archaeological Assessment</li> <li>• Bin/waste management information</li> <li>• Coal mining assessment</li> <li>• Community Infrastructure Levy Form</li> <li>• Contamination risk assessment</li> <li>• Daylight and sunlight assessment</li> <li>• Design and access statement</li> <li>• Drainage information</li> <li>• Ecological and protected species assessment</li> <li>• Environmental impact assessment</li> <li>• External lighting details</li> <li>• Flood Risk Assessment</li> <li>• Green belt impact assessment</li> <li>• Heritage impact assessment</li> <li>• Highway information</li> <li>• Landscape and visual assessment</li> <li>• Landscape scheme</li> <li>• Marketing statement</li> <li>• Noise impact assessment</li> <li>• Open space provision</li> <li>• Planning obligations pro-forma statement</li> <li>• Planning statement</li> <li>• Rights of Way</li> <li>• Statement of community involvement</li> <li>• Transport statement/assessment</li> <li>• Travel plan</li> <li>• Tree survey</li> </ul>	<p>Always required</p> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Ownership certificate</li> <li>• Existing and proposed elevations</li> <li>• Existing and proposed floor plans</li> <li>• Fee</li> <li>• Location plan</li> <li>• Site block plan</li> <li>• Parking information including electric car charging point provision</li> </ul> <p>Sometimes required</p> <ul style="list-style-type: none"> <li>• Affordable housing -all planning applications for residential development on sites of 11 dwellings or more or those with a combined floorspace of more than 1000sqm.</li> <li>• Agricultural justification</li> <li>• Archaeological Assessment</li> <li>• Bin/waste management information</li> <li>• Community Infrastructure Levy Form</li> <li>• Contamination risk assessment</li> <li>• Design and access statement</li> <li>• Drainage information</li> <li>• Ecological and protected species assessment</li> <li>• Environmental impact assessment</li> <li>• External lighting details</li> <li>• Flood Risk Assessment</li> <li>• Heritage impact assessment</li> <li>• Highway information</li> <li>• Landscape scheme</li> <li>• Marketing statement</li> <li>• Noise impact assessment</li> <li>• Open space provision (see planning obligations pro forma statement)</li> <li>• Planning obligations pro-forma statement</li> <li>• Planning statement</li> <li>• Rights of Way</li> <li>• Statement of community involvement</li> <li>• Structural survey</li> <li>• Transport statement/assessment</li> <li>• Travel plan</li> <li>• Tree survey</li> <li>• Viability and marketing statement</li> </ul>

Commercial, industrial, and non-residential	Change of Use
<p>Always required</p> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Ownership certificate</li> <li>• Existing and proposed elevations</li> <li>• Existing and proposed floor plans</li> <li>• Fee</li> <li>• Location plan</li> <li>• Site block plan</li> <li>• Parking information including electric car charging point provision</li> </ul> <p>Sometimes required</p> <ul style="list-style-type: none"> <li>• Archaeological Assessment</li> <li>• Bin/waste management information</li> <li>• Coal mining assessment</li> <li>• Contamination risk assessment</li> <li>• Community Infrastructure Levy Form</li> <li>• Daylight and sunlight assessment</li> <li>• Design and access statement</li> <li>• Drainage information</li> <li>• Ecological and protected species assessment</li> <li>• Economic statement</li> <li>• External lighting details</li> <li>• Environmental impact assessment</li> <li>• Flood Risk Assessment</li> <li>• Green belt impact assessment</li> <li>• Heritage impact assessment</li> <li>• Landscape and visual assessment</li> <li>• Landscape scheme</li> <li>• Marketing statement</li> <li>• Noise impact assessment</li> <li>• Parking information including electric car charging point provision</li> <li>• Planning statement</li> <li>• Retail assessment</li> <li>• Rights of Way</li> <li>• Statement of community involvement</li> <li>• Structural survey</li> <li>• Tourism need statement</li> <li>• Town centre uses assessment</li> <li>• Transport assessment and travel plan</li> <li>• Travel plan</li> <li>• Tree survey</li> <li>• Ventilation and extraction report</li> <li>• Viability and marketing statement</li> </ul>	<p>Always required</p> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Ownership certificate</li> <li>• Fee</li> <li>• Location plan</li> </ul> <p>Sometimes required</p> <ul style="list-style-type: none"> <li>• Bin/waste management information</li> <li>• Community Infrastructure Levy Form</li> <li>• Contamination risk assessment</li> <li>• Design and access statement</li> <li>• Drainage statement</li> <li>• Ecological and protected species assessment</li> <li>• Economic Statement</li> <li>• Existing and proposed elevations</li> <li>• Existing and proposed floor plans</li> <li>• External lighting details</li> <li>• Flood Risk Assessment</li> <li>• Heritage impact assessment</li> <li>• Landscape scheme</li> <li>• Noise impact assessment</li> <li>• Open space provision</li> <li>• Parking information including electric car charging point provision</li> <li>• Planning statement</li> <li>• Rights of Way</li> <li>• Statement of community involvement</li> <li>• Structural survey</li> <li>• Tourism need statement</li> <li>• Town centre uses assessment</li> <li>• Transport assessment and travel plan</li> <li>• Travel plan</li> <li>• Ventilation and extraction report</li> <li>• Viability and marketing statement</li> </ul>
Agricultural Development (e.g., new buildings, engineering works etc.)	Telecoms (requiring planning permission)
<p>Always required</p> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Ownership certificate</li> </ul>	<p>Always required</p> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Ownership certificate</li> </ul>

<ul style="list-style-type: none"> <li>• Existing and proposed elevations</li> <li>• Existing and proposed floor plans</li> <li>• Fee</li> <li>• Location plan</li> <li>• Site block plan</li> </ul> <p>Sometimes required</p> <ul style="list-style-type: none"> <li>• Archaeological Assessment</li> <li>• Design and access statement</li> <li>• Drainage information</li> <li>• Flood Risk Assessment</li> <li>• Landscape scheme</li> <li>• Noise impact assessment</li> <li>• Non-mains drainage (Foul drainage assessment form)</li> <li>• Parking information</li> <li>• Planning statement</li> <li>• Statement of community involvement</li> <li>• Tree survey</li> </ul>	<ul style="list-style-type: none"> <li>• Existing and proposed elevations</li> <li>• Existing and proposed floor plans</li> <li>• Fee</li> <li>• Location plan</li> <li>• Site block plan</li> <li>• Telecommunications supporting information</li> </ul> <p>Sometimes required</p> <ul style="list-style-type: none"> <li>• Design and access statement</li> <li>• Drainage information</li> <li>• Flood Risk Assessment</li> <li>• Planning statement</li> <li>• Statement of community involvement</li> <li>• Tree survey</li> </ul>
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**1.0 Summary**

- 1.1. All bats in the United Kingdom (UK) are European Protected Species (EPS) and are protected by legislation from injury and disturbance. Their roosts, and access to them, are also protected.
- 1.2. All UK bat species make use of various types of buildings, including dwellings, industrial buildings and other structures like bridges, and underground features like tunnels and mine shafts. Many species also roost in cavities in trees. Consequently, development proposals, including house extensions and alterations, have the potential to have an impact on roosting bats, and for that impact to represent a potential breach of the relevant legislation.
- 1.3. A licencing system, administered in England by Natural England, enables work, which would otherwise be unlawful because of the impacts on bats and their roosts, to be lawful.
- 1.4. Government guidance and important court judgements have set out the legal duty of a Local Planning Authority (LPA) when determining a planning application for a development that might have an impact on an EPS. To discharge this duty, the LPA needs to be in receipt of survey information that establishes the status of the EPS. Initially this needs survey information to establish the likely presence or otherwise of bats. If there is evidence of bats using, or having used, the building, structure, or tree, the LPA then needs further information to be able to consider three ‘tests’ that Natural England must address when assessing an EPS mitigation licence application.
- 1.5. Gaining this information is a two-stage process. First, a Preliminary Bat Roost Assessment (PBRA) is required in accordance with [Item 16 of the NSDC Planning Application Validation Checklist](#). A PBRA involves a suitably competent ecologist undertaking a daytime external and (where possible or applicable) internal assessment of the building, structure, feature, or tree. These can be undertaken at any time of the year. They are likely to be required for<sup>5</sup>:
  - House extensions and/or conversions involving works to and adjacent to roofs;
  - Demolition, renovation, and conversion of buildings;
  - Works affecting underground structures like cellars and bunkers; and
  - Proposals involving the felling of, or works to, trees.
- 1.6. Depending on the outcome of the PBRA, additional nocturnal surveys might be required. These are seasonally constrained. The legal duty of an LPA is such that it cannot determine an application until it is in receipt of the further survey report.
- 1.7. In some instances, it might be possible to use a Department for Environment, Food, and Rural Affairs (Defra) policy that applies to Natural England’s EPS mitigation licences, to reduce the need for additional survey data and reduce delays, should the proposal be considered acceptable development on all other matters.

<sup>5</sup> Please see Section 6 of Advisory Note for full details.

## **2.0 Background**

- 2.1. All bats in the UK are European Protected Species (EPS) and are afforded full protection under the Conservation of Habitats and Species Regulations 2017 (as amended) [the Regulations] and the Wildlife and Countryside Act 1981 (as amended). In summary, deliberate or reckless injury or disturbance of all UK bat species; or reckless damage, destruction or obstruction of access to any structure or place used by bats for shelter or protection (i.e., roosts), represent potential breaches of this legislation.
- 2.2. All British bat species are known to make some use of buildings and other structures including (not exclusively) dwellings, places of worship, bridges, industrial buildings, and agricultural buildings (particularly those of brick or stone construction), old mine shafts and tunnels. Many species also roost in cavities in trees.
- 2.3. Many development proposals involving buildings and structures therefore have the potential to have an impact on roosting bats, and for that impact to represent a potential breach of the legislation.
- 2.4. Part IV A 99. of the Office of the Deputy Prime Minister Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within The Planning System (ODPM Circular 06/2005) states that:

*"It is essential that the presence of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making that decision."*

- 2.5. In 2009 an important judgement was made in the High Court case of R (on the application of Simon Wooley) v Cheshire East Borough Council which set out the legal duty of a Local Planning Authority (LPA) when determining a planning application for a development that might have an impact on European Protected Species (EPS). Further clarification was then made in the Supreme Court in the case of R (Vivienne Morge) v Hampshire County Council in 2011. The Wooley case established that it is not sufficient for an LPA to just make reference to the existence of the Conservation of Habitats and Species Regulations (the Regulations) as an informative of a planning consent (i.e., an LPA cannot grant a planning permission and on the decision notice make the applicant aware of the Regulations), nor can an LPA discharge its duty by granting planning permission with a condition requiring the applicant to obtain a relevant European Protected Species Licence, as this does not constitute engaging with the European Habitats Directive (which is transposed into UK law by the Regulations). Similarly, conditioning a survey that determines the status of an EPS does not represent an LPA engaging with the Habitats Directive.
- 2.6. When Natural England consider a EPS licence application they must consider three ‘tests’, and the court judgements established that a LPA must as part of its planning considerations consider whether the Statutory Nature Conservation Organisation<sup>6</sup> would be likely to grant a licence. Therefore, this applies to proposals requiring:
  - Planning permission under The Town and Country Planning Act 1990;
  - Planning permission or other consent under The Town and Country Planning (Development Management Procedure) (England) Order 2015;
  - Listed building consent under The Planning (Listed Buildings and Conservation Areas) Act 1990;
  - Prior approval under The Town and Country Planning (General Permitted Development) (England) Order 2015; and
  - Consent under The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- 2.7. The ‘tests’ are:
  - i. A licence can be granted for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
  - ii. There is no satisfactory alternative.

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<sup>6</sup> Natural England are the Statutory Nature Conservation Organisation for England.

- iii. The population of the species concerned will be maintained at a favourable conservation status in their natural range.
- 2.8. To make a judgement as to whether an EPS Mitigation Licence is likely to be granted, the LPA needs to also consider the three ‘tests’ and it cannot do this if it is not in receipt of survey information that establishes the status of the EPS. The information provided by the ecologist will often include data responding to these tests.

### **3.0 Planning Application Validation Requirements**

- 3.1. For the reasons outlined in Section 2, to be able to discharge its statutory duties regarding protected species, Newark and Sherwood District Council (NSDC) needs to be in receipt of appropriate information regarding the likely presence of bats at the planning application validation stage. Consequently, this forms part of the validation procedure, in accordance with the NSDC Planning Application Validation Checklist Item 16 '[Ecological and Protected Species Assessment](#)' which states that "*An ecology survey is required if it is likely that protected species are; .....present on or near the proposed site...*". For this issue a preliminary bat roost assessment (PBRA) is required.
- 3.2. Part IV A 99. of Government Circular 06/2005 also states that:

*"However, bearing in mind the cost that might be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development."*

As bats are known to use dwellings as roosts, predominantly in roof areas, it is considered there is a reasonable likelihood of bats being present in these locations. Therefore, NSDC have produced this advisory note to provide guidance as to when a Preliminary Bat Roost Assessment is required.

### **4.0 What Is a Preliminary Bat Roost Assessment?**

- 4.1. Preliminary Bat Roost Assessments are a daytime external and (where access is possible) internal assessment of the building/structure/feature. In accordance with best practice guidelines<sup>7</sup>, this needs to be completed by a suitably competent ecologist who will search for signs of occupancy by bats. This can be undertaken any time of the year.

### **5.0 Additional Bat Surveys**

- 5.1. Following the preliminary assessment, additional nocturnal emergence/re-entry surveys might be required, and these are seasonally constrained. If a PBRA determines that additional emergence/re-entry survey work is required, and the report for these surveys is not supplied as part of the planning submission, for the reasons outlined above, NSDC will be unable to determine the application until it has this information or may refuse the application due to insufficient information.
- 5.2. In some instances, the appointed ecologist might in their professional judgement consider it appropriate to seek Natural England approval to use Department for Environment, Food, and Rural Affairs (Defra) Policy 4 ‘Alternative sources of evidence to reduce standard survey requirements’ that applies to Natural England’s EPS mitigation licences. If use of Policy 4 is confirmed by Natural England as being acceptable, this could reduce the need for additional survey data and reduce delays, should the proposal be considered acceptable development on all other matters. In such situations NSDC would need to be in receipt of evidence of Natural England’s approval of use of Policy 4, and all the information intended to be submitted as part of the EPS licence application.

### **6.0 Development Proposals Requiring a Preliminary Bat Roost Assessment**

- 6.1. Proposed development involving the modification, conversion, demolition (partial or full) or removal of buildings and structures involving the following:
- A. Householder extensions and/or conversions involving any of the following:
    - Works to roof spaces, e.g., replacing existing roofs, new connections into the existing roof including dormers and rooflights;

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<sup>7</sup> Collins, J. (ed.) (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4<sup>th</sup> Edition)*. London: The Bat Conservation Trust.

- Extensions involving extension of the existing roof line along the gable end of the property being extended;
  - Extensions resulting in existing eaves being lost or obscured;
  - Extensions on gable ends where there are integrated bat boxes within the wall;
  - Works involving the removal or obscuring of weather boarding or hanging tiles; and
  - Internal works to the roof space.
- B. Demolition (partial or full) of any dwelling, garage, or other associated outbuilding, irrespective of age, structural condition<sup>8</sup>, or location.
- C. Demolition (partial or full), or renovations or alterations involving the roof of industrial buildings, particularly those of brick and tile/slate/sheet roof construction, including (not exclusively) offices, retail units and storage units<sup>9</sup>.
- D. Demolition (partial or full), renovation, or conversion of any agricultural building, with particular emphasis on traditional brick or stone construction.
- E. Any works involving the removal or obscuring of weather boarding or hanging tiles in buildings that are not dwellings.
- F. Any proposal affecting a cellar, tunnel, mine, ice house, British hardened field defences of World War II (pillboxes), air raid shelter, underground military bunker or similar underground structure;
- G. Any proposal involving the felling of, or works to trees as part of a development proposal requiring planning consent;
- H. Any proposal involving the felling of a tree where a felling licence is not required, or works to a tree, where Local Planning Authority consent under a Tree Preservation Order (TPO) is required; and
- I. Any proposal affecting any building, structure, tree, or other feature where bats are known to be, or have been, present.
- 6.2. If you think your development might require a PBRA, but having read this list you are unsure, please contact us at [planning@newark-sherwooddc.gov.uk](mailto:planning@newark-sherwooddc.gov.uk) and we will aim to respond to you within 10 working days.

## **7.0 How do I obtain a Preliminary Bat Roost Assessment and what is the likely cost?**

- 7.1. NSDC is not able to recommend any ecologist or ecological consultancy. To find a suitable ecologist it is recommended that any, or all, of the following are undertaken:
- A search of the Chartered Institute of Ecology and Environmental Management (CIEEM) Registered Practice Directory<sup>10</sup>;
  - Ask your planning agent for details of ecologists they have used on other development proposals; and
  - A general internet search using the terms ‘Preliminary Bat Roost Assessment’ and ‘Preliminary Roost Assessment.’
- 7.2. A PBRA should cost somewhere in the region of £350-£800. If the PBRA identifies the need for additional surveys and assessments, there will be additional costs associated with this. Costs will be dependent on the number of surveys required, how many surveyors will be needed and whether a protected species licence is required.

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<sup>8</sup> Some proposals within categories A and B may involve relatively new buildings that are likely to be structurally sound and with no gaps of sufficient size to provide access for bats. However, to be assured of this, NSDC needs confirmation via a PBRA undertaken by a suitably competent ecologist.

<sup>9</sup> Some industrial buildings, particularly modern types may be of a construction type unsuitable to support roosting bats. Please contact NSDC if you are unsure (see paragraph 6.2).

<sup>10</sup> <https://events.cieem.net/RegisteredPracticeDirectory/Registered-Practice-Directory.aspx>