



**Validation Requirements for
Application for Planning Permission and
Conservation Area Consent**

1 - Full Planning Permission Applications

There are different scales of Full Planning permission, they are:

Major Application (10 or more dwellings, commercial use or change of use of 1000m² or over)

Minor Application (9 or less dwellings, commercial use under 1000m²)

Others (change of use under 1000m², non-householder)

All have the same National Requirements but their Local Requirements may vary.

Summary of National Requirements

- **Completed form** - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Completed signed and dated Ownership Certificate (A, B, C or D)** – 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Agricultural Holdings Certificate** as required under Article 7 of the Town and Country Planning (General Development Procedure) Order 1995. - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **A plan which identifies the land to which the application relates to a scale of 1:1250 (urban areas) or 1:2500 (rural areas) and showing the direction of north*** (Ordnance Survey based). The application site should be edged clearly with a red line and show it in relation to neighbouring properties. - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Other plans and drawings* or information necessary to describe the subject of the application** including:
 - Block plan of the site (e.g. at a scale of 1:500) showing any site boundaries
 - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)*
 - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100)
 - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100)
 - Roof plans (e.g. at a scale of 1:50 or 1:100)All plans must be referenced/numbered clearly (*See Local Requirements for more details) - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **The correct fee**
- **Design and access statement** - see Appendix 2 Design and Access Statement Guidance Notes
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article

Summary of Local Requirements

- All plans must be drawn to scale
- Location plan to be separate from other plans submitted
- Existing elevation plans not required for Change of Use applications
- All major applications will require an electronic version on CD of plans and documents saved in pdf format
- At least one copy of the plans may be submitted as a CD with all documents saved in pdf format
- An electronic version on CD of plans and documents may be requested in addition to hard copies with all documents saved in pdf format

The following list summarises the type of documents which may be required dependent on the scale and nature of the application (if submitting electronically please keep file size below 4MB) – details of what each document must cover are in Appendices 1 - 4

- **Flood Risk Assessment** – for applications in Environment Agency Flood Risk Zone. See <http://www.pipernetworking.com/floodrisk/index.html> for details of Environment Agency requirements
- **Tree Survey/ Arboricultural statement** – where development sites contain trees subject to a Tree Preservation Order or are located within a Conservation Area and have a stem diameter exceeding 75mm measured at 1.5m.
- **Biodiversity Checklist** – for developments in areas covered by PPS9 (see Appendix 4 for more details)
- **Retail Assessment** – where new and additional retail floor space is provided (see Local Plan **Policies E1 and E3 – E8** and Appendix 1 for more details)
- **Sustainability Checklist/ Statement** – required for all applications involving 5 or more residential units and/or 500sq m of floor space
- **Heritage Asset Statement** – (see Appendix 3 for more details)
- **Noise Impact Assessment** – as required by the Council in line with the guidance set out in PPG24 (see Appendix 1 for more details)
- **Sunlight/ Daylighting Assessment** – generally required for all major developments of 18 metres or taller (approximately 6 storeys)
- **Ventilation/ Extraction details** – required for application which include commercial extraction flues and all changes of use to A3, A4 or A5
- **Details of any lighting scheme, including a light pollution assessment** – required for all applications that involve any external lighting scheme.
- **Land Contamination** – required for contaminated sites or sites used for industrial purposes (see Appendix 5 for more details)
- **Photographs** – at applicant's discretion. Numbered/referenced clearly.

The following documents are needed as required by the Council, please seek advice before submitting your application

- **Regeneration Statement**
- **Affordable Housing Statement**
- **Open space**

- **Landscaping**
- **Transport Assessment or Statement**
- **Draft Travel Plan**
- **Planning Obligations**
- **Air Quality**
- **Assessment for the treatment of foul sewage**
- **Utilities Statement**
- **Energy Statement**
- **Sound insulation requirements**

4 - Conservation Consent for Demolition in a Conservation Area

Summary of National Requirements

- **Completed form** - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Completed signed and dated Ownership Certificate (A, B, C or D)** – 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **A plan which identifies the land to which the application relates to a scale of 1:1250 or 1:2500 and showing the direction of north** (Ordnance Survey based) The application site should be edged clearly with a red line and show it in relation to neighbouring properties - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Other plans and drawings* or information necessary to describe the subject of the application** including:
 - Block plan of the site (e.g. at a scale of 1:500) showing any site boundaries
 - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100)All plans must be referenced/numbered clearly (*See Local Requirements for more details) - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 must be given and/or published in accordance with this Regulation

Summary of Local Requirements

- **Block plan** should also show:
 - Any existing buildings/structures within the site, clearly showing those to be demolished.
 - The position of any buildings/structures on land adjoining the site.
 - The positions of the nearest roads/streets and any accesses onto the site both vehicular and pedestrian.
 - The position and spread of all existing trees and other natural features, clearly showing any which it is proposed to remove.
 - The position of existing fences, walls or other means of enclosure.
 - Existing mains services, drains, manholes, septic tanks and cesspools.- 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Other plans** at a scale of not less than 1:100 of the building/ structure prior to demolition. This includes all floor plans, sections and elevations of each façade for the building - 4 to be supplied (3 copies plus original) unless the application is submitted electronically

- **Historic Asset Statement** – (See Appendix 3 for details)
- **Justification Statement** - Reasons for the proposed demolition are needed, and where these relate to the structural condition, they should be supported by an independent structural survey of the building/structure.
- **Photographs** will be of help in deciding the application. Numbered/reference clearly - 4 to be supplied (3 copies plus original) unless the application is submitted electronically
- **Written detailed description of the property** with a full and accurate drawn survey of it. This must include information on the history of the building or structure, and dates of construction and any later changes. Under Government guidance in PPG15 the Local Authority is expected to consider the proposed demolition of a building in a Conservation Area using similar guidelines to those used where demolition of a Listed Building is proposed.
- **Method of demolition and proposed site restoration.** Describe the method of demolition to be used and how you will to clear the site of debris and any site restoration works to take place.

Appendix 1 – Details of Extra Documents

- **Supporting Planning Statement** - Information will include how the proposed development accords with policies in the development plan, supplementary planning document or development briefs. It should also include details of consultations with LPA and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of Creating Local Development Frameworks: A Companion Guide to PPS12 (see <http://www.communities.gov.uk/index.asp?id=1143846>)
The Council has a Sustainability Checklist which we encourage be completed for all major applications:
<http://www.lewes.gov.uk/AF3/an/default.aspx/RenderForm/?F.Name=S3qZdq7fA3K>
- **Flood risk assessment** - Planning applications for development proposals of 1ha or greater in Flood Zone 1 and all proposals for new development, which are located in Flood Zones 2 and 3, or other areas where the Environment Agency, Internal Drainage Boards and other bodies have indicated that there may be drainage problems, should be accompanied by a Flood Risk Assessment. This should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed taking climate change into account. Maps of flood zones are available from the Environment Agency or by using their website <http://www.environment-agency.gov.uk/>. In addition Planning Policy Guidance 25: 'Development and Flood Risk' provides comprehensive guidance for both LPAs and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere. PPG25 can be found at <http://www.communities.gov.uk/publications/planningandbuilding/pps25floodrisk>.
- **Tree survey / Arboricultural statement** - A detailed tree survey shall be carried out by a competent person and be in accordance with British Standards BS5837:2005 Trees in Relation to Construction. The plans shall include appropriate information such as the location of trunk centres and crown spreads of existing trees. A Tree Constraints Plan, Arboricultural Implications Assessment (AIA), Arboricultural Method Statement (AMS), Tree Protection Plan (TPA) and details of proposed tree works should also be given where appropriate.
- **Retail assessments** - Current guidance can be found in PPS 6: Planning for Town Centres, see paragraph 3.4 (see <http://www.communities.gov.uk/index.asp?id=1143820>). The assessment should include the need for development, whether it is of an appropriate scale, that there are no sites close to a centre for the development, that there are no unacceptable impacts on existing centres, and if locations are accessible.
- **Sustainability Statement** - A sustainability statement should outline the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.

- **Noise impact assessment** - Application proposals that raise issues of disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact assessment prepared by a suitably qualified acoustician. Further guidance is provided in PPG 24: Planning and Noise (see <http://www.communities.gov.uk/index.asp?id=1144097>).
- **Sunlight/Daylighting Assessment** - Applicable for all applications where there is a potential adverse impact upon the current levels of sunlight/daylighting enjoyed by adjoining properties and building(s) – further guidance is provided in the Building Research Establishment's (BRE) guidelines on daylighting assessments.
- **Ventilation/extraction details** - For example; for hot food take-aways, restaurant uses and laundrettes etc.
- **Details of any lighting scheme including a light pollution assessment**
- **Land Contamination** - Applications may also need to include an extended assessment of contamination in line with PPS23 focussed on local circumstances. (See <http://www.communities.gov.uk/index.asp?id=1143916>).
- **Photographs and Photomontages** - These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.
- **Regeneration statements** - A supporting 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; and reference to any regeneration strategies that might lie behind or be supported by the proposal should be included.
- **Affordable housing statement** - Where local plan policies or Supplementary Planning Document guidance requires the provision of affordable housing the LPA may require information concerning both the affordable housing and any market housing e.g. the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. Further advice is available in Circular 6/98: Planning and Affordable Housing and in draft PPS3.
- **Open Space** - Plans should show any areas of existing or proposed open space within or adjoining the application site. 'Open space' here includes space falling within the definitions of that term in the Town and Country Planning Act 1990 or PPG17 (see <http://www.communities.gov.uk/index.asp?id=1144066>).
- **Landscaping** - Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management.

- **Transport Assessment** - Where developments will have significant transport implications, Transport Assessments should be prepared. The coverage and detail of the Transport Assessment should reflect the scale of development and the extent of the transport implications of the proposal. For small schemes, the Transport Assessment should simply outline the transport aspects of the application. For major proposals, the assessment should illustrate accessibility to the site by all modes and the likely split of types of journey to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. These assessments enable local planning authorities better to assess the application and provide a basis for discussion on details of the scheme, such as the level of parking, the siting of buildings and entrances, and the need for further measures to improve access arrangements to the site. Details of any firm proposals to improve the access to a site (particularly where included in the local transport plan) should be taken into consideration when assessing the suitability of a site for development. DfT and DCLG are in the process of preparing guidance on the preparation of Transport Assessments.
- **Draft Travel Plan** - A draft travel plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. Further advice is available in Using the planning process to secure travel Plans: Best practice guide ODPM and DfT, 2002.
- **Planning obligations** - This could include brief draft heads of terms or a draft section 106 agreement or unilateral undertaking. Applicants should clarify the LPAs requirements in preapplication discussions and confirm any planning obligations that they agree to provide using standard proformas or templates where available. Further advice is available in Circular 5/05: Planning Obligations (see <http://www.communities.gov.uk/index.asp?id=1500145>).
- **Air quality** - Where the development is proposed inside, or adjacent to, an air quality management area (AQMA), where the development could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of a LA's air quality action plan, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Further advice is available in PPS 23: Planning and Pollution Control (see <http://www.communities.gov.uk/index.asp?id=1143916>). This information may be provided as part of the Environmental Impact Assessment where applicable or through other validation requirements, for example through information provided on lorry movements.
- **Assessment for the treatment of foul sewage** - This should include a description of the type, quantities and means of disposal of any trade waste or effluent.
- **Utilities Statement** - This should include how an application connects to existing utility infrastructure systems.

- **Energy statement** - The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards. Further advice is available in PPS22: Renewable Energy (see <http://www.communities.gov.uk/index.asp?id=1143908>).
- **Sound insulation requirements** - Advice should be sought from the LPA's Environmental Health Service for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the Building Regulations or a Building Notice for the erection of most types of buildings, material alterations to existing buildings. Works will need to be inspected on site during the construction process.

Appendix 2 - Design & Access Statements

Government regulations require many applicants for planning permission to submit design and access statements, to explain the thinking behind their proposals.

This advice is set out in DCLG Circular 01/06. Design and access statements will be needed for all applications (both full and outline) except:

- Changes of use, not involving works to buildings
- Engineering or mining operations
- Householder development (except in Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, and Conservation Areas where statements will be required)
- Advertisements
- Tree works
- Storage of hazardous chemicals

All Listed Building Consent applications will require a statement.

The purpose of the statements is to explain and justify how the applicant has drawn up the application proposals and related them to their wider surroundings. They should evolve with preparation of the application and show the thought process behind the designs submitted for planning permission. The length of the statement will depend on the scale and complexity of the proposed development.

Where there is a planning application in parallel with a Listed Building Consent application a single combined statement should address both.

Statements for/covering Listed Buildings will be similar to those for planning applications, although there will be some difference given the different nature of a Listed Building Consent application.

Design and access statements will need to cover the following matters:

- The amount of development and how it is distributed around the site
- Use: the use to which the development will be put
- Layout: how buildings, routes and spaces are laid out
- Scale: height, width and length of building in relation to surroundings
- Landscaping: private and public spaces within the site
- Appearance: external form of buildings-architecture, materials, decoration, lighting etc
- Access: equal and convenient access
- Community safety and crime reduction issues

If you are doubtful whether you need to prepare a design and access statement with your planning application, phone us on 01273 471600 or e-mail us at planning@lewes.gov.uk and we will try to help.

Detailed information on design and access statements is also available on the internet from the Commission on Architecture and the Built Environment on www.cabe.org.uk and the Government's Department of Communities and Local Government via www.communities.gov.uk/index.asp?id=1500620

PLEASE NOTE that any application which is not accompanied by this information will not be validated and will therefore delay the processing of the application.

Appendix 3 – Heritage Asset Statement

In producing a Heritage Asset Statement to accompany an application, please address the following headings and issues where they are applicable to the site or building.

1. Scheduled Ancient Monument (SAM)

Does the proposal affect a Scheduled Ancient Monument or its setting?

If so, has the applicant sought or obtained consent from English Heritage for the proposed works? Please provide details.

2. Area of Archaeological Interest (Area of AI)

Does the site fall within an Area of Archaeological Interest?

If so, has an archaeological field evaluation been carried out? If yes, please provide a copy with the application. If no, has such an evaluation been commissioned? Please provide details.

3. Listed Building

Does the site boundary contain a listed building or does the site form part of the setting of a listed building outside the site boundary?

If so, please describe or illustrate how the special interest of the listed building and its setting is preserved by the proposals, having regard to the list description, national planning policy (PPG15), local planning policy (H2) and any building survey.

If the proposals involve demolition or part demolition of the building, has a structural survey of the building been carried out? If yes, please provide a copy with the application.

Have the proposals been discussed with a member of the Council's Conservation Team prior to submission of the application? If so please provide details, including any details of how the proposals might have been amended to take account the comments of the Conservation Team.

4. Conservation Area

Does the site lie within a designated Conservation Area and does it contribute positively to the area? Does the proposal for the site affect the setting of a Conservation Area?

If yes to either question, please describe or illustrate how the proposals will preserve or enhance the appearance and character of the Conservation Area or its setting, having regard to any published Conservation Area Appraisal, national policy (PPG15) and local planning policy (H4, H5 and H7).

If the proposals involve demolition or part demolition of the building, has a structural survey of the building been carried out? If yes, please provide a copy with the application.

Have the proposals been discussed with a member of the Council's Conservation Team prior to submission of the application? If so please provide details, including any details of how the proposals might have been amended to take account the comments of the Conservation Team.

5. Building of Local, Visual or Historic Interest

Does the site boundary contain a building of local, visual or historic interest (see Appendix 2 of the Council's Local Plan for a list) or does the site form part of the setting of a building of local, visual or historic interest outside the site boundary?

If so, please describe or illustrate how the special interest of the building of local, visual or historic interest and its setting is preserved by the proposals, having regard to the local planning policy (H3).

If the proposals involve demolition or part demolition of the building, has a structural survey of the building been carried out? If yes, please provide a copy with the application.

Have the proposals been discussed with a member of the Council's Conservation Team prior to submission of the application? If so please provide details, including any details of how the proposals might have been amended to take account the comments of the Conservation Team.

6. Historic Parks and Gardens

Is the site within an historic park or garden or does the site affect the setting of an historic park or garden?

If so, please describe or illustrate how the special interest of the historic park or garden and its setting is preserved by the proposals, having regard to the local planning policies (H13 and H14).

If the proposals involve demolition or part demolition of a building, has a structural survey of the building been carried out? If yes, please provide a copy with the application.

Have the proposals been discussed with a member of the Council's Conservation Team prior to submission of the application? If so please provide details, including any details of how the proposals might have been amended to take account the comments of the Conservation Team.

7. Historic Battlefields

Is the site within an historic battlefield or does the site affect the setting of an historic battlefield?

If so, please describe or illustrate how the special interest of the historic battlefield and its setting is preserved by the proposals.

Have the proposals been discussed with a member of the Council's Conservation Team prior to submission of the application? If so please provide details, including any details of how the proposals might have been amended to take account the comments of the Conservation Team.

Appendix 4 - Biodiversity

Biodiversity/geological conservation/landscape and natural beauty -

Applications should indicate any significant biodiversity or geological conservation interests and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or other animals protected under their own legislation for example the Protection of Badgers Act 1992. Where pre-application discussion has identified the necessity for survey information on protected species or other biodiversity or geological conservation interests, this should accompany the application. Where the development proposal will result in significant harm to biodiversity and geological conservation interests, evidence must be supplied as to why the development cannot reasonably be located on any alternative sites that would result in less or no harm. Where no such alternatives are available, details of proposed mitigation measures should be given. Detailed guidance on dealing with the impacts of development on biodiversity and geological conservation is given in PPS9 and its accompanying Government Circular <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147408.pdf> and its Good Practice Guide <http://www.communities.gov.uk/documents/planningandbuilding/pdf/143792.pdf>

A biodiversity and landscape checklist is available to download for completion and submission with an application where appropriate:

http://www.lewes.gov.uk/Files/plan_biodiversitychecklist.pdf

Following receipt of a checklist you may be required to submit a species survey. If a survey is required your application will not be valid until a suitable survey is received.

A biodiversity check list will be required with all major applications and any applications that affect the following:

- protected species,
- traditional timber framed building (e.g. barn or oast house) or traditional farm building.
- Ponds or slow flowing waterbodies (e.g. ditches) on or within 500m of the site linked by semi-natural habitat (e.g. grassland/pasture, woodland, hedgerows)
- Woodland, including scrub, and hedgerows on, or adjacent to the application site (by hedgerows etc.)
- Rough grassland and previously developed sites ('brownfield sites') on/immediately adjacent to the application site
- Heathland on, adjacent to or linked to the application site by other semi-natural habitat
- Watercourses including rivers, ditches and lakes on or immediately adjacent to the application site

- Meadows, grassland, parkland and pasture on adjacent to or linked to the application site by other semi-natural habitat.
- Biodiversity Action Plan Priority Habitats (refer to UKBAP website - <http://www.ukbap.org.uk/>)
- Buildings with the following features:

Factors affecting the probability of a building being used by bats in summer	
Increase probability	<p>Disused or little used; largely undisturbed</p> <p>Large roof void with unobstructed flying spaces</p> <p>Large dimension roof timbers with cracks, joints and holes</p> <p>Uneven roof covering with gaps, though not too draughty</p> <p>Entrances that bats can fly in through</p> <p>Hanging tiles of wood cladding, especially on south-facing walls</p> <p>Rural setting</p> <p>Close to woodland and/or water</p> <p>Pre-20th century or early 20th century construction</p>
Decrease probability	<p>Urban setting or highly urbanised area with few feeding places</p> <p>Small or cluttered roof void (esp. for Plecotus)</p> <p>Heavily Disturbed</p> <p>Modern construction with few gaps around soffits or eaves (but be aware these may be used by pipistrelles in particular)</p> <p>Prefabricated with steel and sheet materials</p> <p>Active industrial premises</p> <p>Roof shaded from the sun</p>
Factors affecting the probability of trees being used by roosting bats	
Increase probability	<p>In ancient woodland or parkland</p> <p>Large trees with complex growth form</p> <p>Species that typically form cavities, such as beech, willow, oak or ash</p> <p>Visible damage caused by rot, wind, woodpeckers, lightning strike, etc</p> <p>Loose bark providing cavities</p>
Decrease probability	<p>Coniferous plantation with no specimen trees</p> <p>Young trees with simple growth form and little damage</p>
Factors affecting the probability of underground sites being used by roosting bats	
Increase probability	<p>Large enough to develop stable temperature in winter</p>

	High humidity Undisturbed Close to woodland or water (but note that bats will also use upland sites) Many cracks and crevices suitable for bats
Decrease probability	Small and draughty Heavily disturbed In urbanised areas Smooth surface with few roosting opportunities

For information regarding biodiversity and local information the following links may be useful.

Lewes District Council's Biodiversity webpage:
<http://www.lewes.gov.uk/environment/5956.asp>

The following external link goes to the Biodiversity Action Plan for East and West Sussex and Brighton & Hove which is on the Sussex Biodiversity Partnership website
www.biodiversitysussex.org/

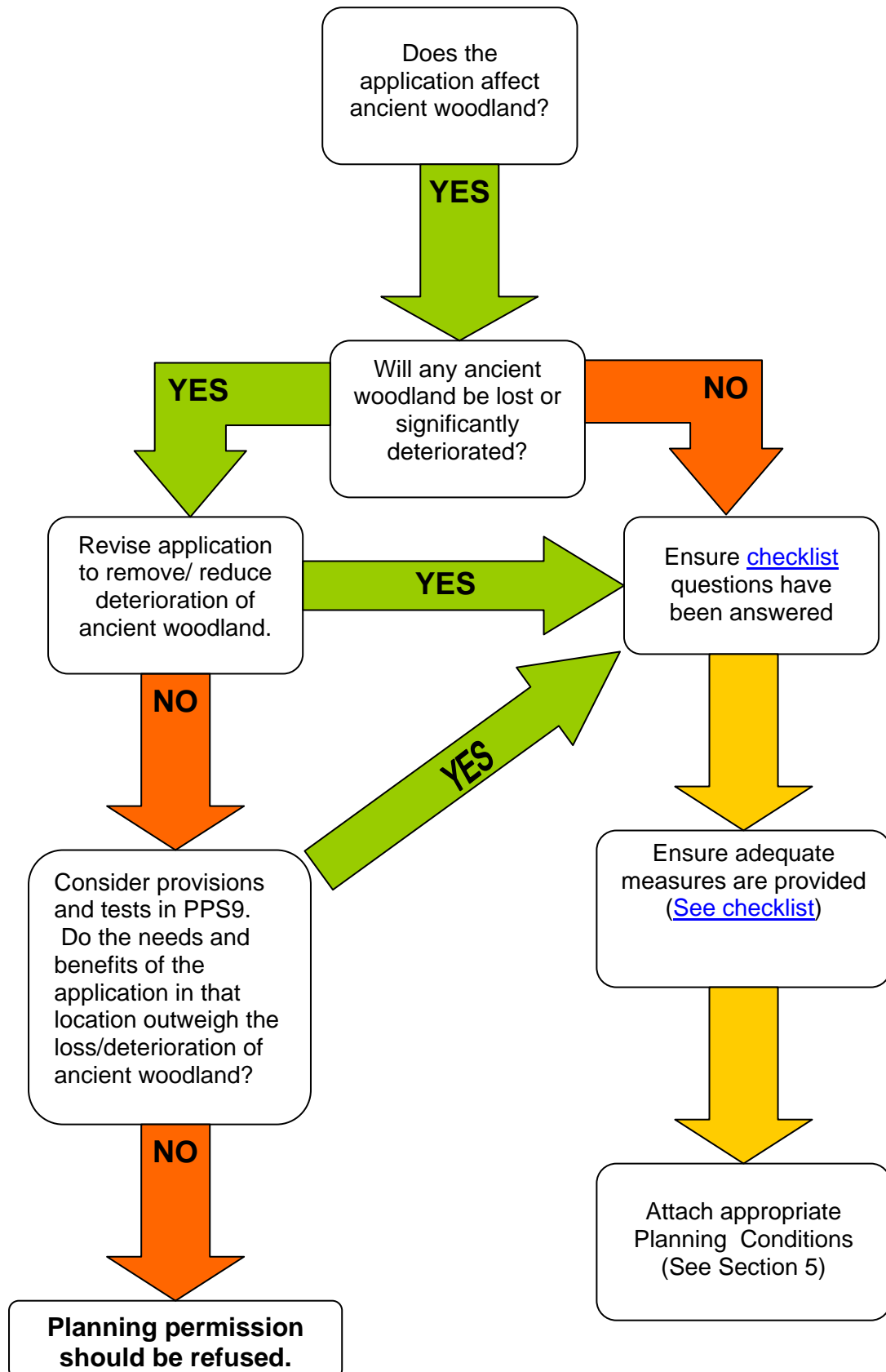
The Sussex Biodiversity Record Centre collect, manage and disseminate wildlife data for East and West Sussex and Brighton & Hove. Find out more via the external link below to their website.
www.sxbrc.org.uk

Applications for major development in the countryside that will affect areas designated at the national level in relation to landscape and scenic beauty will need supporting information to enable consideration of the issues set out in paragraphs 21-23 of PPS7
<http://www.planningportal.gov.uk/england/professionals/en/1020432885091.html>

Multi Agency Geographical information for the Countryside
<http://www.magic.gov.uk/>

Decision-making flowchart

The following flow chart shows the decision making process for local authorities when dealing with applications affecting ancient woodland. The assessment checklist and further information on mitigation and conditions are provided below.



Appendix 5 -Submitting an Application for Land Which May Be Contaminated

Introduction

This note is intended to give an overview of the process for preparing a planning application for land which is potentially contaminated or where the proposed end use is sensitive or vulnerable to land contamination.

Planning Policy Statement 23 (PPS23)

The Government's guidance on land affected by contamination is set out in Planning Policy Statement 23 (PPS23) on Planning Pollution Control Annex 2: Development on Land Affected by contamination.

PPS23 states 'because of the widespread potential occurrence of contamination, the possibility should always be considered, regardless of past land use, when development is proposed involving or introducing a particularly sensitive use such as housing with gardens, schools, nurseries or allotments'.

The guidance puts the responsibility on the developer to ensure that a development is safe and suitable for use for the purpose for which it is intended. Therefore, the developer is responsible for determining whether land is suitable for a particular development.

It should be noted that contamination is not just restricted to land with previous industrial use. It can occur on green field sites as well as from natural sources such as Radon

The risks from potential contamination should be identified at the application stage of the planning process. These requirements of PPS23 are reflected in the new 1App planning application form.

Submitting a Planning Application (1App)

From April 2008, all planning applications must use the new national 1App planning application form. Section 15 (Existing Use) of 1App, highlights the requirements of PPS23, as shown in Figure 1. When preparing a planning application the following questions must therefore be addressed:

Does the proposal involve any of the following?

1. Land which is known to be contaminated?

This would include a development on land which has known contamination or on land which is known to be affected by contamination.

2. Land where contamination is suspected for all or part of the site?

This would include a development on or near land which has had a previous potentially contaminative use, but there is no actual knowledge of land contamination issues. Information on potential contaminative activities can be found in the Department of Environment Industry Profiles. (DoE, 1995).

3. A proposed use that would be particularly vulnerable to the presence of contamination?

These uses would include any residential building, schools, nurseries and allotments. Extensions or conservatories will be excluded, unless there is a specific known land contamination issue.

If the answer to any of the above questions is 'Yes', then an appropriate **Contamination Assessment** must be submitted.

Figure 1 section 15 of the 1App form

15. Existing Use	
Please describe the current use of the site:	
<input type="text"/>	
Is the site currently vacant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please describe the last use of the site:	
<input type="text"/>	
When did this use end (if known)? DD/MM/YYYY (date where known may be approximate)	
<input type="text"/>	
Does the proposal involve any of the following:	
Land which is known to be contaminated?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Land where contamination is suspected for all or part of the site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
A proposed use that would be particularly vulnerable to the presence of contamination?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.	

Contamination Assessments

The information which should accompany the planning application consists of a desktop study, site walkover and initial risk assessment. This work must be carried out by a competent and appropriately qualified person.

Desktop Study

This comprises a detailed search of available historical and current records and maps to identify potential on-site and off-site sources, pathways and receptors of contamination.

Site walkover

A site walkover is a survey to confirm the information gathered for the desktop study and to reveal any features such as structures, tanks pipe work which may suggest possible sources of contamination

Initial Risk Assessment

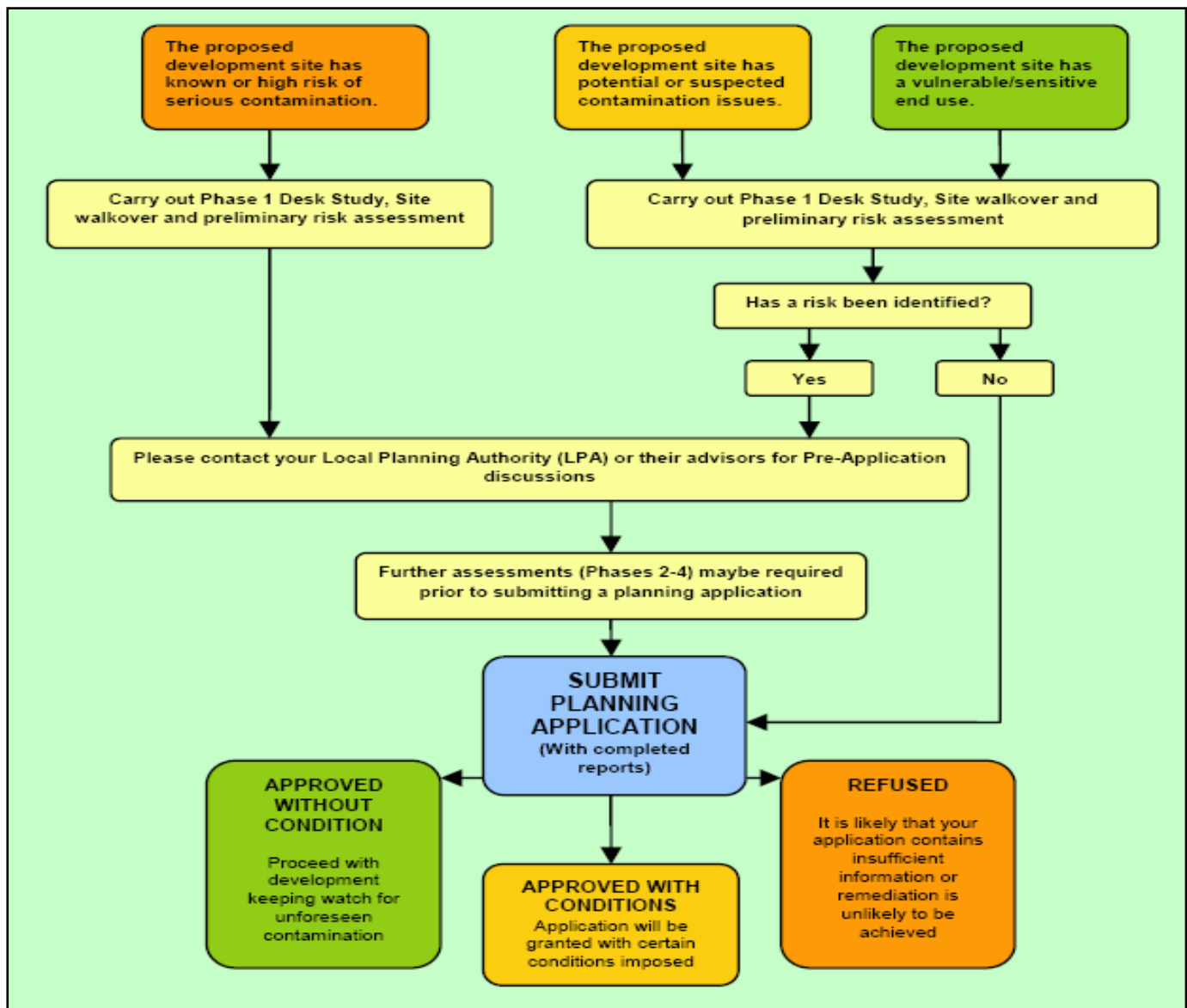
A preliminary risk assessment should be carried out using the information from the desktop study and site walkover to identify possible pollutant linkages and enable a conceptual model of the site to be developed.

A conceptual model of the site should identify:

- Potential sources of contamination e.g. tanks, nearby landfills.
- Potential pathways linking the two e.g. direct contact, vapours.
- Potential receptors that may be harmed e.g. residents, Controlled waters (surface and groundwater).

If the assessment indicates that there could be a significant risk of harm, then you should contact the Local Authority to discuss our requirements before submitting your application. It is likely that further site investigations will be required before your application is registered.

If the appropriate assessments are not submitted, your planning application may not be registered.



Contacts

Local Authority

Lewes District Council

planning@lewes.gov.uk

01273 484420

Environment Agency

[Kent and East Sussex Areas/
Solent South Downs Area]

enquiries@environment-agency.gov.uk

08708 506506

Guidance and references

A list of guidance and reference material is presented below. The list is not exhaustive and is current at the time of publishing this document. Further advice is available from the contacts listed above.

- British Standards Institution (2001). BS 10175:2001: Investigation of Potentially Contaminated Sites – Code of Practice. BSI, London.
- British Standards Institution (1999). BS5930:1999: Code of Practice for Site Investigations. BSI, London.
- Office of the Deputy Prime Minister (ODPM) (2004). Planning Policy Statement 23: Planning and Pollution Control (PPS23). Annex 2: Development on Land Affected by Contamination. ODPM, London (Now Department of Communities and Local Government (DCLG))
- Department of the Environment (1995) DoE Industry Profiles. Available from <http://www.environment-agency.gov.uk>
- DEFRA and the Environment Agency (2004) CLR11: Model Procedures for the Management of Land Contamination. EA, Bristol. Available from www.environment-agency.gov.uk

Disclaimer

This Note is intended to serve as an informative and helpful source of advice. It is the responsibility of the person/company involved in the development or assessment of potentially contaminated land to properly assess the contamination of a site and the remediation requirements. The responsibility for the safe and secure occupancy of the development lies with the developer.

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