



Validation Requirements for Planning Applications

**Revised Version
December 2008**

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| Date Amended | Amendments | Officer |
|--------------|------------------------|---------|
| 31.03.15 | SuDs information added | SJR |
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BACKGROUND

On the 6th April 2008, a new national standard planning application form was introduced in England to standardise and simplify the planning application process and to eliminate the current differences between forms produced by Local Planning Authorities (LPA's) and create a single format to be used across the country.

The Government's Guide for LPA's on "The Validation of Planning Applications" to accompany the introduction of the new standard form sets out two suggested lists of Requirements that LPA's should have regard to when considering whether or not to "validate" and register an application (www.communities.gov.uk/publications/planningandbuilding/validationplanningapplications).

The first list is the "National List", which contains the Statutory information required to accompany all applications as specified in the Town and Country Planning (General Development Procedure) Order 1995. (The National list is the one used by most local planning authorities at present).

The second list will be called the "Local List" and this will be selected from the Government's recommended list of additional information which LPA's can require to "validate" a planning application.

Luton Borough Council carried out consultation on their new validation criteria in February and March 2008 and adopted the new lists from 6th April 2008.

Following an initial period of using the new guidance, the LPA have been able to make a number of improvements to the checklists in order to assist Applicants, Agents and staff involved in the validation of planning applications, making the criteria more specific in order that all parties are able to identify the circumstances in which specific information is required.

The new checklists are now published and available to download individually or as part of the planning application form at www.luton.gov.uk/planningapps under the 1App Planning Application Forms and Notes for guidance page.

The information set out in the validation requirements should ensure that applications are as comprehensive as possible, and in most cases it will not be necessary to seek further information during the life of an application. However, the Council has powers to direct applicants to supply other information during the course of processing an application, where that information is necessary for a decision to be made. This can delay the processing of an application, so it is recommended that applicants clarify the Council's requirements at the earliest possible stage.

THE NATIONAL LIST OF REQUIREMENTS

Each checklist includes the National Requirements that should be submitted as part of your application. As a minimum, an application for planning permission should include the following:

Application Forms

Luton Borough Council requires **two sets** of the completed application form (an original and a copy), unless submitted electronically.

An application for planning permission should be made in writing (paper or electronic application) to the local planning authority. Planning applications need to be presented on the standard 1APP application form, which can be completed online through the Planning Portal (www.planningportal.gov.uk) or downloaded from www.luton.gov.uk/planningapps under the 1App Planning Application Forms and Notes for guidance page.

The Government wishes to encourage applicants to submit applications electronically wherever possible on the Planning Portal. Where applications are made electronically, the online forms can assist users in selecting the right form for the type of application they need to make, and carry out basic checks to ensure that all mandatory information is supplied. This reduces the risk of an application being invalid because the wrong forms have been used or are incorrectly completed.

Plans

The Site Location Plan

- 2 copies are required
- An up-to-date map is required
- A scale of 1:1250 or 1:2500 is required
- At least two named roads and surrounding buildings should be shown
- All properties shown to be numbered or named
- The site must be edged clearly with a red line
- Other land owned by the applicant close or adjoining the application site must be edged in blue

Site & Other Plans/Drawings

- 2 copies are required
- A scale of 1:500 or 1:200 is required
- The direction of North must be shown
- The proposed development in relation to the site boundaries and other existing buildings on the site should be shown, with written dimensions including those to the boundaries
- All the buildings, roads and footpaths on land adjoining the site including access arrangements should be shown
- All public rights of way crossing or adjoining the site should be shown
- The position of all trees on the site, and those on adjacent land that could influence or be affected by the development should be shown
- The extent and type of any hard surfacing should be shown
- Boundary treatment including walls or fencing should be shown where this is proposed

Block Plan of the Site

- 2 copies are required
- A scale of 1:100 or 1:200 is required
- All site boundaries should be shown
- The type and height of boundary treatment (e.g. walls, fences etc) should be shown
- The position of any building or structure on the other side of such boundaries should be shown

Existing and Proposed Elevations

- 2 copies are required
- A scale of 1:50 or 1:100 is required
- Show clearly the proposed works in relation to what is already there
- Show all sides of the proposal
- Show the proposed building materials and the style, materials and finish of windows and doors
- Blank elevations must also be included
- Show the relationship between the buildings in close proximity, and detail the positions of the openings on each property

Existing and Proposed Floor Plans

- 2 copies are required
- A scale of 1:50 or 1:100 is required
- Plans should explain the proposal in detail
- Show all existing buildings/walls to be demolished
- Show details of the existing building(s) as well as those for the proposed development
- Show new buildings in context with adjacent buildings (including property numbers where applicable)

Existing and Proposed Site Sections and Finished Floor and Site Levels

- 2 copies are required
- A scale of 1:50 or 1:100 is required
- Show a cross section(s) through the proposed building(s)

Roof Plans

- 2 copies are required
- A scale of 1:50 or 1:100 is required
- Show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans
- Roofing material and their locations are typically specified on the roof plan

Where development involves a change in levels

- Illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided
- Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development
- Plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings
- **Householder development**, levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified.

Ownership Certificates

The appropriate certificate of ownership must be submitted (an ownership certificate A, B, C or D must be completed stating the ownership of the property) *See section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 7 of the GDPO.* For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. (www.opsi.gov.uk/acts/acts1990 - Link to Town and Country Planning Act)

Notice(s)

Where relevant, a notice to owners of the application site must be completed and served in accordance with Article 6 of the GDPO.

Agricultural Holdings Certificate

This certificate is required whether or not the site includes an agricultural holding, i.e., it will also be required for householder applications. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, or express consent to display an advertisement.

The Correct Fee (where one is necessary)

Information regarding fees can be found at www.luton.gov.uk/planningapps on the planning application forms page. More detailed information can be found in the Town Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008.

Design and Access Statements (DAS)

A DAS must accompany applications for both outline and full planning permission unless they relate to one of the following:

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

However, statements are required for householder applications where any part of a dwellinghouse or its curtilage falls within one of the following designated areas:

- National Park
- Site of special scientific interest
- Conservation area
- Area of outstanding natural beauty
- World Heritage Site
- The Broads

A DAS is a:-

- Short report accompanying and supporting a planning application that should seek to explain and justify the proposal in a structured way.
- The level of detail required in a DAS will depend on the scale and complexity of the application, and the length of the statement will vary accordingly.
- It should cover both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with.
- It should provide full details of renewable energy considerations and crime impact assessment.

What is required in a DAS is set out in **Article 4C of the GDPO and DCLG Circular 01/06 – Guidance on Changes to the Development Control System.**

A general Statement should include:-

The design component - design principles and concepts applied to the development, in terms of the amount, layout, scale, landscaping and appearance of the development. The design should evolve following an assessment of the sites physical, social and economic characteristics, the involvement of both community members and professionals, an evaluation of the information collected including opportunities and constraints, the design

The access component – indicates the access to the development (not internal access) and access for emergency services where relevant. Ensure all users have equal and convenient access to the building, including parking and public transport network and an explanation of the applicant's policy and approach to access, with particular reference to the inclusion of disabled people.

A Statement for *OUTLINE* applications:-

- Must explain how the applicant has considered the proposal, and understands what is appropriate and feasible for the site in its context.
- It should clearly explain and justify the design and access principles that will be used to develop future details of the scheme.

Where access is reserved, the location of points of access to the site should be shown. This document will form the link between the outline permission and the reserved matters.

Applications for *listed building consent* will also be required to be accompanied by a DAS. In particular, such a statement should address:

- I. the special architectural or historic interest of the building;
- II. the particular physical features of the building that justify its designation as a listed building; and
- III. the building's setting.

The legislative requirements are set out in **regulation 3A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990**.

Other Information required for Specific Application Types

Application for Planning Permission and Advertisement consent, Application for Advertisement consent and Listed Building consent for alterations, extension or demolition of a listed building and advertisement consent

Advertisement drawing(s) (e.g. at a scale of 1:50 or 1:100) (showing advertisement size, siting, materials and colours to be used, height above ground, extent of projection and details of the method and colour(s) of illumination [if applicable])

Application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition

Such evidence verifying the information included in the application as can be provided, for example, sworn affidavit(s) from people with personal knowledge of the existing use etc.

Application for prior notification of proposed development in respect of permitted development by electronic communications code operators

A completed form or written description of the proposed development

A plan indicating the proposed location

Evidence that the developer has given notice of the proposed development in accordance with A.3(1) of Part 24 of Schedule 2 to the General Permitted Development Order 1995

Where the proposed development consists of the installation of a mast within three kilometres of the perimeter of an aerodrome evidence that the developer has notified the Civil Aviation Authority, the Secretary of State for Defence or the Aerodrome operator in accordance with A.3(2) of Part 24 of Schedule 2 to the General Permitted Development Order 1995

Supplementary Information Template (as set out in Annex F of the Code of Best Practice on Mobile Phone Network Development)

www.communities.gov.uk/publications/planningandbuilding/codemobilenetwork

Application for Hedgerow Removal Notice

A completed form or the form set out in Schedule 4 to the Hedgerow Regulations 1997

A plan which clearly shows the location and length of the hedgerow(s) to be removed (if possible, please provide a plan to a scale of 1:2500. A different scale can be used so long as it shows clearly the location and length of the hedgerow or hedgerows that you wish to remove)

Evidence of the date of planting

Application for prior notification – proposed demolition

- A completed form or written description of the proposed development
- A statement that the applicant has displayed a site notice in accordance with A.2(b)(iii) of Part 31 of Schedule 2 to the General Permitted Development Order 1995

Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) or Notification of Proposed Works to Trees in Conservation Areas (CA)

For works to trees protected by a Tree Preservation Order, failure to supply sufficiently precise and detailed information may result in your application being rejected or delay in dealing with it. In particular, you **MUST** provide the following:

- completed and dated application form, with all [mandatory] questions answered;
- sketch plan showing the location of all tree(s);
- a full and clear specification of the works to be carried out;
- statement of reasons for the proposed work; and
- evidence in support of statement of reasons, where required by the standard application form.

For works to trees in conservation areas, it is important to supply precise and detailed information on your proposal. You may, therefore, wish to provide the following:

- completed and dated form, with all questions answered;
- sketch plan showing the precise location of all tree(s); and
- a full and clear specification of the works to be carried out.

Whether the trees are protected by a TPO or in a conservation area, please indicate which of the following types of additional information you are submitting:

- photographs
- report by a tree professional (arboriculturist) or other
- details of any assistance or advice sought from a Local Planning Authority officer prior to submitting this form.

THE LOCAL LIST OF REQUIREMENTS

This section sets out the requirements for use by applicants/agents to ensure that all necessary information is supplied with their planning application.

‘The Validation of Planning Applications- Guidance for local planning authorities’ sets out a wide range of additional information which may be necessary in order for the local planning authority to be able to make a decision on an application. This is referred to as the National List of Local Requirements (NLLR). The validation checklists have been compiled from the NLLR having regard to Luton’s specific area. We have tried wherever possible to set out criteria and thresholds to be applied within Luton Borough Council.

Cases where applicants feel that information is not required

Where an application is not accompanied by information required by a planning authority, applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases planning authorities should not declare applications invalid unless they can justify the need for the information and provide their reasons to the applicant.

In circumstances, where applicants do not agree with the requirement for information or plans set out by the local planning authority they may wish to challenge the decision not to validate an application. In such cases, applicants have the right of appeal for non-validation under section 78 of the Town and Country Planning Act 1990. The relevant ground for the appeal would be non-determination within the

8 or 13 week determination period (depending upon whether the application is minor or major). Similarly the right to complain to the Local Government Ombudsman on the grounds of maladministration also remains.

How to use this information

Each local requirement is listed below, setting out the thresholds and criteria where you will be able to identify when the information will be required. Useful comments have also been provided giving further information on what is required.

All floorspace mentioned in this document refers to gross floorspace, unless otherwise specified.

| Affordable Housing Statement |
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| CRITERIA A statement incorporating a draft Planning Obligation is required for all developments of 15 residential units or more and/or sites in excess of 0.5 hectares. |
| Information should include: <ul style="list-style-type: none"> • Information should include both affordable housing and any market housing • Details of the Housing Tenure • Number of Units • A binding commitment to deliver affordable housing |
| Comments: Further information can be found at www.luton.gov.uk/PlanningObligations |

| Air Quality Assessment |
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| CRITERIA Any commercial development likely to result in polluting emissions. |
| Information should include: <ul style="list-style-type: none"> • Possible impact of potentially polluting development on land use, including effects on health, the natural environment or general amenity; • The potential sensitivity of the area to adverse effects from pollution • The environmental benefits that the development might bring • The economic and wider social need for the development (including potentially polluting development) • The existing, and likely future, air quality in an area, including any Air Quality Management Areas (AQMA's) or other areas where air quality is likely to be poor |
| Comments: The Luton AQMA maps are attached at Appendix C. Further advice is available in Planning Policy Statement 23: Planning and Pollution Control (November 2004). |

| Biodiversity Survey and Report |
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| CRITERIA A Survey and Report is required for all developments located on or physically adjacent to specially designated sites including:- Chilterns Area of Outstanding Natural Beauty; Area of Great Landscape Value; Area of Local Landscape Importance; Greenbelt; Local Nature Reserves; County Wildlife Sites; Other Sites of Nature Conservation Importance; Scheduled Ancient Monuments. |
| Information should include: <ul style="list-style-type: none"> • The possible impacts on wildlife and biodiversity • Identification of significant wildlife habitats or features and the location of habitats of any species |

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| <p>protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Protection of Badgers Act 1992 on or physically abutting the site</p> <ul style="list-style-type: none"> • Identification of other natural features, e.g. Parks, Hedgerows and Trees on or physically abutting the site • Measures proposed to mitigate the impact from the proposed development • Any proposed enhancement to biodiversity and nature |
| <p>Comments: The Luton Borough Council Local Planning Application Requirements for Biodiversity and Geological Conservation document can be downloaded from the 'Planning applications' page of the website found at www.luton.gov.uk/planningapps.</p> <p>Government planning policies for biodiversity are set out in Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) (August 2005), PPS9 is accompanied by a Government Circular: <i>Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system</i> (ODPM Circular 06/2005, and DCLG document Planning for Biodiversity and Geological Conservation: A Guide to Good Practice.</p> |

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| <p>Daylight/Sunlight Assessment</p> <p>CRITERIA Optional assessment that could be submitted where there is a potential adverse impact on the current levels of sunlight/ daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space.</p> |
| <p>Information should include:</p> <ul style="list-style-type: none"> • Current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space |
| <p>Comments: Further guidance is provided in Site layout planning for daylight and sunlight: a guide to good practice. BRE Report 209, 1991. Applicants should note that the grant of planning permission would not confer any immunity on those whose works infringe another's property rights, and which might be subject to action under the Rights of Light Act 1959.</p> |

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| <p>Economic Statement</p> <p>CRITERIA A statement is required for all developments involving more than 5,000square metres commercial use.</p> |
| <p>Information should include:</p> <ul style="list-style-type: none"> • Any regeneration benefits from the proposed development, including: <ul style="list-style-type: none"> ○ details of any new jobs that might be created or supported; ○ the floorspace totals for each proposed use (where known). • Any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal. |
| <p>Comments: For further information refer to Planning Policy Guidance Note 4: Industrial, Commercial Development and Small Firms & Planning Policy Statement 6: Planning for Town Centres.</p> |

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| <p>Environmental Statement</p> <p>CRITERIA Some forms of major application or potentially contentious development require an Environmental Impact Assessment (EIA). Applicants should refer to the regulations and if within a Schedule 1 category, will need to submit an EIA. If within a Schedule 2 category, Applicants will need to discuss</p> |
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| the requirement with the Local Planning Authority |
| <p>Information should include: Details to be submitted should accord with the requirements of Schedule 4 of the regulations.</p> |
| <p>Comments: The information in the Environmental Statement has to be taken into consideration when the local planning authority decides whether to grant planning consent. It may be helpful for a developer to request a 'screening opinion' (i.e. to determine whether EIA is required) from the local planning authority before submitting a planning application. An EIA may obviate the need for other more specific assessments. In cases, where a full EIA is not required, the local planning authority may still require environmental information to be provided. Further information can be found in the Town and Country Planning (Environmental Impact Assessment) Regulations (SI 1999/293), as amended. (www.opsi.gov.uk)</p> |

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| Flood Risk Assessment |
| CRITERIA Required for development as specified under the Environment Agency Matrix |
| <p>Information should include:</p> <ul style="list-style-type: none"> • Ensure Flood Risk Assessment (FRA) form for minor work is submitted as part of the application. • A full assessment should:- <ul style="list-style-type: none"> ○ identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. ○ identify opportunities to reduce the probability and consequences of flooding. ○ The FRA should include the design of surface water management systems including Sustainable Drainage Systems and address the requirement for safe access to and from the development in areas at risk of flooding. |
| <p>Comments: A FRA will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. A FRA will also be required for any development other than minor development in a designated critical drainage area which has been notified to the Local Planning Authority by the Environment Agency.</p> <p>The FRA should be prepared by an applicant in consultation with the local planning authority with reference to their published local development documents and any Strategic Flood Risk Assessment. The FRA should form part of an Environmental Statement when one is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. Planning Policy Statement 25: Development and Flood Risk (December 2006) and its associated Practice Guide provide comprehensive guidance for both local planning authorities and applicants in relation to the undertaking of FRAs and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.</p> |

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| Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments) |
| CRITERIA |
| <p>A statement is required for the following:-</p> <ul style="list-style-type: none"> • Application for Listed Building consent; • Application for Conservation Area consent to demolish a building; • If it is on or affects the setting of an ancient monument ; • Where it is within or adjacent to a conservation area: • Where it is within an area of archaeological importance. |

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| <p>Information should include:</p> <ul style="list-style-type: none"> • a schedule of works to a listed building(s), • an analysis of the significance of archaeology, history and character of the building/structure, • the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. • A structural survey may be required in support of an application for listed building consent. • plans showing historic features |
| <p>Comments:</p> <p>The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application, however, they should generally follow the Design & Access Statement requirements set out in the Amendment of the Planning (Listed Buildings and Conservation Areas) Regulation 1990. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made.</p> <p>For heritage assets, advice is provided in Planning Policy Guidance Note 15 Planning and the Historic Environment, (September 1994). For archaeological remains, advice is provided in Planning Policy Guidance Note 16: Archaeology and Planning (November 1990).</p> |

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| <p>Land Contamination Assessment</p> |
| <p>CRITERIA</p> <p>Required for the development of land where the potential for contamination is likely (e.g. previously used for industrial purposes or a landfill site).</p> |
| <p>Information should include:</p> <ul style="list-style-type: none"> • Sufficient information should be required to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. • Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed. |
| <p>Comments:</p> <p>The submitted information should have regard to Planning Policy Statement 23: Planning and Pollution Control (November 2004) and policy ENV16 of the Luton Local Plan. For further information on this requirement, contact the Environment Agency (Thames Region) at Apollo Court, 2 Bishops Square Business Park, St Albans Road West, Hatfield.</p> |

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| <p>Landfill Statement</p> |
| <p>CRITERIA Required for applications including landfill works or proposing the deposit or movement of earth or waste.</p> |
| <p>Information should include:</p> <ul style="list-style-type: none"> • Classification of landfill and types and quantities of waste • Day-to-day operational requirement, monitoring requirements and quality testing • Any conditions imposed by the Environment Agency or other organisations • Closure and after-care of the site • A plan showing the location of storage of different types of waste • Treatment of landfill gas • Measures to minimise the nuisances arising from the landfill • Details regarding impact on human health and well-being, visual impact and local amenity • Limits on the allowed discharge volumes or concentration of various substances |

- Reporting mechanisms of incidents
- Details of ecosystem protection

Comments:

Applicants should provide sufficient information to enable the waste planning authority to fulfil its requirements under the **Landfill (England and Wales) Regulations 2002**. This information may be provided as part of the Environmental Statement.

Lighting Assessment**CRITERIA**

Required where lighting is proposed as part of the development or for a discharge of condition relating to lighting.

- Details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design.
- Details of what can be done to avoid or limit light spillage to areas beyond the application site.

Comments:

Further information can be found at the Institute of Lighting Engineers at www.ile.org.uk

Noise Assessment**CRITERIA**

An assessment is required where development will result in a juxtaposition of noise sensitive uses, such as residential and education, with noise emitting development, e.g. Industry, Clubs & Pubs and major transport routes.

Information should include:

- A noise survey to identify existing ambient noise levels and the likely noise levels resulting from the development, both within or adjacent to the development, together with the likely paths for transmission of sound and establish which level noise exposure category as set out in PPG24 (A, B, C or D)
- Details of possible mitigation measures

Comments:

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician. Further guidance is provided in **Planning Policy Guidance 24: Planning and Noise (September 1994)**.

Open Space Assessment

CRITERIA An assessment is required for development that will result in the loss of open space to another land use.

Information should include:

- Plans showing any areas of existing or proposed open space within or adjoining the application site, including any alternative replacement sites and their location or details of improvements to remaining open space to offset any loss.
- A statement setting out:-
 - any benefits being offered to the community against the loss of open space that will occur
 - details of how the proposal meets the requirements set out in **Policy LC1** of the Luton Local Plan

Comments:

For further guidance, see policy LC1 of the **Luton Local Plan**. National planning policy is set out in

Planning Policy Guidance note 17: Planning for open space, sport and recreation (July 2002).**Parking Provision****CRITERIA**

Applications will be required to provide details of existing and proposed parking provision.

Information should include:

- Details should be shown on a site layout plan or block plan.

Comments:

The Council's standards in the local plan should apply and can be found in Appendix 4 at www2.luton.gov.uk/localplan.

Photographs and Photomontages**CRITERIA**

Required on applications for works to Protected Trees

Information should include:

These provide useful background information.

Planning Obligations - Draft Agreement/Unilateral Undertaking**CRITERIA**

Required on all developments comprising a net addition of 1 dwelling or more and to all commercial floor space comprising a net addition of more than 100m².

Information should include:

The model Section 106 Agreement available on the Council's website on the Validation of Planning Applications page at www.luton.gov.uk/planningObligations (or suitable other agreement) must be completed and submitted with the planning application.

Comments:

Further information on Luton's Planning Obligations, can be found at:- www.luton.gov.uk/PlanningObligations

The following uses are to be considered for the purposes of the **Retail Impact Assessment** and **Sequential Test** criteria below:-

- retail (including warehouse clubs and factory outlet centres);
- leisure, entertainment facilities, and 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, both commercial and those of public bodies; and
- arts, culture and tourism (theatres, museums, galleries and concert halls, hotels, and conference facilities).

Retail Impact Assessment**CRITERIA**

Required for all proposals relating to main town centre uses (see above) where they are to be located outside of the town centre, local centre and district centres and are not in accordance with the development plan (including edge-of-centre locations), supporting evidence in the form of a Retail Impact Assessment is required.

This applies to:-

- New development, redevelopment and extensions to existing facilities
- Changes of use involving development
- Renewal of extant planning permissions

- Applications to vary or remove planning conditions which would have the effect of creating additional floorspace

Information should include:

The level and type of evidence should be proportionate to the scale and nature of the proposal.

- The applicants should demonstrate the following:-
 - The need for the development
 - That the development is of an appropriate scale
 - There are no more central sites for the development
 - There are no unacceptable impacts on existing centres
 - That locations are accessible

Comments:

Where appropriate for smaller developments, this information could be set out in the Design & Access Statement.

Further information can be found in policy 6 of the Luton Local Plan at www2.luton.gov.uk/localplan and in **Planning Policy Statement (PPS) 6: Planning for Town Centres**

Sequential Test

CRITERIA

The sequential approach to site selection for the above uses should be applied to all development proposals for sites that are not in an existing centre nor allocated in an up-to-date development plan document. Supporting evidence of the sequential test should be included in the Retail Impact Assessment.

Information should include:

In applying the sequential approach, and considering alternative sites, developers and operators should be able to demonstrate that in seeking to find a site in or on the edge of existing centres they have been flexible about their proposed business model in terms of the following planning considerations:

- the scale of their development;
- the format of their development;
- car parking provision; and
- the scope for disaggregation.

Comments:

Where appropriate for smaller developments, this information could be set out in the Design & Access Statement.

Further information can be found in policy 6 of the Luton Local Plan at www2.luton.gov.uk/localplan and in **Planning Policy Statement (PPS) 6: Planning for Town Centres**

Site Waste Management Plan

CRITERIA

A Waste Management Plan is required for all development involving development of 10 or more dwellings (or where the number of units is not given, a site area 0.5ha or above); and for other uses, floorspace of 1,000 square metres or above (or the site area of 0.5ha or above).

Information should include:

- the relevant checklist set out in the Bedfordshire Council Council's Waste Supplementary Planning Document
- a written document which shows how opportunities for the reduction, recycling and re-use of waste during construction and occupation of the development will be taken account of.
- details of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will

be minimised and managed.

Comments:

Proposed new development should be supported by site waste management plans of the type encouraged by the code of practice published in 2004 by the Department of Trade and Industry now the Department for Business Enterprise and Regulatory Reform **Site Waste Management Plans: guidance for construction contractors and clients**. Details can be found at www.luton.gov.uk by following the link to *Planning*, then *Planning Department* and *Local plan – waste*.

Statement of Community Involvement

CRITERIA This is an optional requirement but normally only relate to largescale Major applications.

Information should include:

A statement should set out how the applicant has complied with the requirements for pre-application consultation set out in the Council's Statement of Community Involvement and demonstrate that the views of the local community have been sought and taken into account in the formulation of development proposals.

Further guidance on Statements of Community Involvement is available in Chapter 7 of **Creating Local Development Frameworks: A Companion Guide to PPS12 (November 2004)** and on the **Joint Statement of Community Involvement (SCI) Luton – South Bedfordshire Growth Area** page at www.luton.gov.uk and follow the link to *Planning*.

Structural Survey

CRITERIA A Structural Survey is required for:-

- Where an application involves demolition of all or part of a listed building/structure
- Structural alterations to a listed building
- Demolition of an unlisted building in a conservation area

Information should include:

- The condition of the existing structure
- The extent of the works involved

Comments:

Applicants should demonstrate that details have been compiled by a suitable qualified surveyor.

Sustainable Drainage Systems

CRITERIA

Required for all Major proposals including:-

1. Residential Development: 10 dwellings or more or residential development with a site area of 0.5 hectares or more where the number of dwellings is not yet known.
2. Non Residential Development: Provision of a building or buildings where the total floorspace to be created is 1000 square metres or more or where the floor area is not yet known, a site area of 1 hectare or more.

The local planning authority must ensure that SuDS are put in place, unless demonstrated to be inappropriate. **MAJOR applications will not be made valid from 6 April 2015 onwards unless accompanied by the above requirement**

Information should include:

Major FULL applications

The application must be submitted with a **detailed sustainable drainage (SuDS) design strategy** which includes the following;

- Confirm details of how run-off is collected from all hard surfaces to keep water at or near the

surface

- Confirm details of source control feature for each sub-catchment
- Confirm details of each site control feature with flow control locations and details
- Confirm details of conveyance features from place to place
- Confirm details of low flow conveyance, overflow and exceedance routes
- Confirm the final storage volumes and flow control rates
- Confirm detail design of regional (catchment) controls in public open space where appropriate
- Confirm the outfall design for “the controlled flow of clean water” from the site
- Plan(s) showing detail of the SUDS including levels, detail locations, detail drawings

Alternatively, submit details in accordance with a submission list agreed with the local planning authority through a written pre-application response with regard to the same proposal.

Major OUTLINE applications

Applications must be submitted with **a concept SuDS plan** and **preliminary SuDS design strategy** which may include the following;

- Details of how runoff is collected from roofs, roads and other hard surfaces to keep water at or near the surface
- Source control techniques for each sub-catchment
- Site control features with approximate volumes and flow control locations and details
- Flow routes including low flow, overflow and exceedance routes
- Confirmation of conveyance features from place to place
- Confirmation of appropriate “treatment stages” within each “sub-catchment” and “management train”
- Confirmation of sub-catchments with location of flow controls
- Regional (catchment) controls in public open space where appropriate
- Confirm and demonstrate how the SUDS are integrated into the landscape, with sketches and sections as appropriate, including a management plan for the development
- Confirm the destination of the “controlled flow of clean water” from the site – the ground by infiltration, a watercourse or the surface water sewer

Alternatively, submit details in accordance with a submission list agreed with the local planning authority through a written pre-application response with regard to the same proposal.

Minor Development (i.e. development below the thresholds set out above)

We will not require particular drainage submissions to make an application valid but we encourage evidence that sustainable drainage (SuDS) has been considered. Please ensure that Part 12 of the application form is completed accurately.

Pre-application Advice

We encourage all applicants to use our pre-application service in order that drainage matters can be discussed and potentially agreed at this stage.

Comments:

Applicants are advised to fill in the **Surface water drainage pro-forma** with the level of detail depending on the type of application submitted.

| Telecommunications Development- Supplementary Information |
|---|
| <p>CRITERIA Required for all Telecommunications applications for mast and antenna development by telecommunication code systems operators</p> |
| <p>Information should include:</p> <ul style="list-style-type: none"> • Applications should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure, and technical justification and information about the proposed development. • Applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP). |
| <p>Comments: Further guidance on the information that may be required is set out in the <i>Code of Practice on Mobile Network Development (2002)</i>.</p> |

| Transport Assessment (TA) |
|---|
| <p>CRITERIA Required for major developments comprising residential, employment, shopping, leisure and services for:-</p> <ul style="list-style-type: none"> • Residential developments of 50 units and above • Non-residential developments of 500 square metres and above |
| <p>Information should include: The TA should reflect the scale of the development and the extent of the transport implications of the proposal.</p> <ul style="list-style-type: none"> • For smaller schemes the TA should simply outline the transport aspects of the application • While for major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. |
| <p>Comments: A Transport Assessment should be submitted as part of any planning application where the proposed development has significant transport implications. If in doubt, please contact a Planning Officer to discuss this requirement.</p> <p>Further guidance can be found in <i>Planning Policy Guidance 13 Transport (March 2001)</i> and <i>Guidance on Transport Assessment, (March 2007)</i> published by the Department for Transport.</p> |

| Travel Plan |
|--|
| <p>CRITERIA Should be submitted as part of any planning application where the proposed development has significant transport implications, including:-</p> <ul style="list-style-type: none"> • Retail, community and leisure uses >1000 square metres gross floorspace • Offices and other B1 uses >2500 square metres gross floorspace • Sports stadia or other facilities with 1500 or more seats • New and extended school facilities • Any other development >1000 square meters gross floorspace |

| |
|---|
| <p>Information should include:</p> <ul style="list-style-type: none"> • a package of measures tailored to meet the needs of individual sites and aimed at promoting environmentally sustainable travel choices for staff and visitors/customers, including reductions in car use, particularly single occupancy journeys. • details of commuter journeys, business travel undertaken during the working day, visitors, and deliveries. |
| <p>Comments:</p> <p>A travel plan should be submitted alongside planning applications which are likely to have significant transport implications, as advised by Planning Policy Guidance Note 13: Transport (DETR, 2001), paragraphs 87-91. Further advice is available in Using the planning process to secure travel Plans: Best practice guide ODPM and DfT, 2002 (forthcoming revised guidance), also Making residential travel plans work: Good practice guidelines for new development: DfT and A guide to development related travel plan (Addison & Associates).</p> |

| |
|--|
| <p>Tree Survey/Arboricultural Implications</p> |
| <p>CRITERIA</p> <p>Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees)</p> |
| <p>Information should include:</p> <p>A survey submitted by a qualified arboriculturist including where necessary:</p> <p>(a) Root Protection Area (RPA) - the minimum area of land which can contain sufficient rooting volume to ensure the survival of the tree (shown in plan form in m²).</p> <p>(b) Tree Constraints Plan (TCP) - prepared by an arboriculturist for the purposes of layout design, showing the RPA and representing the effect that the mature height and spread of retained trees will have on layout through shade, dominance etc.</p> <p>(c) The Tree Protection Plan (TPP) - a scaled drawing prepared by the arboriculturist in finalised layout proposals, showing tree retention and tree and landscape protection measures, including the location of protective fencing and the Construction Exclusion Zone (CEZ).</p> <p>(d) An Arboricultural Method Statement (AMS) - the methodology for implementing aspects of the development that have potential to result in the loss of or damage to a tree, including details of an on-site protection monitoring regime.</p> <p>(e) An Arboricultural Implications Assessment (AIA) may be required in more complex cases to identify and evaluate the extent of impacts of implementing the development on trees.</p> |
| <p>Comments:</p> <p>Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in relation to construction – Recommendations'. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.</p> |

| |
|---|
| <p>Ventilation/Air Handling/Plant Statement</p> |
| <p>CRITERIA</p> <p>Required to accompany all applications where this type of equipment is to be fixed to the exterior of any building, for example, normally required for premises preparing hot food or for business premises involving emissions or dust and for air handling equipment.</p> |
| <p>Information should include:</p> <p>Details of the position and design of ventilation and extraction equipment on the exterior of any building.</p> |
| <p>Comments:</p> <p>This information will also be required for significant retail, business, industrial or leisure or other</p> |

similar developments where substantial ventilation or extraction equipment is proposed to be installed.

PRE-APPLICATION DISCUSSIONS

Pre-Application advice is available on written request by writing to the Development Control Manager, Town Hall, George Street, Luton LU1 2BQ or emailing developmentcontrol@luton.gov.uk with a description of the form of development proposed, together with some sketch plans which explains the proposal, surrounding properties and the general scale of any proposed buildings and the appropriate fee.

The Council will only request a document relating to the validation criteria during the pre-application stage of a scheme if it considers that the information being requested is essential for it to be able to determine the application.

CHECKLIST OF REQUIREMENTS BY APPLICATION TYPE

A list of the shortened validation checklists for the individual application types are set out in Appendix B.

The national standard planning application forms provide for overlap between application types (householder planning application and listed building consent, for example). Each checklist is preceded by details of the application forms they cover and the list of the current application forms is shown in Appendix A.

Applicants/Agents may find the checklists useful and they can be submitted with the application.

APPENDIX A – LIST OF 1APP APPLICATION FORMS

- 1 Household extensions
- 2 Household application for planning permission for works or extension to a dwelling and Conservation Area consent for demolition in a Conservation Area
- 3 Householder Application for planning permission for works or extension to a dwelling and Listed Building consent
- 4 Application for planning permission
- 5 Outline Applications with some matters reserved
- 6 Application for Outline Planning Permission with all matters reserved
- 7 Application for Planning Permission and Conservation Area consent for demolition
- 8 Application for planning Permission and Listed Building consent
- 9 Application for Planning Permission and Advertisement Consent
- 10 Conservation Area consent for demolition in a Conservation Area
- 11 Listed Building consent for alterations, extension or demolition of a listed building
- 12 Application for Advertisement consent
- 14 Application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition
- 15 Application for a Lawful Development Certificate for a proposed use or development
- 16 Application for prior notification of proposed agricultural development - proposed building
- 17 Application for prior notification of proposed agricultural development - proposed road
- 18 Application for prior notification of proposed agricultural development - proposed excavation/deposit of waste material from the farm
- 19 Application for prior notification of proposed agricultural development - proposed fish tank
- 20 Application for prior notification of proposed development in respect of permitted development by electronic communications code operators
- 21 Application for hedgerow removal notice
- 22 Application for prior notification - proposed demolition
- 23 Application for Approval of Reserved Matters following outline approval
- 25/26 Application for removal or variation of a condition following grant of planning permission (Section 73 of the Town and Country Planning Act 1990)
- 27 Discharge of Condition(Useful Supporting Information - Application for Approval of Details Reserved by Condition)
- 31 Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) or Notification of Proposed Works to Trees in a Conservation Area

APPENDIX B – LIST OF VALIDATION CHECKLISTS

1. Full/Outline, Approval of Reserved Matters and Removal/Variation or the Discharge of Conditions - *This form should be used for application forms 4, 5, 6, 7, 8, 9, 23, 25/26 and 27*
2. Householder Extensions, Householder and Demolition in Conservation Area and H/H and Listed Building Consent - *This form should be used for application forms 1, 2 and 3*
3. Lawful Development Certificate – Existing & Proposed Use - *This form should be used for application forms 14 and 15*
4. Advertisement Consent - *This form should be used for application forms 12*
5. Conservation Area Consent for Demolition, Listed Building Consent and Prior Notification of Proposed Demolition - *This form should be used for application forms 10, 11 and 22*
6. Works to Trees Subject to a TPO and/or Notification of Proposed Works to Trees in a Conservation Area - *This form should be used for application form 31*
7. Prior Notification of Proposed Development in Respect of Permitted Development by Electronic Communications - *This form should be used for application form 20*
8. Prior Notifications Agriculture or Forestry Development – Proposed Building, Road, Excavation/Waste Material & Fish Tank - *This form should be used for application forms 16, 17, 18 and 19*
9. Application for Hedgerow Removal Notice - *This form should be used for application form 21*

APPENDIX C - LAQMA's

Area 2







| Road | House Numbers names of properties |
|----------------------|---|
| Abingdon Road | 1 - 55 (odd numbers), 36 - 42 (even numbers), |
| Armitage Gardens | 1 to 8 (inclusive) |
| Bank Close | 6 - 18 (even numbers), 9 - 19 (odd numbers), 32 - 46 (even numbers) |
| Belper Road | 2 - 30 (even numbers), 15 - 35 (odd numbers), 9, 11, 19a, 21a |
| Bradley Road | 88 - 98 (even numbers), 99 - 129 (odd numbers), 116, 118, 120, 135 - 147 (odd numbers) |
| Copperfields | 5 - 17 inclusive, 20 - 28 inclusive, 32 - 42 (inclusive), 44 |
| Derby Road | 7 - 27 (odd numbers) |
| Dunstable Road | 633, 649 - 657 (odd), 657a, 677, 679, 762 - 768 (even numbers), 681 - 687 (odd numbers) |
| Eldon Road | 51 - 113 (odd numbers), 62 - 104 (even numbers) |
| Faringdon Road | 2 -8 (even numbers) |
| Gilderdale | 12 - 68 (even numbers) |
| Halfway Avenue | 48 - 76 (even numbers), 67 - 85 (odd numbers) |
| High Street Leagrave | 171 - 181 (odd numbers), 183, 185, 187 |
| Hockwell Ring | 82, 93 - 135 (odd numbers), 84 - 134 (even number) |
| Lime Avenue | 57 - 63 (odd numbers), 90, 92, 94 |
| Longfield Drive | 2 - 20 (even numbers), 1 - 19 (odd numbers), 17,19 |
| Manor Farm Close | 9 - 11 (inclusive) |
| Raleigh Grove | 2 - 14 (even numbers), 1 - 11 (odd numbers), 11a, 14, 16 |
| Saltfield Crescent | 43 |
| Seabrook | 61 - 71 (odd numbers), 44 - 50 (even numbers) |
| Withy Close | 2 - 16 (even numbers), 1 - 11 (odd numbers) |
| Wyndham Road | 1 - 6 (inclusive) |