

From: Planning <planning@northdevon.gov.uk>
Sent: 21 October 2020 14:02
Subject: Local List 2020 - Revised and updated consultation
Attachments: Local list 2020.pdf

Dear Sir/Madam,

Please find attached the revised and updated Local List 2020 for North Devon Council planning unit.

It has been updated in line with current legislation and we would like to invite you to make comment.

Please make comments by email to planning@northdevon.gov.uk by Friday 6th November.

Kind regards
Mrs Naomi Laurenson



For more information go to LiveLoveLocalnorthdevon.co.uk

This e-mail has been scanned for all viruses by Claranet. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: <http://www.claranet.co.uk>

Introduction

The National Planning Policy Framework (NPPF) requires local planning authorities to publish a list of information requirements for applications, which should be proportionate to the nature and scale of the proposed development and limited to that which is necessary to consider the proposed development. The local validation list should also be subject to frequent review.

This revised local validation list has been prepared to take account of recent policy changes, both at a national and local level, as provided by the revised National Planning Policy Framework (June 2019) and the North Devon and Torridge Local Plan 2011-2031 (October 2018). The revised list, which is now subject to consultation, will form the basis on which planning applications are deemed valid by North Devon Council. Once adopted the local validation list will supersede the previous list.

For clarity this document sets out both the national and local validation requirements. The national requirements are set by Government and are the same across all local planning authorities in England. The local validation requirements relate specifically to planning and other applications submitted to North Devon Council.

If an application is submitted that does not meet both national and local requirements then the Council can take the position that the application is invalid and refuse to determine it. It should also be noted that, there may be occasions when further information is requested during the determination process to overcome planning objections.

Applicants are strongly advised to discuss the list of information requirements with the Councils prior to application submission. [North Devon Council](#) provide pre-application services, for which a fee is charged, that will include advice on the validation requirements associated to the proposed development.

National Requirements for validation of an application

The relevant application form

There are a range of application forms which relate to different types of development, it is important that the correct form is used.

Planning applications can be submitted electronically through the [planning portal](#) or forms can be downloaded from the [planning portal](#) for submission directly to the local planning authority.

Ownership/Agricultural Land Declaration

Having regard to [Section 65\(5\) of the Town and County Planning Act 1990](#) and the [Development Management Procedure Order 2015](#) local planning authorities cannot consider an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. The following sets out the basis for completing the relevant certificate:

- Certificate A - sole ownership: this should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.
- Certificate B - shared ownership: this should be completed if the applicant is not the sole owner, or if there are agricultural tenants and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.
- Certificate C - shared ownership: this should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants.
- Certificate D - shared ownership: this should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

All agricultural tenants on a proposed development site must be notified prior to the submission of a planning application. Applicants must certify that they have notified any agricultural tenants about the application, or that there are no agricultural tenants on the site.

An Agricultural Holding Declaration is not required if an application is being made for: approval of reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, a listed building consent, a lawful development certificate, prior notification of certain developments with permitted development rights, a non-material amendment to an existing planning permission, or express consent to display an advertisement.

Correct Fee

The majority of applications incur a fee, the level of which is dependent on the scale of the development, site area or application type and is based on gross external areas. A fee calculator is available on the [Planning Portal](#). The application fee will be checked by the Council; the applicant will be contacted if the confirmed fee differs to that submitted.

Site and other Plans

Note:

Crown Copyright: the required location and block plans submitted with an application should not breach Crown Copyright (e.g. they should not be a Land Registry document, a photocopy or a screen grab image), if such is apparent they will not be accepted and the application will be determined to be invalid.

Scale: submitted plans and drawings should be drawn at an identified metric scale, a linear scale bar provided and should accurately show the direction of north; plans and drawings which are not appropriately scaled will not be accepted. There must be one measurement to accurately check the scale.

Paper size: location, site and block plans should be provided, or enabled to be printed (at the required scale, preferably on A4 or A3 sized paper)

Plan/Document numbers: a unique reference number should be given to each plan, drawing and document.

Location Plan based on an up-to date Ordnance Survey map, at a metric scale of 1:1250 at towns and villages or 1:2500 in the rural area. The plan, which should be centred on the application site should provide:

- the development site clearly edged with a red line, which should include: all land necessary to carry out the proposed development, such as: access from the site to the public highway, visibility splays, open areas around buildings, landscaping and car parking.
- any other land in the same ownership adjoining the application site should be defined by a blue edge;
- clear reference points such as road/street names and/or neighbouring properties to ensure the exact location of the application is clear;
- a linear scale bar;
- a north point; and
- the scale used and one significant measurement
- If the proposal involves demolition of a building within the red outline, the building to be demolished should be shown with dotted lines.

Block Plan based on an up-to date Ordnance Survey map, at a scale of 1:500 or **Site Plan** at 1:200 (if the proposal will alter an existing building/ structure footprint, or create a new building/structure footprint). The plan should provide:

- the proposed development within the context of existing ;
- any existing or proposed vehicle parking/spaces areas;
- the species, position and spread of all trees on the site, and those on adjacent land that overhang the site;
- the extent and any type of any hard surfacing;
- the location of any existing or proposed drainage;
- vehicle and pedestrian access arrangements to and within the site;

- a linear scale bar;
- a north point; and
- the scale used and one significant measurement.
- If the proposal involves demolition of a building within the red outline, the building to be demolished should be shown with dotted lines.

Design and Access Statement (where required)

A Design and Access Statement will be required for the following:

- planning permission for major development, as defined in article [2 of the Town and Country Planning \(Development Management Procedure \(England\) Order 2015](#) for both outline and full applications;
- planning permission for development in a conservation area for one or more dwelling or for a building or buildings with a floor space of 100 m² (gross external area) or more; and
- applications for listed building consent.

Applications for waste development, a material change of use, engineering or mining operations do not need to be accompanied by a Design and Access Statement.

Further guidance on the content and form of a Design and Access Statement is available from the [Planning Portal](#).

1) Plans and Drawings

- **Site Levels** to a scale of 1:200 showing existing and proposed ground levels across the site. Measurements should be taken from an Ordnance Survey data point or from an otherwise authoritative and easily identifiable fixed point. A north point and measured scale should be included. The details need to be provided both in plan form and by appropriate cross sections and should cover the land including and beyond any proposed building footprint. If the proposal involves demolition of a building within the red outline, the building to be demolished should be shown with dotted lines.

Floor Plans to a scale of 1:50 or 1:100 (if the proposal will create, alter or add to a floor) showing:

- the existing and proposed layout of the whole of each floor that will be created, altered or added to by the proposal
- the name of each of the rooms or areas; and
- the scale used and a linear scale bar with one significant measurement.

Elevation Drawings to a scale of 1:50 or 1:100 (if the proposal will create, alter or add to a building/structure) showing:

- the existing and proposed view of each side of the building or structure that will be altered or added to by the proposal ground levels;
- finished floor levels (unless provided on other plans and drawings);

- where the proposal relates to the conversion of a barn / outbuilding, information about which parts of the original building fabric that will be retained and which parts that will comprise new build; and
- the scale used and a linear scale bar with ine significant measurement.
- If the proposal involves demolition of a building within the red outline, the building to be demolished should be shown with dotted lines.
- **Elevation Drawings Contextual** to a scale of 1:50 or 1:100 (if the proposal will create a building/structure) showing the **proposed** elevations in context with any immediately adjoining / neighbouring buildings. These should include the datum level, ground level, floor levels for the proposed building, which way is north and the scale used. Where the proposal involves demolition of a building within the red outline, the building to be demolished should be shown with dotted lines.

Cross section drawings will be required if:

- the proposal will create, alter or add to a building – cross section(s) through the existing (if any) and proposed building and the remainder of the site relating these to adjoining ground levels. These should be to a scale of 1:50 or 1:100 and show the scale used and a linear scale bar.
- the proposal is for a track or an outdoor horse-riding arena – cross section(s) of any proposed surface treatment, which should include details of the proposed surfacing materials. This should be to a scale of 1:10 or 1:20 and show the scale used and a linear scale bar.
- the proposal relates to a listed building – whole vertical and horizontal cross sections showing joinery details, profiles and sections for new or replacement doors and windows and other architectural features. This should be to a scale of 1:2 or 1:5 and show the scale used and a linear scale bar.
- the proposal involves demolition of a building within the red outline, the building to be demolished should be shown with dotted lines.

Roof Plans to a scale of 1:50 or 1:100 (if the proposal will alter the roof) showing the **existing** and **proposed** layout of the roof structure (e.g. position and type of roof trusses, ridges, purlins etc.). The scale used and a linear scale bar should be shown.

Reports and Supporting Documentation

The following section details the supporting documentation and reports that will be required for various types of applications; it also includes a reference to the basis for the information requirement, both from local and national policy, as is relevant.

If confirmation of the documents is required for a planning application, this can be provided as part of the Council's [pre-application advice service](#) for which there is fee payable.

Project/Document	Sometimes required	Always required																
		Conservation	Full Planning Permission or Full Planning Permission with Conditions	Outline Planning Permission	Residential Planning	Other Planning Consent	Temporary	Adult Use Class	Land Management Certificate/Planning	Event Organisation Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning	Minor Development Certificate/Planning
Planning Permission & Listed Certificates																		
Project Fee																		
Location plan																		
Block Plan																		
Design and Access Statement																		
Existing Floorplans																		
Existing Elevations																		
Existing Site Plan																		
Proposed Floorplans																		
Proposed Elevations																		
Proposed Site Plan																		
Site Levels																		
Class Section																		
Verifiable Housing Statement																		
Soil Quality Impact Assessment																		
Heritage/Cultural Impact Assessment																		
Archaeological Assessment																		
Building for Life 12 Assessment																		
Coal Mining Risk Assessment																		
Community Involvement Statement																		
Contaminated Land Assessment																		
Community Services and Facilities - Justification for loss																		
Crime and Disorder Statement																		
Critical Drainage Area Surface Water Management Report																		
Environmental Impact Assessment																		
Flood Risk Assessment																		
Foul Drainage Assessment																		
Habitats Regulation Assessment																		
Health Impact Assessment																		
Heritage Statement (Statement of Significance)																		
Flooding Statement																		
Landscape (Incorporating Seascape) and Visual Impact Assessment (LVA)																		
Landscape Proposals																		
Lighting Impact Assessment																		
Local Connections Report for Rural Settlements																		
Nature Impact Assessment																		
Open Space Assessment																		
Planning Obligations / Draft Heads of Terms for Section 106 Agreements																		
Planning Statement																		
Public and Leisure Impact Assessment/Sequential Assessment																		
Public Building Conversion - Justification Statement																		
Rural Workers' Dwellings and Farmer Family Attached Accommodation Justification																		
Removal of occupancy conditions: Rural Workers and Holiday Accommodation																		
Responsibility Statement																		
Transport Assessments, Statements and Travel Plans																		
Viability Appraisal																		
Waste Audit Statement																		
Regulation/Extraction Details																		
Wildlife / Ecology Trigger List and Associated Wildlife Reports																		
Equality Impact Assessment																		

Information required by the policy provisions of the emerging North Devon and Torridge Local Plan to accompany planning applications

Note: a suitably qualified person should produce assessments, reports, statements and appraisals.

Assessment

1. [Affordable Housing Statement](#)
2. [Air Quality Impact Assessment](#)
3. [Arboricultural Impact Assessment](#)
4. [Archaeological Assessment](#)
5. [Building for Life 12 Assessment](#)
6. [Coal Mining Risk Assessment](#)
7. [Community Involvement Statement](#)
8. [Community Services and Facilities – Justification for loss statement](#)
9. [Contaminated Land Assessment](#)
10. [Crime and Disorder Statement](#)
11. [Critical Drainage Area Surface Water Management Report](#)
12. [Design and Access Statement](#)
13. [Environmental Impact Assessment](#)
14. [Flood Risk Assessment](#)
15. [Foul Drainage Assessment](#)
16. [Habitats Regulations Assessment \(HRA/AA\)](#)
17. [Health Impact Assessment](#)
18. [Heritage Statement \(Statement of Significance\)](#)
19. [Housing Statement](#)
20. [Landscape \(incorporating Seascape\) and Visual Impact Assessment](#)
21. [Landscape Proposals](#)
22. [Letter of Justification \(Dependent Relative’s Annexe\)](#)
23. [Lighting Impact Assessment](#)
24. [Local Connections Report for Rural Settlements](#)
25. [Noise Impact Assessment](#)
26. [Open Space Assessment](#)
27. [Overcoming Previous Reasons for Refusal Statement](#)
28. [Planning Obligations / Section 106 Agreement](#)
29. [Planning Statement](#)
30. [Regeneration Statement](#)
31. [Retail Impact Assessment](#)
32. [Rural Worker Accommodation](#)
33. [Removal of Rural Workers Accommodation tie](#)
34. [Sewerage Statement](#)
35. [Structural Survey \(Barn / Outbuilding Conversion\)](#)
36. [Sunlight / Daylight Assessment](#)
37. [Supporting \(Planning\) Statement](#)
38. [Sustainability Assessment](#)
39. [Transport Assessment/Statements and travel plans](#)
40. [Viability Assessment / Appraisal](#)
41. [Ventilation/Extraction Details](#)
42. [Waste Audit Statement](#)
43. [Wildlife Trigger List & Associated Wildlife Report](#)
44. [Wind Turbines](#)
45. [Creating Excellence and Devon and Somerset Design Review Panel](#)

Affordable Housing Statement (planning policies; ND&TLP – ST01, ST06, ST07, ST08, ST17, ST18) and Supplementary Planning Document:

must be provided (for both full and outline applications) before such applications are registered having regard to affordable housing thresholds set out in Policy ST18: Affordable Housing on Development Sites.

The statement should include:

- an explanation of how the development will contribute towards meeting local housing needs in accordance with the relevant Local Plan policies/NPPF.;
- the number and percentage of affordable units proposed including their size in square metres property type (eg. single/two storey, flat, bungalow, terrace, detached etc.), and number of bedspaces for each unit;tenure (the starting point for negotiation of affordable housing tenure mix will be 75% Social Rent and 25% Intermediate);
- the plots allocated for each housing type (in full/ RM applications).

In cases where the provision of affordable housing is considered to undermine the commercial viability of the scheme, the Council will require financial evidence in the form of a detailed site specific Viability Appraisal (VA) clearly demonstrating any such impacts. There should be an expectation that the the viability assessment will be available for public inspection, as provided for in national planning policy. The viability assessment will be independently verified, with the applicant being liable for reasonable costs incurred by the LPA. This will be at the applicants cost.

Air Quality Impact Assessment (planning policy: ND&TLP – ST03, DM01, DM02, BRA) and Supplementary Planning Document:

Will be requested before the application is registered where it is believed the proposal may impact on air quality by reason of the dust or emissions that may be produced on or off site as a result of the development. The assessment should indicate the change in air quality resulting from the proposed development and outline appropriate mitigation measures. National Planning Practice Guidance – Air Quality: <https://www.gov.uk/guidance/air-quality--3>

North Devons Council air quality supplementary planning document is available on the [website](#)

Section 3 sets out the screening requirements for when an Air Quality Impact Assessment (AQIA) is required, namely:

- developments of more than 12 residential units (net) within or adjacent to an AQMA (i.e. in Braunton or where the majority of traffic movements are through the village).
- developments of more than 62 residential units (net) elsewhere
- demolition of internal floorspace in excess of 1,000 square metres
- earth moving on a site covering a surface area in excess 2.5 hectares
- major construction sites in excess of 4 hectares

The scope of an AQIA is set out in section 4.

There is also a new requirement for a Simple Calculation of Atmospheric Impact Limits (SCAIL) assessment for certain types of agricultural development within set distances of a SSSI or SAC, as set out in section 7.

Arboricultural Impact Assessment: (planning policy: ND&TLP – ST01, ST02, ST04, ST14, DM01, DM04 and DM08):

Is required when development proposals have trees, hedgerows or significant shrub masses within the application site or on land adjacent to it that could be influenced or affected by the development (including street trees).

The assessment will need to identify the effect of planned development on the existing tree stock. It should include a tree survey, a tree constraints plan, and a tree protection plan, including any recommended mitigation and an associated arboricultural method statement. The assessment should be prepared in compliance with the recommendations set out in BS5837:2012 (Trees in relation to design, demolition and construction).

Archaeological Assessment (planning policy: ND&TLP – DM07)

where development is proposed on a site which includes or has the potential to include heritage assets with archaeological interest.

Note: exceptions – householder extensions and any development with no ground intrusion.

An archaeological desk-based assessment (informing the need for subsequent archaeology work), prepared by a suitably qualified person, should set out:

- the archaeological interest of known heritage assets and their significance;
- the potential of the site to contain presently unknown surviving archaeological heritage assets;
- assessment of the positive and negative impacts of the development upon these (with any harm clearly justified); and
- any proposed mitigation/enhancement measures.

Further information sources:

Devon County Historic Environment Service (01392 382246) or email archaeol@devon.gov.uk

Building for Life 12 Assessment (BfL12) (Planning policy ND&TLP – DM04)

Is required for all major residential development proposals

The assessment should provide a review of the proposed development when judged against BfL12 design criteria, the outcomes of which should be considered in the context of the relevant policy requirements (DM04: Design Principles).

An outline application should be supported by the submission of a “light touch” skeleton Assessment, which sets out how each of the criteria are intended to be met and how proposals on the site can reasonably respond to and meet the BfL 12 criteria, providing a commentary on each criteria and an associated red, green or amber rating.

Further Information sources:

Building for Life 12: Design Council <https://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

Coal Mining Risk Assessment (planning policy: ND&TLP – DM02):

Is required when the development proposals are located in an area defined as “high risk area” by the Coal Authority,

other than: householder development, heritage consents (listed building and conservation area consent, lawful development certificates, prior notification (any type) hazardous substances consents and tree or hedgerow works (TPO in a conservation area).

Further Information sources:

Coal Authority’s interactive map viewer: <http://mapapps2.bgs.ac.uk/coalauthority/home.html>

Coal Authority Planning Service:

<https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments>

Community Involvement Statement

where the application is major development, then a statement of community involvement must be provided before the application is registered.

Community Services and Facilities – Justification for loss statement (planning policy ND&TLP – ST22)

is required when development would result in the loss of a community service or facility.

Evidence will be required that demonstrates that the premises are no longer required to meet the needs of the community and the existing use is no longer commercially viable or could not be made commercially viable, or that there is alternative local provision which is accessible to the local community by walking or cycling.

Evidence will be required to demonstrate:

- there is alternative accessible local provision, or
- the need for alternative community facilities has been researched and that it can be evidenced there has been no, or insufficient, demand; and in either case
- opportunities to support the facility by the introduction of other services have been explored; and
- efforts have been undertaken to secure the financial viability of the facility through applications for grant aid, business advice and discussions with community groups, Parish Councils, the Council, Devon County Council and other national or local bodies with a direct interest in rural service provision; and
- the facility is not commercially viable. In order to determine if this is the case, the Council will require submission of trading accounts for the last three full years in which the facility was operating as a full-time business.

Commercially operated facilities must further demonstrate that they have been subject to an appropriate marketing exercise, for the existing use over a 12 month period prior to the application. The marketing exercise should be agreed with the Council in advance of its commencement.

Contaminated Land Assessment (planning policy ND&TLP – DM02):

Is required where contamination is known or suspected or the development site is in the vicinity of such land and ground works are proposed; and there is a sensitive or vulnerable end user, such as allotments, residential development, including residential rural building conversions, schools or hospital.

The assessment should be prepared on the basis of identifying the existence of any contaminants, its nature and the risks it may pose to the proposed development and whether remedial measures are feasible to satisfactorily reduce the contamination to an acceptable level.

Crime and Disorder Statement (planning policy ND&TLP – ST04, DM04)

Is required where the application is for:

- a major development;
- the provision or alteration of a take-away;
- the provision or alteration of a public house or licensed premises; and
- public toilets
- installation of ATMs
- new or alterations to linkage footpaths and cycle routes
- care homes, drug rehabilitation centres
- gypsy and traveller sites
- significant off street parking provisions

A Crime and Disorder Statement must be provided before the application is registered. Further advice on 'secured by design' principles are available from the Designing Out Crime Officer : ForceAloTeam@devonandcornwall.pnn.police.uk.

Critical Drainage Area Surface Water Management Report (planning policy ND&TLP – ST03 and DM04)

is required if the site is in a Critical Drainage Area (CDA) and will result in an increase or change to how surface water is dealt with on the site. CDAs are defined in:

- Barnstaple (East)
- Barnstaple (South West)
- Fremington Yelland
- Ilfracombe and Hele

In these locations, there is a need for surface water to be managed to a higher standard than normal to ensure any new development will contribute to a reduction in flooding risks. The report should show how surface water runoff will be dealt with and minimised . More information and maps showing the extent of the area the CDA covers can be found on Devon County Council's [flood risk management web page](#).

If the proposal, in a CDA, will not lead to increased runoff, a statement which sets out the basis for this indicated position is required, which should detail how the runoff has been calculated and how it will be dealt with.

If the proposal will lead to increased runoff, surface water and rainfall runoff will need to be managed to the highest standard possible. To do this, the [SuDS hierarchy](#) should be followed, and infiltration should be used as far as is practicable.

Design and Access Statement (planning policy ND&TLP – ST04, DMO2 and DM04)

must be provided where;

- the development is major development; or
- where any part of the development is in a designated area (Conservation Area) and is for:
 - i. the provision of one or more dwellinghouses; or
 - ii. provision of a building or buildings where the floor space created by the development is 100 square metres or more.

The Design and Access Statement must provide information as required within the Town and Country Planning Development Management Procedure Order (DMPO) 2015 and [Planning Practice Guidance](#). It should explain and justify the proposal in a structured way. The level of detail required should be proportionate to the scale and complexity of the application

Environmental Impact Assessment

is required if the proposal falls within [Schedule 1 or Schedule 2 of the Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).

A written request can be made to the local planning authority to provide a "screening opinion"(i.e. to determine whether an Environmental Impact Assessment is required) and a "scoping opinion"(the scope of the Environmental Impact Assessment), prior to the submission of a planning application.

Further information sources:

[Planning Practice Guidance – Environmental Impact Assessment](#)

Flood Risk Assessment (planning policy: ND&TLP – ST03 and DM04)

if the proposed development:

- falls within flood zone 2 or flood zone 3;
- involves a site area of 1 hectare or more (in flood zones 1, 2 or 3);
- involves a site that has been identified as being at [flood risk in surface water](#) mapping

A [flood risk assessment](#) must be provided before the application is registered.

Further information sources

Environment Agency Standing Advice Development and Flood Risk:

<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

<http://www.environment-agency.gov.uk/research/planning/33098.aspx>

Preparing a flood risk assessment: standing advice: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#what-to-include-in-your-assessment>

Foul Drainage Assessment (Planning policy – ST02)

Where non-mains drainage is proposed for new development and extensions that include additional bedrooms/bathrooms, a completed [Foul Drainage Assessment form \(FDA1\)](#) and associated plan(s) must be provided before the application is registered.

Habitats Regulations Assessment (HRA/AA): (Planning policy – DM08)

When is this required?

- all residential and tourism development proposals, including temporary dwellings, located within a “Zone of Influence” (with the rural areas of Braunton, Barnstaple and Ilfracombe).

North Devon Council has produced a strategic Appropriate Assessment which includes visitor surveys, an impact assessment and a Visitor Impact Mitigation Plan in relation to the Braunton Burrows Special Area of Conservation. North Devon Council requires evidence of payment of a fixed financial contribution towards the strategic mitigation measures set out in the Mitigation Plan at the time of registration of any full, outline or reserved matters application.

Any applicant may choose to undertake their own Appropriate Assessment including assessment of habitat site integrity including detailed proposals for mitigation; however this is likely to be significantly more expensive than contributing towards the LPAs strategic Mitigation Plan.

Health Impact Assessment (planning policy ND&TLP – DM02)

When is this required?

- any development that may give rise to a risk to public health and safety concerns due to:
 - coastal erosion and land instability;
 - siting in a location of known or suspected contamination which is unsuitable for the proposed use (reference contaminated land assessment report); or
 - the storage or use of hazardous substances.

What information is required?

The assessment should include a detailed technical appraisal of the site and development and its relationship to the surrounding area, identifying any risks to the proposed users or local community. Having regard to any identified risk to public health and safety, measures will need to be defined that would remove the identified risk.

Heritage Statement (Statement of Significance) (planning policy: ND&TLP – ST15, DM04 and DM07)

If a proposal will affect a ‘Heritage Asset’, then a Heritage Statement must be provided before the application is registered.

A heritage asset is a building, monument, site, place, area or landscape that has been identified as having a degree of significance meriting consideration in planning decisions, which includes:.

- world heritage site;
- scheduled monument;
- listed building;
- protected wreck site;
- registered historic park or garden;
- registered battlefield;
- conservation area;
- known archaeological sites;
- assets identified by the local planning authority (non-statutory local listing);
- assets identified during the planning application process

Note: proposals that are most likely to have an impact on below-ground archaeology are:

- development involving groundworks within the historic core of a settlement (excluding householder applications); or
- development of 3 or more dwellings outside the historic core major developments (see glossary definition within the local plan)

A heritage statement should take the form of a report or statement and should include where necessary:

Always required;

- any official designation and description of the heritage asset;
- an assessment of the significance of the heritage asset and /or component parts;
- an analysis of the history and the evolution of the heritage asset (including phased plans of the building where appropriate);
- an assessment of the interaction of the heritage asset with its setting;
- the impact of the proposal upon the heritage asset and its setting;

The following can be supplemented by the other pieces of information as appropriate;

- detailed photographs;
- a schedule of works (including materials);
- a method statement;
- results of desk-based assessment;
- geophysical survey and evaluative archaeological excavations.

The level of detail required in a Heritage Statement should be proportionate to the scale and complexity of the proposal.

Note: outline applications will not be accepted for development proposals within a conservation area. Any application must give sufficient detail to allow the impact of the works on the conservation area to be properly assessed

For further advice on archaeological issues contact Devon County Historic Environment Service (01392 382246)/ archaeol@devon.gov.uk

For further advice on listed buildings, conservation areas and other heritage issues please contact planning@northdevon.gov.uk

Further information sources:

Historic England Good Practice Notes: <https://historicengland.org.uk/advice/planning/planning-system/>

North Devon conservation area character appraisals: <https://www.northdevon.gov.uk/council/strategies-plans-and-policies/environment-and-planning-policies/local-plan/planning-policy-supporting-documents/environment/conservation-area-character-appraisals/>

Historic England guidance on preparing Statements of Significance: <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/>

Housing Statement (planning policy: ND&TLP ST17, ST18, ST19, ST19A)

Is required when:

- residential development proposals located outside the “designated rural area” which are for 10 or more dwellings or where the site has an area of 0.5 hectares or more, irrespective of the number of proposed dwellings;
- residential development proposals located within the “designated rural area” which are for 6 or more dwellings or where the site has an area of 0.5 hectares or more, irrespective of the number of proposed dwellings; and
- residential development proposals which include, or should include an element of affordable housing, such as rural exception sites and exception sites for first time buyers.

The statement should take account of the findings of the North Devon and Torridge Housing and Economic Needs Assessment (May 2016), or successor assessments and any parish based housing needs surveys for affordable housing.

What information is required?

The statement should specify the proposed housing tenure and mix, and provide a justification for the amount and type provided. Typically the statement should include the following:

- an explanation of how the development will contribute towards meeting local housing needs;
- the total number of all residential units and the number of affordable units. The tenure types proposed should be clearly and fully explained in line with policy expectations;
- numbers of bedrooms and property type across all tenures to demonstrate a representative mix of unit types; and
- numbered plots allocated for each housing type and tenure(Full/Reserved Matters only).

Where a policy compliant scheme is not proposed the statement should set out clearly the justification as to why a variance in housing mix or affordable housing (including affordable housing mix) is proposed. The statement should be supported by a viability appraisal where viability forms all or part of the justification for non policy compliance. The viability appraisal will normally be required to be independently verified, with the applicant being liable for reasonable costs incurred by the local planning authority and that it will be available for public inspection.

For applications proposing development on the basis of Policy ST19: Affordable Housing on Exception Sites, which includes an element of market housing, a viability appraisal will normally be required to demonstrate that number of proposed market dwellings is necessary and appropriate.

For applications proposing development on the basis of Policy ST19A: Starter Homes Exception Sites, evidence will be required which demonstrates that the site is no longer suitable for its current or former use and does not result in the loss of economic growth prospects or important community services and facilities. Where an element of market housing is proposed a viability appraisal will be required to demonstrate that it is necessary and appropriate.

North Devon and Torridge Practice Note 1: Affordable Housing on Development Sites (January 2019): <http://consult.torridge.gov.uk/portal/planning/localplan/adoption/>

North Devon and Torridge Practice Note 2: Entry Level Exception Sites (January 2019): <http://consult.torridge.gov.uk/portal/planning/localplan/adoption/>

Landscape (incorporating Seascape) and Visual Impact Assessment (planning policy ND&TLP – ST01, ST04, ST06, ST07, ST09, ST14, ST15, DM04, DM07 and DM08A)

where a proposal is likely to have a significant landscape or visual impact because of its scale or location, a Landscape and Visual Impact Assessment (LVIA) or Landscape and Visual Appraisal (LVA) must be provided before the application is registered. This requirement will normally apply to:

- major development proposals;
- development within the countryside;
- development within or visible from the Area of Outstanding Natural Beauty (AONB);
- development affecting the setting of the heritage asset; and
- development affecting the public realm

The assessment should be carried out in accordance with Guidelines for Landscape and Visual Impact Assessment 3rd Edition - and associated Advice Notes – Landscape Institute and the Institute of Environmental Management & Assessment (IEMA) 2013 (or any subsequent edition). The assessment should additionally reference to the adopted [North Devon and Torridge Landscape Character Assessment](#), [North Devon Seascape Character Assessment](#) and any relevant [Conservation Area Character Appraisal](#).

Landscape Proposals (planning policy: ND&TLP – ST01, ST04, ST14, ST15, DM04, DM07 and DM08)

where an application is major or is likely to affect the existing character or appearance of a site, detailed proposals for the treatment of private and public spaces to enhance and protect the amenities of the site and surrounding area must be provided before the application is registered and should include:

- a statement to explain (a) the function of the proposed landscaping; (b) how it will be maintained; and (c) its relationship to the surrounding area making reference to any published Landscape/Seascape Character Assessment/Conservation Area Character Appraisal;
- proposed finished levels or contours;
- means of enclosure;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- proposed and existing functional services above and below ground level (e.g. drainage, power, communication cables, pipelines etc. indicating lines, manholes, supports etc.);
- retained historic landscape features and proposals for restoration, where relevant;
- soft landscape works including:
 - i. planting schemes;
 - ii. plants schedules detailing, species, plant sizes and proposed numbers/densities;
 - iii. written specifications in respect of cultivation and operations associated with plant and grass establishment; and
 - iv. implementation and post planting management and maintenance programmes for a minimum period of 5 years.

Letter of Justification (Dependent Relative's Annexe) (planning policy: ND&TLP – DM25)

If the application relates to the creation of a dependent relative's annexe, then a letter of justification from the relative's doctor (or other appropriately qualified person) must be provided before the application is registered. A statement to justify the scale of the annex would be required.

Lighting Impact Assessment (planning policy: ND&TLP – ST04, ST14, DM01, DM02, DM08)

where the application includes external lighting / illumination, then a lighting scheme should be provided before the application is registered.

This should include the lighting scheme for the whole of the application site and include a light pollution assessment with a view to avoiding any light spillage and light pollution. (It is appreciated that adopted street lighting details might not be available at this stage). An appropriately designed external lighting scheme will be particularly relevant where development may impact on habitat used for foraging or commuting by light sensitive species (i.e bats) or the [Dark Sky Reserve](#) on Exmoor National Park.

Further information sources:

Bat Conservation Trust: lighting: <https://www.bats.org.uk/about-bats/threats-to-bats/lighting>

Local Connections Report for Rural Settlements (planning policy: ND&TLP DM24)

This is required when a residential development proposal made on the basis of Policy DM24: Rural Settlements

You will need to provide evidence that the intended occupant(s) of each dwelling(s) have a local connection to the Rural Settlement, on the following basis:

- 1) at least one adult in the household was resident continuously in the Rural Settlement for a minimum of five years immediately prior to occupation; or
- 2) at least one adult of the household was resident in the Rural Settlement for five years within the previous ten years immediately prior to occupation; or
- 3) at least one parent, guardian, child or sibling, of at least one adult in the intended household, has been resident in the Rural Settlement for a minimum of 5 years immediately prior to occupation; or
- 4) at least one adult in the household has been in continuous employment for at least 16 hours per week in the Rural Settlement for at least five years immediately prior to occupation

Evidence will also be required which demonstrates that a housing need has been generated from the Rural Settlement within which the application site is located on the basis of the following:

- at least one adult in the household needs a separate home (defined as those setting up a new household as a result of co-habitation, marriage, divorce or separation, or those that have, or are about to leave, tied accommodation on retirement) or whose present accommodation is sub-standard or unsuitable to their present circumstances because of their age, an impairment, medical condition or to meet the needs of a growing family, or there is no suitable accommodation available

Noise Impact Assessment (planning policy: ND&TLP – DM01, DM02)

will be requested before the application is registered where :

- development proposals that have the potential to raise issues of disturbance, or are considered to be noise sensitive developments. An Assessment will generally be required for the following types of application:
 - new, including change of use: Class A3 (restaurants, snack bars, cafes), A4 (nightclub), A5 (takeaways), D1 (places of worship, church halls, clinics, health centres, crèches, day nurseries, consulting rooms), D2 (cinemas, music, concert halls, dance, sports halls, swimming baths, skating rinks, gymnasiums, other indoor and outdoor sports and leisure uses, bingo halls and casinos);
 - new residential development near to licensed premises and cultural venues;
 - new industrial development (Use Class B2 and B8) close to existing residential development;
 - new residential development adjoining established industrial estates or transport sources; and
 - energy generation development including wind turbine development.

Open Space Assessment (planning policy ND&TLP ST23, DM09 and DM10)

Is required for;

- proposals for residential and non residential proposals within Use Classes: A1, A2,A3,A4,A5,B1, B2, B8 and C1, that generate a need for open space; or
- proposals that would result in the loss, relocation, or would prejudice the value of existing open space.

What information is required?

- applications that generate a need for open space will require a statement that details the quantity of open space to be provided by typology (allotments, amenity and natural green space, play space (children), play space (youth), parks, sport and recreation grounds) in accordance with the standards set out in Table 13.1 of the North Devon and Torridge Local Plan, with accompanying plans setting out the location of each type of open space. Unless otherwise established through pre-application advice open space requirements will be expected to be provided on site, variance from which will need to be justified.
- where open space and/or associated facilities are to be provided, on or off site, the assessment should include a statement that sets out the maintenance specification for the works and how and by whom the facility will be initially installed and maintained to that specification for at least 10 years.
- applications which propose the loss or prejudice to the use of open space will be required to provide an evidenced statement which justifies its loss or reduced capacity on the basis of:
 - the open space or buildings is surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location; or
 - the development is for alternative sports/recreation provision, the benefits of which outweigh the loss of the current or former use.

Overcoming Previous Reasons for Refusal Statement

where an application is a re-submission of a proposal that has already been refused, it is recommended that a supporting statement be provided about how the new proposal will overcome the previous reasons for refusal.

Planning Obligations / Section 106 Agreement (planning policy ST17, ST18, ST23 & DM10)

Heads of terms (anticipated planning obligations) will be required for planning applications where:

- planning guidance / policy identifies a requirement associated infrastructure and/or affordable housing ; or
- the application relates to a major development; or
- pre-application discussions have identified a need for a planning obligation, draft heads of terms for a section 106 agreement or a draft unilateral undertaking should be provided before the application is registered.

In addition to the supplied draft Heads of Terms, solicitor's contact details should be provided and confirmation that the applicant will pay the Council's reasonable legal costs of drafting/negotiating the Section 106 Obligation.

Further information:

Planning Practice Guidance: <https://www.gov.uk/guidance/planning-obligations>

Planning Statement

is required for all major development proposals.

A discussion of how the development relates to national policy and the development plan policies. The statement should, as far as practical, enumerate the impacts of the proposed development upon the economic, environmental and social dimensions of sustainable development (such as an estimate of the number of jobs created or the likely increase in the volume and character of traffic on the local highway network).

If the proposed development does not accord with national policy or the development plan, then a discussion should be submitted to demonstrate the material considerations that are considered outweigh these conflicts.

Regeneration Statement

where the application is for a major redevelopment of previously developed land and relates to sites identified by the Council's as priority sites for regeneration, then a regeneration statement must be provided before the application is registered. This should outline any regeneration benefits from the proposed development, including:

- details of any employment that might be created or supported;
- the relative floor space totals for each proposed use (where known);
- details of any housing, including affordable housing that might be created or supported;
- any community benefits;
- reference to any regeneration strategies that might lie behind or be supported by the proposal.

Retail Impact Assessment (planning policy: ND&TLP – ST12, DM19):

where an application proposes a new or extension to an existing shop of more than 250 m² (gross) retail floor area, outside a designated town / district centre or allocated site then a retail impact assessment **must** be provided before the application is registered.

In other cases, an assessment **may** be requested before the application is registered. This should cover such issues as:

- its scale and appropriateness;
- choice of site including a sequential assessment of alternative suitable sites;
- impact on existing centres and locations for up to 10 years.

Rural Worker Accommodation (planning policy ND&TLP – ST07, ST08, DM28 and DM29)

All permanent or temporary rural workers dwelling proposals including extensions to existing tied dwellings. An agricultural/rural assessment provided by an appropriately qualified professional should satisfactorily demonstrate:

1. An essential functional need for the dwelling/extension
2. The financial soundness of the enterprise in the form of accounts
3. There is no dwelling available at the rural enterprise or a nearby settlement for occupation by the worker and there is no possibility of adapting a building at the rural enterprise.

Removal of Rural Workers Accommodation tie (planning policy ND&TLP DM28)

All applications to remove an occupancy condition from a rural workers dwelling must be accompanied by evidence that determines:

1. the dwelling is no longer required to accommodate a rural worker; and
2. there is no demand for the property in the locality as demonstrated by the appropriate marketing of the property (as set out in ND&TLP paragraph 12.150).

Sewerage Statement

This would normally relate to major infrastructure works and should include a description of the type, quantities, and means of disposal of effluent.

Structural Survey (Barn / Outbuilding Conversion) (planning policy: ND&TLP – DM27)

required for proposals for the conversion of a rural building, to be undertaken by a suitably qualified surveyor. Evidence will be required which demonstrates:

- the building subject to the application is disused or redundant; and
- the proposed conversion can be achieved without significant external, alteration, extension or substantial rebuilding, through providing the following:
 - an account of the proportion of the building that will be retained;
 - a schedule of works required to make the building fit for purpose;
 - a method statement for carrying out the work; and
 - plans detailing proposed repairs and alterations.

Sunlight / Daylight Assessment (planning policy: ND&TLP – DM01)

may be requested before the application is registered where there is a potential adverse impact upon the access to sunlight / daylight of existing and proposed properties and buildings including gardens and amenity areas

Supporting (Planning) Statement

Applicants and agents are encouraged to provide a supporting statement for all applications. This should explain how the proposed development accords with policies in the development plan and any supporting supplementary planning documents. It should include details of any pre-application consultations / discussions.

Sustainability Assessment: (planning policy: ND&TLP – ST02, ST03, ST05)

all new major developments will be expected to demonstrate that sustainable design standards are integral to the proposal. This should include how development will minimise carbon dioxide emissions in construction and future occupation through sustainable design and construction, energy efficiency, and incorporation of renewable energy technology as appropriate before the application is registered.

This can include topics such as water use, materials waste, pollution, health and wellbeing, ecology, building fabric, resilience to climate change, flood risk local renewable and low carbon energy and transport.

For non-domestic development of 1000m² or more the Statement should demonstrate the environmental performance of the development through the application of BREEAM (Building Research Establishment Environmental Assessment Method) standards; a rating of "Very Good" will be expected to be achieved. The Statement, where provided in support of an outline application, should include information through a pre-assessment estimator, to demonstrate that the required BREEAM standard will be able to be achieved.

Transport Assessment/Statements and travel plans (planning policy: ND&TLP – ST10, DM05)

A Transport Assessment and a Travel Plan are required for:

- major development proposals that generate significant traffic movements; or
- other development that creates or exacerbates a traffic problem or has an impact on the local highway network.

A Transport Statement and Travel Plan are required for:

- development proposals where it is agreed that resulting transport issues are limited.

Transport Assessment - the coverage and detail of the assessment should reflect the scale of the development and the extent of the transport implications of the proposal and should take into account any relevant significant impacts on local infrastructure. The assessment should include:

- an analysis of existing and proposed trips by all modes of traffic generated by the site;
- an illustration of the accessibility of the site by all modes of travel and the likely modal split of journeys to and from the site;
- loading areas and arrangements for manoeuvring, servicing and parking of vehicles;

- details of proposed measures to improve access by public transport, walking and cycling and to mitigate transport impacts.

Transport Statement –a simple analysis outlining the transport implications of the scheme and sustainability objectives.

Travel Plan

The Travel Plan should outline the way in which the transport implications of the proposed development will be managed in order to minimise adverse environmental, social and economic impacts. The Travel Plan should address all journeys resulting from the proposed development. The following should be evaluated and considered:

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

National Planning Practice Guidance - Travel Plans, Transport Assessments and Statements:

<https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Further information:

Local Highway Authority: Devon County Council – 0345 1551004 or;

0845 1551005 Devon County Council, Standing Advice procedure and Design Guide.

<https://www.devon.gov.uk/planning/apply-for-planning-permission/get-help-with-an-application/guidance-for-applicants>

Viability Assessment / Appraisal (planning policy – ST18 and ST23)

Is required when the development proposals do not meet the policy requirements set out in the North Devon and Torridge Local Plan for the delivery of affordable housing and infrastructure.

A comprehensive viability appraisal will be required, the approach to which should follow Government's guidance on viability and be prepared by an appropriately qualified person.

An executive summary should be included with the comprehensive assessment. As a minimum it should set out the gross development value, benchmark land value including landowner premium, costs (in accordance with government guidance), and return to developer. Any applied assumptions should be clearly set out and justified. The Executive summary should additionally reference should refer back to the viability assessment that informed the plan and summarise what has changed since then. It should also set out the proposed developer contributions and how this compares with policy requirements.

A full, un-redacted viability assessment is required; it will be published in full in the same manner as other documents that form part of the application, except in exceptional circumstances, where the publication of certain specific information would harm the commercial confidentiality of the developer to non public benefit. Applicants making a case for exceptional circumstances must

provide a full justification as to the extent to which disclosure of a specific piece of information would cause an “adverse impact” and harm to the public interest that is not outweighed by the benefits of disclosure.

The assessment will normally be subject to independent verification, the charge for which will rest with the applicant.

Ventilation/Extraction Details (planning policy ND&TLP – DM01)

Are required when development proposals result in the installation of ventilation or extraction equipment, including those for the sale or preparation of cooked food, laundrettes, and significant retail, business, industrial or leisure developments.

What information is required?

- submitted plans should include details of the external appearance and written details outlining the technical specification of the proposed plant. The technical specifications should include;
 - a schematic of the proposed ducting showing the location of all components (fans, filters, silencers, etc.) and the position on the building;
 - the noise levels generated by the fan in decibels (dB) at the specified distance (i.e. 1.0m/3.0m/ etc.);
 - details of the means of mounting the ducting to the structure including details of all anti-vibration measures proposed;
 - the locations, design and appearance of external flues; and
 - arrangements to reduce odours to an acceptable level to safeguard existing amenity.

Waste Audit Statement (planning policy: Devon Waste Plan W4, ND&TLP DM03):

the Waste Local Plan prepared by Devon County Council requires a waste audit for applications likely to generate a significant volume of waste through development or throughout its operational phases.

The Waste Audit should demonstrate how construction and demolition waste will be minimised and managed and how unavoidable waste will be reused and recycled on site.

If the proposal is 'major', the statement should cover the management of waste arising from the construction and operational stages of the development. Further guidance is available in Devon County Council's [Waste Management & Infrastructure SPD](#)

Wildlife Trigger List & Associated Wildlife Report (planning policy: ND&TLP – ST01, ST02, ST04, ST09, ST14, DM04, DM08, DM08A)

A completed Wildlife Trigger List (WTL) must be provided before the application is registered. This will identify whether the proposed development is likely to impact on any wildlife interests.

If the proposal results in a 'Yes' answer to any of the questions on the trigger list, a Wildlife Report must be provided before the application is registered. The wildlife report should be produced by an

appropriately qualified and experienced ecologist and should include a 'Wildlife Checklist' and a 'Conservation Action Statement'.

The wildlife report should be produced by an appropriately qualified ecologist and it should clearly set out:

- the site's biodiversity baseline;
 - how the development impacts on designated sites, protected species, UK BAP priority species and habitats and Devon BAP key species (impact assessment);
 - how any potential impacts have been considered on the basis of the "mitigation hierarchy" of avoid, mitigate and compensate (clearly set out in a Conservation Action Statement); and
 - how the application complies with wildlife legislation and national and local planning policy
- through the use of the DEFRA metric/Biodiversity Impact Assessment Calculator, demonstrate how the development proposal will contribute to a net gain for biodiversity.

Note: Potential wildlife impacts need to be considered at the earliest stages of development as certain survey work can only be undertaken at specific times of the year. Consequently, advanced planning will be necessary to ensure that the appropriate survey work can be completed prior to the submission of the application.

National and Local policy requires ALL new development to contribute to a 'net gain' in biodiversity regardless of whether the WTL triggers a wildlife report is required or not.

Note: Potential wildlife impacts need to be considered at the earliest stages of development as certain survey work can only be undertaken at specific times of the year. Consequently, advanced planning will be necessary to ensure that the appropriate survey work can be completed prior to the submission of the application.

The '[wildlife trigger list](#)', further guidance and information for applicants, agents and ecological consultants is available on Devon County Council web-site.

Wind Turbines

shadow flicker and noise impact must be addressed in formal documents and **will** be required before an application is registered.

Furthermore, any installation for the harnessing of wind power for energy production where the:

- the development involves the installation of more than 2 turbines; or
- the hub height of any turbine exceeds 15 metres

the planning application must be accompanied by:

- how the applicant complied with section 61W(1) of the 1990 Act;
- any responses to the consultation that were received by the applicant; and
- the account taken of those responses

Creating Excellence and Devon and Somerset Design Review Panel

is a means of adding value to a scheme, ideally at the pre-application stage, and the design requirements of Policies ST04, ST05 and DM04 of the joint North Devon and Torridge Local Plan.

All major development proposals will be expected to achieve the highest bfl 12 standard (or successor) by minimising 'amber' scores and avoiding 'red' scores unless it can be demonstrated that it is not technically feasible or financially viable to do so - Ref: Building for Life 12
www.designcouncil.org.uk

The relevant contacts are julie.tanner@creatingexcellence.org.uk for [Creating excellence](#) and Jonathan Braddick for the [Devon and Somerset Design Review Panel](#)
jb@designreviewpanel.co.uk.