

Validation Requirements for Planning Applications

August 2023

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Version control

Date	Details	Updated by
September 2023	Comprehensive update	Robert Palmer / Rose Bailey-Clark

1.0 Introduction

The validation stage for planning applications is from the point when a local authority receives an application to confirming that all the necessary information is present, and sufficient, in order to judge the impact of the proposed development and make an informed decision.

This document sets out the national and local information requirements that must be submitted for different types of planning application in Torbay. The local requirements ('the Local List') must be reviewed and updated every two years.

1.1 National Requirements

The minimum requirements for planning applications are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and further detailed by the Planning Practice Guidance.

The national requirements are shown for information purposes only and are up to date at the time of publication of this document; however, they can be changed by the Government at any time, so please contact Torbay Council if you have any queries.

1.2 Local Requirements

In addition to the national minimum requirements, the National Planning Policy Framework (NPPF) requires local planning authorities to publish a list of their requirements for planning applications. These requirements must be:

reasonable having regard, in particular, to the nature and scale of the proposed development; and

about a matter which it is reasonable to think will be a material consideration in the determination of the application.

1.3 Pre-Application Advice

Whilst it will always be necessary to submit the national requirements for applications to be validated, there may be times where the local requirements are not needed. Therefore, applicants are encouraged to submit Householder Development Enquiries for householder applications and Pre-application Enquiries for other application types to receive confirmation of what information needs to be submitted, together with advice on whether planning permission is required or is likely to be granted. The forms are available to download on the Council's website and include details of the fee for this service: <https://www.torbay.gov.uk/planning-and-building/planning/pre-planning/>

1.4 Pre-Application Advice Invalid applications and validation disputes

If the Council considers that insufficient information has been provided to validate an application, the case officer shall contact the applicant as soon as possible to explain what additional information is required and the reasons for this.

If the applicant disagrees and this cannot be resolved through informal negotiation, the applicant can submit an Article 12 notice of the Town and Country Planning (Development Management Procedure) Order 2015 to the Council setting out the reasons why the information requested does not meet the tests in article 34(6)(c) of the DMPO. The Council will consider the merits of this and either validate the application or issue a non-validation notice. In the case of the latter, if the Council has not determined the application within the relevant statutory time period, usually 8, 13 or 16 weeks, the applicant may appeal to the Planning Inspectorate against non-determination of the application.

Further guidance can be found on the Planning pages on the Council's website and on the Planning Practice Guidance website:

<https://www.torbay.gov.uk/planning-and-building/planning/>

<http://planningguidance.planningportal.gov.uk/>

1.5 How to submit

The best way to submit applications is online via the Planning Portal website:

<https://www.planningportal.co.uk/>

If you are making your submission electronically, please structure it in the following way:

no individual document should be greater than 5MB;

large documents should be broken down into manageable files, e.g. chapters;

it is important that the electronic file names reflect the plan or document names; and

drawings should be oriented so that they appear correctly when viewed on screen and should be provided in pdf format

We can also accept submissions by email (planning@torbay.gov.uk) or on paper by post or hand delivered to:

Torbay Council
Spatial Planning
Town Hall
Castle Circus
Torquay
TQ1 3DR

Please note that once hard copies have been received they cannot be returned.

1.6 Types of application

This document refers to information requirements for all types of applications, including:

“Householder application” – means:

- a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse; or
- b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, but does not include an application for a change of use or an application to change the number of dwellings in a building.

“Major development” – development meaning one or more of the following:

- a) the winning and working of minerals or the use of land for mineral-working deposits;
- b) waste development;
- c) the provision of dwellinghouses where:
 - i. the number of dwellinghouses to be provided is 10 or more; or

- ii. the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph c)i;
- d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) development carried out on a site having an area of 1 hectare or more.

“Mining operations” – means:

the winning and working of minerals in, on or under land, whether by surface or underground working.

“Waste development” – means:

any operational development designed to be used wholly or mainly for the purpose of, or material change of use to, treating, storing, processing or disposing of refuse or waste materials

2.0 National Requirements

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IS IT REQUIRED AND FURTHER INFORMATION
<p>2.1 Application Form</p>	<p>All applications</p>	<p>A completed application form including signed Ownership Certificate and Agricultural Land Declaration.</p> <p>The Ownership Certificate incorporates an Agricultural Land Declaration to certify that any agricultural tenants have been notified of the application.</p> <p>Certificate A: applicant is the sole owner, no agricultural tenants</p> <p>Certificate B: applicant is not the sole owner, or there are agricultural tenants, and the details of all owners/tenants are known</p> <p>Certificate C: applicant is not sole owner and does not know the name and address of all the owners and/or agricultural tenants</p> <p>Certificate D: applicant is not sole owners and does not know the name and address of any the owners and/or agricultural tenants</p>	<p>Article 7 of the Town and Country Planning (Development Management Procedure) Order 2015.</p> <p>Forms are available on the Planning Portal website.</p>

<p>2.2 Location Plan</p>	<p>All applications</p>	<p>The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads and a North marker.</p> <p>Site location plans should only show sites as existing.</p>	<p>Article 7 of the Town and Country Planning (Development Management Procedure) Order 2015.</p> <p>Maps can be obtained on the Planning Portal website.</p>
<p>2.3 The correct fee</p>	<p>All applications where a fee is necessary</p>	<p>A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf which includes scenarios where exemptions or reductions apply. Further guidance is available on the Planning Practice Guidance website: https://www.gov.uk/guidance/fees-for-planning-applications</p> <p>Payment can be made:</p> <ul style="list-style-type: none"> • Online via the Planning Portal or; • Online payment at https://forms.torbay.gov.uk/PlanningPayment • BACS payments to: <ul style="list-style-type: none"> - Torbay Council 	<p>The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended).</p>

		<ul style="list-style-type: none"> - Account no.: 06040411 - Sort Code: 557001 - Nat West Bank <ul style="list-style-type: none"> • Cheque made payable to Torbay Council <p>Please include reference details</p> <p>Please note that fee refunds for invalid applications that are returned will be subject to a 10% charge up to a maximum of £500</p>	
2.4 Design & Access Statement	<p>Applications for:</p> <ul style="list-style-type: none"> - development within a conservation area or World Heritage Site consisting of 1 or more dwellings or floorspace of more than 100m2 or more; - major development <p>However, the following applications are exempt from this requirement:</p> <ul style="list-style-type: none"> - waste development; 	<p>The Design and Access Statement (DAS) must explain the design principles and concepts that have been applied to the development and explain how issues relating to access to the development have been dealt with. Further detail is provided in article 9(3) of the DMPO.</p> <p>Development proposals will be assessed against the design considerations in Local Plan Policy DE1. In addition, major development proposals including housing will be assessed against the 2020 Building for a Healthy Life.</p> <p>Therefore, it is recommended that the DAS refers to these policies and/or be structured around these considerations/questions.</p> <p>The statement should include a Crime Prevention Statement where appropriate which should detail on how “Crime Prevention Through Environmental</p>	<p>Article 9 of the Town and Country Planning (Development Management Procedure) Order 2015.</p>

	<ul style="list-style-type: none"> - engineering or mining operations; - a material change of use; and - amendments to conditions. 	Design” principles are to be incorporated into the development.	
2.5 Environmental Statement	For Schedule 1 development or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its size, nature or location	<p>If an applicant is in doubt whether a development proposal requires an Environmental Impact Assessment, they can request a screening opinion from Torbay Council. The request should include:</p> <ul style="list-style-type: none"> - a location plan; - a description of the development, including in particular: <ul style="list-style-type: none"> o a description of the physical characteristics of the development and, where relevant, of demolition works; and o a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected; - a description of the aspects of the environment likely to be significantly affected by the development; - to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from: 	<p>Town and Country Planning (Environmental Impact Assessment) Regulations 2017</p> <p>Guidance on Environmental Impact Assessment is available on the Planning Practice Guidance website: https://www.gov.uk/guidance/environmental-impact-assessment</p>

		<p>o the expected residues and emissions, including wastes, where relevant:</p> <p>and</p> <p>o the use and/or destruction and/or creation of environmental resources</p> <p>e.g. soil, land-take, water, fuels, habitats, heritage and culture.</p> <ul style="list-style-type: none"> - such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment. <p>In addition, applicants can request a scoping opinion from the Council on the information to be supplied in the Environmental Statement. Again, the request should include the same material as above for requesting a screening opinion.</p>	
<p>2.6 Lawful Development Certificate – Application Statement</p>	<p>For an application for a Lawful Development Certificate for an existing or proposed use or operation or proposed works to a listed building.</p>	<p>This should include such evidence verifying the information included in the application as the applicant can provide.</p>	<p>The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014.</p> <p>Further information may be requested.</p>

<p>2.7 Plans</p>	<p>All applications (where relevant)</p>	<p>Plans should include, as appropriate to the development being applied for:</p> <ul style="list-style-type: none"> - block plan of the site (e.g. 1:50 or 1:100); - existing and proposed site layout (e.g. 1:50 or 1:100); - existing site and topographic surveys showing mAOD and an identified site datum including features such as green infrastructure, site levels, contours, buildings, watercourses, public rights of way, overhead lines and roads, trees, hedges and hedge-banks or shrubs masses within and adjacent to the site; - landscaping plans showing replacement landscape and/or natural features (e.g. 1:50 or 1:100) - proposed finished floor and site levels, contours and heights of the application site and adjacent land relating to OS datum (e.g. 1:50 or 1:100); - proposed finished floor and site levels should be shown in meters Above Ordnance Datum (mAOD), as this is useful for flood risk purposes; - existing and proposed floor plans (e.g. 1:50 or 1:100); - roof plans (e.g. 1:50 or 1:100); and - detailed junction layouts showing the width of road, turning radii and visibility (e.g. 1:50 or 1:100) <p>All plans/drawings should:</p> <ul style="list-style-type: none"> - be legible with clear labels and legends, and show a clear distinction between existing 	<p>Article 7 of the Town and Country Planning (Development Management Procedure) Order 2015.</p> <p>Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page</p>
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		<p>features to be retained and removed, and proposed features;</p> <ul style="list-style-type: none"> - show the proposal in context including surrounding surface features and topography beyond the site boundary; - be at an appropriate scale and include a scale bar and calibration scale; - show all major dimensions, including distances from boundaries or key features; - show a north point; and - have a unique drawing reference number and title (when a plan is revised, a revision number should also be shown). 	
2.8 Tree Location Plan	All applications for tree works: works to trees subject to a Tree Preservation Order and/or notification of proposed works to trees in a conservation area	This should show the trees in relation to a named road and/or property.	The Town and Country Planning (Tree Preservation) (England) Regulations 2012
2.9 Hedgerow Location Plan	All applications for hedgerow removal notice	This should show the location and length of hedgerow or hedgerows proposed to be removed drawn to an identified scale and showing the direction of North, along with location and details of any new hedge to be planted, or details of hedge to be transplanted, or enhanced management of retained hedges.	The Hedgerow Regulations 1997
2.10 Elevations	All applications proposing new or altered buildings or structures	<p>These should:</p> <ul style="list-style-type: none"> - show all sides of the proposed/affected buildings/structure including all window and door openings; - show existing and proposed elevations (e.g. 1:50 or 1:100); 	Article 7 of the Town and Country Planning (Development Management Procedure) Order 2015.

		<ul style="list-style-type: none"> - give details of proposed materials; - Show the site in context of the streetscene where appropriate - Include major dimensions; and - address the above formatting points for Plans. 	<p>Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page</p>
<p>2.11 Existing and Proposed Sections</p>	<p>Applications:</p> <ul style="list-style-type: none"> - proposing altered land levels; - where alterations are proposed to floors/ceilings/roofs; - where the application needs to demonstrate that nationally described space standards can be achieved - where topography is key to the site; or - where the relationship of existing buildings, mature vegetation or other distinctive features with or surrounding the sites is required to be shown. 	<p>These should:</p> <ul style="list-style-type: none"> - show existing and proposed sections in context with surrounding buildings/structures/topographical features. The scale/height of such features should be accurate including height of existing and proposed trees that would help screen and integrate the proposal into the landscape show finished floor and/or site levels; - include major dimensions; and - provide spot heights and levels in metres above OS datum (AOD) 	<p>Article 7 of the Town and Country Planning (Development Management Procedure) Order 2015.</p> <p>Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page</p>
<p>2.12 Fire Statement</p>	<p>An application for planning permission for development which involves:</p>	<p>Fire statements must be submitted on a form published by the Secretary of State (or a form to similar effect) contain the particulars specified or</p>	<p>Town and Country Planning (Development Management Procedure and Section 62A Applications) (England)</p>

	<ul style="list-style-type: none"> - the provision of one or more relevant buildings - development of an existing relevant building - development within the curtilage of a relevant building <p>A relevant building is one which contains two or more dwellings or education accommodation and is 18m or 7 storeys in height or more.</p> <p>The following types of application are exempt:</p> <ul style="list-style-type: none"> - material change in use which would result in the building no longer being a relevant building or would not result in the provision of one or more relevant buildings within the curtilage of a relevant building - application for outline planning permission - application for permission to develop land without 	<p>referred to in the form, which includes information about (not exhaustive list):</p> <p>the principles, concepts and approach relating to fire safety that have been applied to each building in the development</p> <p>the site layout</p> <p>emergency vehicle access and water supplies for firefighting purposes</p> <p>what, if any, consultation has been undertaken on issues relating to the fire safety of the development; and what account has been taken of this</p> <p>how any policies relating to fire safety in relevant local development documents have been taken into account</p> <p>Further information can be found here: https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021</p>	<p>(Amendment) Order 2021 ("the 2021 Order").</p>
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	compliance with conditions under section 73 of the Town and Country Planning Act 1990		
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3.0 Local Requirements

3.1 Planning statements/Documents

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.1.1 Planning Statement	Major development proposals, or proposals which are not in accordance with a policy or policies in the adopted Local Plan/Neighbourhood Plan	This should provide an assessment of how the proposal accords with the policies in the Torbay Local Plan, the Neighbourhood Plan and NPPF, or whether there are material considerations to do otherwise. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	NPPF
3.1.2 Statement of Community Involvement	Major development proposals, or proposals which are not in accordance with a policy or policies in the adopted Local Plan/Neighbourhood Plan This can be incorporated into the Design and Access Statement or Planning Statement / Planning Policy Statement.	A 'Good Practice Guide to Public Engagement in Development Schemes' (Planning Aid, 2012) is available to download on the RTPi website www.rtpi.org.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	NPPF

3.1.3 Removal or Variation of Conditions – Application Statement	Where the application is to vary the wording of a condition(s) of a planning permission or to substitute alternative plans	This should clearly summarise the proposed amendments along with listing reworded condition(s). Where the proposal is to substitute alternative plans a schedule of the plan numbers to be superseded and by which new plan number should be provided.	
3.1.4 Discharge of Conditions – Application Statement	Where the application is to discharge condition(s) of a planning permission	This should clearly outline the wording of the conditions to be discharged and the information submitted to support this.	
3.1.5 Non-material Amendment – Application Statement	Where non-material amendments are proposed to conditions attached to planning permissions or where the application seeks non-material amendments to an approved development	This should clearly summarise the proposed amendments along with listing reworded condition(s). Where the proposal is to substitute alternative plans a schedule of the plan numbers to be superseded and by which new plan number should be provided	
3.1.6 Planning Performance Agreement	For complex major development proposals where through pre-application discussions it is agreed to take a bespoke project management approach to the preparation and determination of the application	PPAs will be sought where due to the complexities of a development proposal and the issues it raises, Torbay Council considers is unlikely that the planning application can be determined within the statutory 13 or 16 week time period. It is recommended that PPAs include all stages of the application, including ongoing pre-application discussions.	NPPF
3.1.7 Green Infrastructure Statement (including diagrams and plans where appropriate) (this can be incorporated into the Design and Access Statement or Planning	For all major planning applications and where green infrastructure assets are likely to be affected by the proposed development or where there is an opportunity to provide new green	Further advice is provided on the Council's website on the Strategic Planning - Green Infrastructure page , including a link to the 'Torbay Green Infrastructure Delivery Plan' (April 2011).	Policy SS9 of the Torbay Local Plan and the NPPF

Statement / Planning Policy Statement)	infrastructure to support existing networks	Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry	
3.1.8 Employment Statement / Economic Impact Assessment (including tourism impact) (this can be incorporated into the Planning Statement / Planning Policy Statement)	Major development proposals except residential of less than 30 dwellings, or development proposals resulting in a net loss of employment or tourist accommodation floor space, or development proposals resulting in a significantly lower density of employment provision	The depth of information should be proportional to the nature and scale of the proposed development. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	Policies SS4 & SS5 of the Torbay Local Plan and the NPPF
3.1.9 Independent Viability Assessment (IVA)	For development where an applicant considers it is unviable to provide the affordable housing provision set out in Policy H2 of the Torbay Local Plan and/or contributions set out in the Planning Contributions and Affordable Housing SPD and its Update Or, Where viability is a key factor in the assessment of a proposed development.	A viability assessment should accompany any application that does not meet policy requirements for affordable housing or other contributions where the case is made that it is not viable to do so. The Council will commission an independent review of the viability assessment and the costs associated with its production will be recouped from the applicant. The review will not begin and the application will not be validated until the applicant has agreed to pay for its review in writing. The Council will only validate such applications provided the applicant has entered into a PPA with the Council, or agreed to an extended time period for determination in writing beyond the statutory 8/13/16 week period. The PPA should set out the timescales for completing the viability assessment review and for producing the s106 legal agreement to secure the agreed amount of affordable housing and contributions.	Policies SS7 & H2 of the Torbay Local Plan

		<p>Please note that the viability assessment will in most cases be displayed as a public record and will not be withheld as 'confidential'. If you consider certain parts of the document should be confidential you must explain why and clearly identify which parts of the assessment you request are not made public. We will consider the request.</p> <p>The assessment should include an executive summary to explain in plain English the basis and conclusions of the assessment.</p>	
3.1.10 Infrastructure Assessment (incorporating foul sewerage and utilities)	For major development proposals that have potential to affect the capacity of infrastructure in the area	Pre-application discussions should be undertaken with utility providers to identify any constraints in existing capacity.	
3.1.11 Sequential Test Assessment	For all development proposals for main town centre uses, as defined in the NPPF, on sites not in an existing centre or in accordance with an up-to-date Local Plan	<p>Guidance on the sequential test is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy TC3 of the Torbay Local Plan and the NPPF
3.1.12 Retail Impact Assessment / Town Centre Impact Assessment (including sequential test assessment)	Proposals for retail and main town centre uses over 500 sq m gross floor space outside of town centres	<p>Main town centre uses are defined within the NPPF. PPG states that the impact test relates to retail, office and leisure development (not all main town centre uses) which are not in accordance with an up-to-date Local Plan and outside of existing town centres. However, a sequential test assessment must be carried out for all main town centre uses.</p> <p>Guidance on carrying out Impact Assessments is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p>	Policy TC3 of the Torbay Local Plan and the NPPF

		Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry	
3.1.13 Telecommunications Statement	Applications for telecommunications development	This should respond to the criteria set out in Policy IF1 of the Torbay Local Plan. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	Policy IF1 of the Torbay Local Plan and the NPPF
3.1.14 Contact details of applicant's legal practitioner	For all applications to modify or discharge a planning obligation agreed under S106 of the Town and Country Planning Act	This should provide all relevant contact details for the legal practitioner acting on the applicant's behalf	To help expedite the application.
3.1.15 Coastal Change Vulnerability Assessment (CCVA)	For all development within a Coastal Change Management Area.	This should demonstrate that the development: <ul style="list-style-type: none"> - will be safe over its planned lifetime and will not have an unacceptable impact on coastal change - will not compromise the character of the coast - provides wider sustainability benefits does not hinder the creation and maintenance of a continuous signed and managed route around the coast	Policy C3 of the Torbay Local Plan and the NPPF
3.1.16 Crime Prevention Statement	For applications for the following development: <ul style="list-style-type: none"> - major developments for residential and commercial uses - Educational uses - HMOs - New or relocated ATMs - New C2 or C3b uses where intended 	The statement should detail how Crime Prevention Through Environmental Design principles are to be incorporated into the development. This can be included within a Design & Access Statement where appropriate.	Policy DE1 of the Torbay Local Plan

	occupants are classed as vulnerable		
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3.2 Historic Environment and Design

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.2.1 Statement of Heritage Significance	Where the development/works will affect a heritage asset or its setting, such as a conservation area, listed building, scheduled monument or historic park and garden	<p>The requirements for Statements of Heritage Significance are set out within the NPPF.</p> <p>A template statement can be completed online or downloaded from our website: https://www.torbay.gov.uk/planning-and-building/planning/apply-planning/plans-and-documents/statement-of-heritage-significance/</p> <p>It is expected that this template be completed in full and as accurately as possible. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.</p> <p>A further heritage impact assessment may be required for particularly complex or sensitive proposals.</p>	Policies HE1 & HE2 of the Torbay Local Plan and the NPPF
3.2.2 Archaeological Desk-based Assessment	Where the application site includes, or is likely to include, archaeological remains	<p>Guidance on non-designated heritage assets of archaeological interest is available on the Planning Practice Guidance website</p> <p>https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment</p>	Policy HE1 of the Torbay Local Plan and the NPPF

		Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	
3.2.3 Design Code	Major development proposals to be built in phases and by different developers	<p>Guidance on Design Codes is available on the Planning Practice Guidance website https://www.gov.uk/guidance/design</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry</p>	NPPF
3.2.4 Joinery Details	Where the proposed development/works includes replacement windows and/or doors which would affect a heritage asset or its setting, such as a conservation area or a listed building	Elevation at scale 1:10 or larger of existing and proposed windows and/or doors, and a typical section including reveal at scale 1:1	Policies HE1 & DE1 of the Torbay Local Plan
3.2.5 Design and Access Statement	<p>In addition to applications where a D&A Statement is a national requirement, the following developments will also require a Design and Access Statement:</p> <ul style="list-style-type: none"> - development or works to, or within the curtilage of, a listed building, a Registered Park & Garden or a Scheduled Monument 	<p>The Design and Access Statement must explain the design principles and concepts that have been applied to the development or works and explain how the design responds to its context and the needs of the development or works.</p> <p>Development proposals will be assessed against the design considerations in Local Plan Policy DE1.</p>	Policies HE1, HE2, SS10 and DE1 of the Torbay Local Plan.

3.3 Ecology

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
<p>3.3.1 Wildlife & Geology Trigger Table</p>	<p>All applications</p>	<p>It is expected that this form be completed in full and as accurately as possible.</p> <p>This document can be downloaded from the Council's website using the following link: Torbay Local Validation List consultation - Torbay Council</p>	<p>This will help to identify if further ecological surveys/reports are required at validation stage.</p> <p>Policy NC1 of the Torbay Local Plan and the NPPF</p>
<p>3.3.2 Wildlife Report</p> <p>This may include:</p> <ul style="list-style-type: none"> - Ecological Impact Assessment (including all protected species survey data, mitigation, enhancement and compensation) 	<p>Where indicated as necessary from the completed Wildlife & Geology Trigger Table</p>	<p>This should be carried out by a suitably qualified ecologist and should be proportionate to the potential impacts.</p> <p>Surveys must be up-to-date and accord with best practice guidance/local guidance.</p> <p>Where the need for further survey works has been identified the surveys should take place prior to the validation of the planning application.</p> <p>Planning guidance on wildlife habitats and species can be found here: https://www.devon.gov.uk/environment/wildlife/wildlife-and-geology-planning-guidance</p> <p>Further guidance is provided by the Planning Practice Guidance website and Natural England, including standing advice for different protected species, on the GOV.UK website http://planningguidance.planningportal.gov.uk https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications.</p>	<p>The Conservation of Habitats and Species Regulations 2010 (as amended) Policies SS8 & NC1 of the Torbay Local Plan and the NPPF</p>

		Where there is uncertainty, the applicant is recommended to submit pre-application enquiry.	
3.3.3 Bat and Bird Screening Checklist	Householder applications or full applications where protected species surveys have identified that there are only bat roost / bird nesting issues	<p>This should be submitted where protected species surveys have identified that a proposal will impact a bat roost or nesting birds. This will ensure a quicker ecological assessment process.</p> <p>This document can be downloaded from the Devon County Council's website using the following link:</p> <p>https://www.devon.gov.uk/environment/wp-content/uploads/sites/112/2022/02/Jan-2022-householder-checklist.pdf</p>	
3.3.4 Biodiversity net gain assessment	<p>All major development proposals (unless defined as exempt in legislation).</p> <p><i>Note: a biodiversity net gain assessment using the Small Sites version of the Natural England biodiversity metric will be required for minor development proposals from April 2024.</i></p>	<p>This should be in accordance with emerging guidance and must be carried out by a suitably qualified ecologist.</p> <p>The biodiversity net gain assessment must include a completed version of the most recently published Statutory Biodiversity Metric Calculation Tool (when it becomes available) in excel format. Prior to the Statutory Metric Tool being published, the most recently published <u>Natural England biodiversity metric</u> (currently metric 4.0) should be submitted in excel format.</p> <p>For applications with BNG monitoring implications, the data may also be requested in GIS format.</p> <p>Biodiversity net gain must be demonstrated separately to protected species and site mitigation and compensation.</p> <p>For further guidance see https://www.devon.gov.uk/environment/wildlife/wildlife-and-geology-planning-guidance</p>	<p>Policies SS8 & NC1 of the Torbay Local Plan and the NPPF</p> <p>The Environment Act 2021</p>

	Where there is uncertainty, the applicant is recommended to submit pre-application enquiry.	
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3.4 Landscape and Trees

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.4.1 Tree Survey, Tree Constraint Plans & Arboricultural Impact Assessment	For development proposals on sites with trees, or where trees are in close proximity to the site boundary	<p>Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry</p>	Policy C4 of the Torbay Local Plan
3.4.2 Tree Protection Plan & Arboricultural Method Statement (as applicable)	For development proposals that will affect trees	<p>The Council's Arboricultural Officer will be consulted to determine whether this information is required. A Tree Protection Plan should be provided to inform the proposals. Where necessary, the Council may add a planning condition to the planning permission requiring the submission of updated details prior to the development commencing.</p> <p>Tree Protection Plans and Arboricultural Method Statements should be carried out in accordance with BS 5837:2012 or any superseding standard.</p>	Policy C4 of the Torbay Local Plan

		<p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	
3.4.3 Landscape and Visual Impact Assessment	Major development proposals on undeveloped sites, or development proposals within the AONB or that could affect the setting of the AONB or Undeveloped Coast	<p>The AONB and Undeveloped Coast are shown on the Local Plan Policies Map found on the Torbay Local Plan webpage.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy SS8 of the Torbay Local Plan and the NPPF

3.5 Transport and Highways

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.5.1 Parking Statement <i>(this can be incorporated into the Transport Statement / Transport Assessment or Planning Statement / Planning Policy Statement)</i>	Major development proposals, or proposals not in accordance with the car parking requirements in Appendix F of the Torbay Local Plan	Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry	Policy TA3 of the Torbay Local Plan
3.5.2 Transport Statement or Transport Assessment	Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), Appendix F of the Torbay Local Plan	The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ .	Policies TA1 & TA2 of the Torbay Local Plan and the NPPF

	with regards to schools, or at the request of the Local Highway Authority or Network Rail.	Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	
3.5.3 Travel Plan	Major development proposals likely to have significant transport implications or where the proposed development exceeds the relevant threshold in Appendix F of the Torbay Local Plan with regards to schools.	Guidance on the information that should be included in Travel Plans is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	Policy TA2 of the Torbay Local Plan and the NPPF
3.5.4 Advertisement Consent - Highways Statement	All applications for advertisement consent where the site is within the boundaries of a highway	This should provide sufficient evidence to demonstrate that the proposed advertisement is acceptable in relation to highways impact	The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

3.6 Flooding and Water

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.6.1 Flood Risk Assessment (including surface water drainage strategy)	All applications for householder planning permission/full/outline/reserved matters planning permission/relevant demolition in a conservation area. Sites that are 1Ha or more in size.	Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Householder development in Flood Zone 1 in most cases will only need to complete a short proforma which can be downloaded at: https://www.torbay.gov.uk/planning-and-building/planning/apply-planning/plans-and-documents/flood-risk-assessments/	Policy ER1 of the Torbay Local Plan, and the NPPF Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. A Flood Risk Assessment is therefore required in these areas.

	<p>Land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.</p> <p>All development in Flood Zones 2 & 3 will require a site specific flood risk assessment</p>	.	<p>Maidencombe is the only area not within the CDA however due to the absence of mains drainage and local topography, development in this area will still require an FRA.</p> <p>Further information and flood maps for planning can be found here: https://flood-map-for-planning.service.gov.uk/</p>
3.6.2 Flooding Sequential Test	All applications for new dwellings in Flood Zones 2 & 3	<p>Guidance on carrying out flooding sequential tests can be found here: https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants</p>	Policy ER1 of the Torbay Local Plan, and the NPPF
3.6.3 Foul Drainage Assessment	All development involving a non-mains foul drainage system.	<p>This should provide sufficient information to understand the implications for the water environment including justification for why connection to the mains sewerage system is not feasible and sufficient information to demonstrate that the proposed system will be viable in this location and will not be detrimental to the environment. Sufficient information would normally include the provision of the following:</p> <ul style="list-style-type: none"> - Full details of the proposed flows (based on Flows and Loads 4); 	<p>Policy ER1 and ER2 of the Torbay Local Plan and the NPPF.</p> <p>A template FDA form is available online here: https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1</p>

		<ul style="list-style-type: none"> - A plan showing the location of the proposed treatment plant and appropriately sized soakaway field/discharge point; and - Percolation test results to demonstrate the viability of soakaways (if proposed). 	
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3.7 Energy and Sustainability

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.7.1 Torbay Sustainability Checklist	All major development	<p>This checklist must be completed for all major planning applications.</p> <p>The document is available at Torbay Local Validation List consultation - Torbay Council</p> <p>This indicates quality and sustainability of development in line with the requirements of the Torbay Local Plan</p>	NPPF and Torbay Local Plan
3.7.2 Energy Statement	Major development proposals, or proposals which are not in accordance with a policy or policies in the adopted Local Plan/Neighbourhood Plan	<p>This should explain the passive and active measures that have been taken in the development proposals to enhance the sustainability of the scheme, with particular focus on measures to reduce greenhouse gas emissions and minimise impact on climate change.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policies SS13, ES1 & ES2 of the Torbay Local Plan and the NPPF

3.8 Land and Soil

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.8.1 Geological Survey (including proposed mitigation where necessary)	Where geological sites of interest, including SSSIs and RIGS sites, will be affected by the development proposal and where identified as necessary from the Wildlife and Geology Trigger table	<p>Geological sites of interest in Torbay are included in Appendix D of the Torbay Local Plan. The Geological Survey should include an assessment of the impact of the proposals on the site and show how its features will be protected through appropriate management.</p> <p>Further information is available at Torbay Local Validation List consultation - Torbay Council</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry</p>	Policies SS8 & NC1 of the Torbay Local Plan and the NPPF
3.8.2 Contaminated Land Risk Assessment	Where land contamination is suspected from previous uses on or around the site	<p>Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website https://www.gov.uk/guidance/land-affected-by-contamination Detailed technical guidance is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy ER3 of the Torbay Local Plan and the NPPF
3.8.3 Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary)	Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment	<p>Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website https://www.gov.uk/guidance/land-affected-by-contamination Detailed technical guidance is available on the GOV.UK website www.gov.uk.</p>	Policy ER3 of the Torbay Local Plan and the NPPF

		Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	
3.8.4 Land Stability Risk Assessment Report (including proposed mitigation where necessary)	For development proposals on sites where land instability is identified or suspected, particularly those within the Coastal Change Management Area	<p>Guidance on land stability issues and preparing Land Stability Risk Assessment Reports is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>The Coastal Change Management Area is shown on the Local Plan Policies Map found on the Torbay Local Plan webpage.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policies C3 & ER4 of the Torbay Local Plan and the NPPF
3.8.5 Mineral Extraction Impact Assessment	Proposals for mineral extraction	Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry	Policy M1 of the Torbay Local Plan and the NPPF
3.8.6 Mineral Resource Impact Assessment	Major development proposals within a Mineral Safeguarding Area	Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.	Policy M3 of the Torbay Local Plan and the NPPF
3.8.7 Agricultural Land Classification and Soil Statement	Applications that are of 5ha or more or a development which triggers a cumulative loss of 20ha or more of the best and most versatile agricultural land (Grades 1, 2 or 3a) in Torbay.	<p>This should include:</p> <ul style="list-style-type: none"> • the quality of existing agricultural land and soil quality • how the agricultural land classification would be protected or, on completion of proposed operation, would be returned to the same agricultural land grade classification and the quality of any agricultural land lost and justification for its loss • measures that would be taken to safeguard the soil qualities during storage and restoration 	<p>Policy SC4 of the Torbay Local Plan and the NPPF</p> <p><u>Planning Practice Guidance: Natural Environment – Brownfield land, soils and agricultural land</u></p> <p><u>Natural England: Agricultural Land Classification: protection the best and most versatile land</u></p>

		<ul style="list-style-type: none"> the quality of imported soils/other waste materials and how they would improve the land for agricultural purposes by providing soil resource surveys to inform soil handling and reuse of displaced soils. Subject to Natural England advice, a further detailed Agricultural Land Classification (ALC) survey to determine significant impacts and mitigation measures may be required. 	<u>Construction code of practice for the sustainable use of soils on construction sites</u> Town and Country Planning (Environmental Impact Assessment) Regulations 2017
3.8.8 Restoration and Aftercare Scheme Assessment	Proposals for mineral extraction and all applications involving waste disposal.	A statement and plans detailing: <ul style="list-style-type: none"> details of the proposed restored landscape including landform, land cover and landscape features, showing how they link and relate to the contours and features of the surrounding area and how the design responds to the character of the landscape context how the proposals would improve and connect with the green infrastructure network including ecological requirements identified in the Wildlife Report, ensuring ecological functionality of the wider landscape and access for informal recreation measures for the management of emissions (including gases and liquids) phasing arrangements a programme of aftercare and monitoring of the site 	National Waste Planning Policy Policy W1 of the Torbay Local Plan

3.9 Open Space, Sports and Recreation

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.9.1 Open Space, Sports and Recreation Assessment	Development proposals on existing open space, sports and recreational land	<p>This should assess whether:</p> <ul style="list-style-type: none"> - The land is surplus to requirements - The loss from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location - The development is for alternative sports and leisure provision, the needs for which clearly outweigh the loss of the existing facility <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policies SS9 & SC2 of the Torbay Local Plan and the NPPF

3.10 Noise, Lighting and Daylight

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.10.1 Lighting Assessment (<i>this can be incorporated into an Ecological Impact Assessment / Statement where applicable</i>)	For development proposals that will alter light levels and have the potential to adversely affect the use or enjoyment of nearby buildings or open spaces, or adversely affect sensitive habitats or protected species, or adversely affect	<p>Guidance on light pollution in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>The Institute of Lighting Professionals has produced 'Guidance Notes for the Reduction of Obtrusive Light' (2021).</p> <p>Further guidance specific to Bats can also be found here:</p>	The Conservation of Habitats and Species Regulations 2010 (as amended), Policies SS8, NC1 & DE3 of the Torbay Local Plan and the NPPF

	intrinsically dark landscapes	<p>https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/</p> <p>And here: https://www.devon.gov.uk/environment/wp-content/uploads/sites/112/2022/02/Jan-2022-Final-Dark-corridors-for-bats.pdf</p> <p>In order to prevent harm to bats, external lighting should be 0.5 lux or less and include shields, baffles or louvres to direct light down and prevent light spill.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	
3.10.2 Noise Impact Assessment	For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity, or for sensitive development proposals located close to a use creating noticeable noise	<p>Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy DE3 of the Torbay Local Plan and the NPPF
3.10.3 Shading Diagrams / Sun Path Analysis	For development proposals that are likely to overshadow adjoining private property or public space and have the potential to adversely affect amenity.	<p>The BRE guide 'Site Layout Planning for Daylight and Sunlight - A guide to good practice' (BRE, 2011) provides advice on this topic: https://www.right-of-light.co.uk/resources/factsheet-2/</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy DE3 of the Torbay Local Plan

3.11 Health

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.11.1 Air Quality Assessment	For major development proposals within an Air Quality Management Area (AQMA), or within 500m of an AQMA	<p>Guidance on air quality in relation to planning is available on the Planning Practice Guidance website https://www.gov.uk/guidance/air-quality-3</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy DE3 of the Torbay Local Plan and the NPPF
3.11.2 Health Impact Assessment Screening	Major development proposals of 30 dwellings or more or other development creating over 1000 sq m floor space	<p>The Department of Health has published 'Health Impact Assessment Tools - Simple tools for recording the results of the Health Impact Assessment' (DfH, 2010). This includes a set of screening questions for HIA.</p> <p>For further guidance please see the Healthy Torbay SPD available here.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy SC1 of the Torbay Local Plan
3.11.3 Health Impact Assessment (HIA) (<i>this can be incorporated into the Design and Access Statement or Planning Statement / Planning Policy Statement</i>)	Where significant impacts on the health and wellbeing of the local population or particular groups within it are expected, following a Health Impact Assessment Screening	<p>Guidance on how health and well-being should be considered in planning decision making, including the impact of development proposals on health infrastructure and/or the demand for healthcare services, is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p>	Policy SC1 of the Torbay Local Plan

		<p>For further guidance please see the Healthy Torbay SPD available here.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	
3.11.4 Ventilation and Extraction Equipment Details	For development proposals, including changes of use, that require installation of such equipment	<p>Further information is provided in 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems':</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy DE3 of the Torbay Local Plan

3.12 Construction and Demolition

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.12.1 Pollution Prevention Plans (<i>these can be incorporated into a Flood Risk Assessment</i>)	<p>For proposals involving demolition or major development:</p> <ul style="list-style-type: none"> - Within the 250 metre buffer of the Lyme Bay and Torbay SAC, or - Where the site is adjacent to/near a watercourse which provides a hydrological link to the Lyme Bay and Torbay SAC 	This should be prepared by a suitably qualified person and should outline how potential risks to nearby watercourses from soil/sediment runoff have been managed.	Policy ER2 of the Torbay Local Plan

3.12.2 Structural Survey	Where the application proposes demolition, significant alterations to the structure of the building or heavier floor loading	This should be prepared by a suitably qualified person.	Policy DE1 of the Torbay Local Plan
3.12.3 Demolition Method Statement	All applications for relevant demolition within a conservation area.	<p>This should include details of measures that will be put in place to protect neighbouring properties from noise and dust that will be generated by the works. It should also describe how materials will either be stored or removed from the site.</p> <p>This should also outline how potential risks to nearby watercourses from soil/sediment runoff have been managed where necessary.</p> <p>A schedule of works detailing how the land will be left after the demolition is complete including making good of any affected hard surfaces and landscaping details with plans as appropriate, should also be included.</p>	Policy DE1, DE3 and SS10 of the Torbay Local Plan

3.13 Waste

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.13.1 Waste Audit and 5 Year Management Plan	For development proposals likely to generate significant volumes of waste during the works during construction and/or operation	<p>The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>	Policy W2 of the Torbay Local Plan
3.13.2 Waste Planning Statement	All waste applications.	The waste planning statement should include where applicable:	National Planning Policy for Waste

		<ul style="list-style-type: none"> - how the facility meets sustainable waste management, drives waste up the waste hierarchy and does not undermine movement up the waste hierarchy (prevent, reuse, recycle, other recovery and disposal) - the maximum annual capacity of the facility and the types, quantities and sources of waste - Details of the operational and processing methods and, if landfill, details of phasing and time frames for filling - Details of any existing features of the site that require removal or diversion - Details of stockpiles including heights - Details of any residual materials and how they will be managed - Details of how any energy produced will be utilised and how any residual materials will be managed - Details of site management, e.g. wheel wash facilities - Details of monitoring and complaints procedures - Details of the restoration and aftercare proposed 	Local Plan Policies W1 and W4
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3.14 CIL

DOCUMENT	WHEN IS IT REQUIRED	WHAT IS REQUIRED	WHY IT IS REQUIRED AND FURTHER INFORMATION
3.14.1 Community Infrastructure Levy – Planning Application Additional Information Requirement Form	All applications for built development, including changes of use or creation of floor space, with the exception of:	Further guidance on CIL along with a downloadable Planning Application Additional Information Requirement Form can be found here: https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/cil/	The Community Infrastructure Levy Regulations 2010, Policy SS7 of the Torbay Local Plan and the NPPF

	<ul style="list-style-type: none"> - Householder Applications - Listed Building Consent - Relevant Demolition in a Conservation Area <p>CIL is charged for the following developments:</p> <ul style="list-style-type: none"> - New dwellings - Larger out-of-town/ district centre retail and food and drink developments - development of more than 100 sq m of gross internal floorspace 		
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4.0 Prior Approvals and Prior Notifications

4.1 National Requirements

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is the legislation which outlines the development types and the required information that needs to be submitted with prior approval and prior notification applications. As a minimum, you must provide the information set out in the legislation for your application to be validated. We have set out below the application type, and direct link to the corresponding legislation, as well as list as to what would be required for all applications:

Application Type	Town and Country Planning (General Permitted Development)(England) Order	Relevant Legislation
Householder Developments	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 1, Class A, AA	<ul style="list-style-type: none"> • Larger home extensions (Class A)- application requirements detailed in paragraph A.4(2) of Part 1- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/1/crossheading/class-a-enlargement-improvement-or-other-alteration-of-a-dwellinghouse_paragraph-A.4) • Enlargement of a dwellinghouse by construction of additional storeys (Class AA)- application requirements detailed in paragraph AA.3(2) of Part 1- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/1/crossheading/class-aa-enlargement-of-a-dwellinghouse-by-construction-of-additional-storeys_paragraph-AA.3)
Changes of use	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 3, Class G, M, MA, N, O, P, PA, Q, R, S, T	<ul style="list-style-type: none"> • Commercial, business and service or betting office or pay day loan shop to mixed use (Class G); • Certain uses to dwellinghouses (Class M); • Commercial, business and service uses to dwellinghouses (Class MA); • Specified sui generis uses to dwellinghouses (Class N); • Offices to dwellinghouses (Class O); • Storage of distribution centre to dwellinghouses (Class P); • Premises in light industrial use to dwellinghouses (Class PA); • Agricultural buildings to dwellinghouses (Class Q); • Agricultural buildings to a flexible commercial use (Class R); • Agricultural buildings to a state-funded school (Class S); • Commercial, business and service, hotels etc to state-funded school (Class T); • Application requirements for the above detailed in paragraph W of Part 3- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/3/crossheading/class-v-changes-of-use-permitted-under-a-permission-granted-on-an-application_paragraph-W)
Temporary buildings and uses	Town and Country Planning (General	

	Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 4, Class BB, CA, Class E	<ul style="list-style-type: none"> • Moveable structures for historic visitor attractions and listed pubs, restaurants etc (Class BB)- application requirements detailed in paragraph BB.3(2) of Part 4- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/paragraph/BB.3) • Provision of a temporary state-funded school on previously vacant commercial land (Class CA)- application requirements detailed in paragraph W, Part 3- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/3/crossheading/class-v-changes-of-use-permitted-under-a-permission-granted-on-an-application_paragraph-W) • Temporary use of buildings or land for film-making purposes (Class E)- application requirements detailed in paragraph E.3(2) of Part 4- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/4/crossheading/class-e-temporary-use-of-buildings-or-land-for-filmmaking-purposes_paragraph-E.3)
Agricultural and forestry	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 6, Class A, B, E	<ul style="list-style-type: none"> • Agricultural development on units of 5 hectares or more (Class A)- application requirements detailed in paragraph A.1(2) of Part 6- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/6/crossheading/class-a-agricultural-development-on-units-of-5-hectares-or-more_paragraph-A.2) • Agricultural development on units of less than 5 hectares (Class B)- application requirements detailed in paragraph B.5(2) of Part 6- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/6/crossheading/class-b-agricultural-development-on-units-of-less-than-5-hectares_paragraph-B.5) • Forestry developments (Class E)- application requirements detailed in paragraph E.2(1) of Part 6- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/6/crossheading/class-e-forestry-developments_paragraph-E.2)
Non-domestic extension, alterations etc.	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 7, Class C, M	<ul style="list-style-type: none"> • Click and collect facilities (Class C)- application requirements detailed in paragraph C.2(1) of Part 7- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/7/crossheading/class-c-click-and-collect-facilities_paragraph-C.2) • Extensions etc for schools, colleges, universities, prisons and hospitals (Class M)- application requirements detailed in paragraph M.2A(2) of Part 7- (https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/7/crossheading/class-c-click-and-collect-facilities_paragraph-C.2)

<p>Development relating to roads</p>	<p>Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 9, Class D</p>	<ul style="list-style-type: none"> • Toll road facilities (Class D)- application requirements detailed in paragraph D.2 of Part 9- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/9/crossheading/class-d-toll-road-facilities_paragraph-D.2)
<p>Heritage and demolition</p>	<p>Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 11, Class B</p>	<ul style="list-style-type: none"> • Demolition of buildings (Class B)- application requirements detailed in paragraph B.2 of Part 11- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/11/crossheading/class-b-demolition-of-buildings_paragraph-B.2)
<p>Renewable energy</p>	<p>Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 14, Class J</p>	<ul style="list-style-type: none"> • Installation or alterations etc of solar equipment on non-domestic premises (Class J)- application requirements detailed in paragraph J.4(3) of Part 14- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/14/crossheading/class-j-installation-or-alteration-etc-of-solar-equipment-on-nondomestic-premises_paragraph-J.4)
<p>Communications</p>	<p>Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 16, Class A</p>	<ul style="list-style-type: none"> • Electronic communications code operators (Class A)- application requirements detailed in paragraph A.3 of Part 16- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/16/crossheading/class-a-electronic-communications-code-operators_paragraph-A.3)

Miscellaneous development	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 18, Class A	<ul style="list-style-type: none"> • Development under local or private Acts or Orders (Class A)- application requirements detailed in paragraph A.2 of Part 18- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/18/crossheading/class-a-development-under-local-or-private-acts-or-order_paragraph-A.1)
Development by the Crown or for national security purposes	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 19, Class TA	<ul style="list-style-type: none"> • Development by the Crown on a closed defence site (Class TA)- application requirements detailed in paragraph TA.4 of Part 19- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/paragraph/TA.4)
Construction of new dwelling houses	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 20, Class ZA, A, AA, AB, AC, AD	<ul style="list-style-type: none"> • Demolition of buildings and construction of new dwellinghouses in their place (Class ZA) • New dwellinghouses on detached blocks of flats (Class A) • New dwellinghouses on detached buildings in commercial or mixed use (Class AA) • New dwellinghouses on terrace buildings in commercial or mixed use (Class AB) • New dwellinghouses on terrace buildings in use as dwellinghouses (Class AC) • New dwellinghouses on detached buildings in use as dwellinghouses (Class AD) • Application requirements for the above detailed in paragraph B of Part 20- (https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/20/crossheading/class-a-new-dwellinghouses-on-detached-blocks-of-flats_paragraph-B)
Document/Plan	When required for my application	Further information
4.1.1 Written description of the proposed	All	Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the

<p>development and the developer's contact address and email address</p>		<p>proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p>
<p>4.1.2 Evidence that notice has been given to an owner or tenant of the land, other than the developer</p>	<p>Where there is an owner or tenant of the land, other than the developer.</p>	<p>A copy of the notice should be provided</p>
<p>4.1.3 A plan indicating the site and showing the proposed development</p>	<p>All</p>	<p>The plan should be drawn to an identified scale and show the direction of North. Outlining the site in red will help to clearly identify the site</p>
<p>4.1.4 Flood Risk Assessment</p>	<p>All</p>	<p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p>
<p>4.1.5 Fee</p>	<p>All</p>	<p>A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply. Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p>

		<p>Payment can be made:</p> <ul style="list-style-type: none"> • Online via the Planning Portal or; • Online payment at https://forms.torbay.gov.uk/PlanningPayment • BACS payments to: <ul style="list-style-type: none"> <input type="checkbox"/> Torbay Council <input type="checkbox"/> Account no.: 06040411 <input type="checkbox"/> Sort Code: 557001 <input type="checkbox"/> Nat West Bank • Cheque made payable to Torbay Council
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4.2 Local Requirements

The Council requests the following supporting information with a prior approval or prior notification application. This is the minimum requirement to be included in your supporting document to enable us to consider your application. If enough information is not provided within your supporting document, it is likely to cause delays to the consideration process.

Document type	When required for my application	Further information
4.2.1 Elevations (all sides) drawn to an identified scale	<p>Where development extends floor space.</p> <p>Where alterations and/or extensions to an existing building(s) are proposed, including changes of use.</p> <p>When a new dwelling or building is proposed.</p> <p>Where structures are to be demolished that form part of the proposal.</p>	<p>Where they are requested, elevation drawings must show the position of any windows and doors that face towards adjoining premises to determine whether there will be any overlooking and impact on privacy.</p>

	<p>Where the development includes provision of ventilation/extraction equipment.</p> <p>Or, upon request of the Council</p>	
4.2.2 Floor plan drawn to an identified scale	<p>Where development extends floor space.</p> <p>Where alterations and/or extensions to an existing building(s) are proposed, including changes of use.</p> <p>When new dwelling or building(s) are proposed.</p> <p>Where the development proposed is below ground level.</p> <p>Or, upon request of the Council</p>	<p>Where they are requested, floor plans should show the uses of each room, position of windows, doors walls and partitions. Floor levels of the building(s) being constructed, altered or extended, in relation to the remainder of the building should also be shown.</p>
4.2.3 Shading Diagrams/Sun Path Analysis	<p>Where development has the potential to impact on neighbouring amenity</p> <p>Or, upon request of the Council</p>	<p>The BRE guide 'Site Layout Planning for Daylight and Sunlight A guide to good practice' (BRE, 2011) provides further advice on this topic.</p>
4.2.4 Existing and Proposed Site Plans showing the location of the proposed facilities drawn to an identified scale and showing the direction of North	<p>Where the development includes provision of waste storage facilities</p> <p>Or, upon request of the Council</p>	
4.2.5 Impact Assessment of the Change of Use	<p>Where a relevant change of use is proposed and the building is located outside a key shopping area (town centre, district centre or local centre) – only where there is a reasonable prospect of the building being used to</p>	<p>This should describe where alternative Class E (specifically former A1 and A2 services) are located in the area, and, if relevant, why there is no reasonable prospect of the building being used to provide these services.</p>

	<p>provide Class E (specifically former Class A1 and A2 use)</p> <p>Where a relevant change of use is proposed and the building is located in a key shopping area (town centre, district centre or local centre)</p> <p>Where a relevant change of use is proposed and the building is located in an area that is important for providing storage or distribution services or industrial services or a mix of those services</p> <p>Or, upon request of the Council</p>	
4.2.6 Noise Impact Assessment	<p>For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity</p> <p>Or, upon request of the Council</p>	<p>Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p>
4.2.7 Transport Statement or Transport Assessment	<p>Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority</p> <p>Or, upon request of the Council</p>	<p>The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p>
4.2.8 Ventilation and Extraction Equipment Details	<p>Where the development includes provision of ventilation and extraction equipment</p> <p>Or, upon request of the Council</p>	

4.2.9 Contaminated Land Risk Assessment	Where land contamination is suspected from previous uses on or around the site Or, upon request of the Council	Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Detailed technical guidance is available on the GOV.UK website www.gov.uk .
4.2.10 Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary)	Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment Or, upon request of the Council	Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Detailed technical guidance is available on the GOV.UK website www.gov.uk .
4.2.11 Air Quality Assessment	For major development proposals within an Air Quality Management Area (AQMA), or within 500m of an AQMA Or, upon request of the Council	Guidance on air quality in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/
4.2.12 Lighting Assessment	For development proposals that will alter light levels and have the potential to adversely affect the use or enjoyment of nearby buildings or open spaces, or adversely affect sensitive habitats or protected species, or adversely affect intrinsically dark landscapes Or, upon request of the Council	Guidance on light pollution in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ The Institute of Lighting Engineers has produced 'Guidance Notes for the Reduction of Obtrusive Light' (2011). In order to prevent harm to bats, external lighting should be 0.5 lux or less and include shields, baffles or louvres
4.2.13 Wildlife & Geology Trigger Table	All	This will help to identify if further ecological surveys/reports are required at validation stage. This document can be downloaded from the Council's website using the following link: Torbay Local Validation List consultation - Torbay Council

<p>4.2.14 Wildlife Report</p>	<p>Where indicated as necessary from the completed Wildlife & Geology Trigger Table.</p> <p>Or, upon request of the Council</p>	<p>If there is a 'yes' in any column a wildlife and/or geology report must be produced by a qualified and suitably experienced ecological consultant and submitted with the application. The report should be commissioned at the start of the project and any project changes discussed with the consultant.</p> <p>If the wildlife report indicates that detailed protected species surveys are required these must also be included as part of the wildlife report. The application cannot be validated without them. Surveys must be up-to-date and accord with best practice and local guidance. A guide on when to survey can be found here.</p> <p>All details of avoidance, mitigation, compensation and enhancement actions must be included with the application.</p>
<p>4.2.15 Flood Risk Assessment (including surface water drainage strategy)</p>	<p>Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems or where the site area is 1ha or more</p> <p>Or, upon request of the Council</p>	<p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required for most planning applications for new development (including minor development and change of use).</p>
<p>4.2.16 Landscape and Visual Impact Assessment</p>	<p>For relevant development proposals within the AONB or that could affect the setting of the AONB or Undeveloped Coast</p> <p>Or, upon request of the Council</p>	<p>The AONB and Undeveloped Coast are shown on the Local Plan Proposals Map.</p>

4.2.17 Tree Survey & Arboricultural Impact Assessment	<p>For development proposals which would impact on existing trees on site or those in close proximity to the site boundary</p> <p>Or, upon request of the Council</p>	<p>Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk</p>
4.2.18 Tree Protection Plan & Arboricultural Method Statement	<p>For development proposals which would impact on existing trees</p> <p>Or, upon request of the Council</p>	<p>The Council's Arboricultural Officer will be consulted to determine whether this information is required</p>
4.2.19 Statement of Heritage Significance	<p>Where the development will affect the setting of a heritage asset, such as a conservation area, listed building, scheduled monument or historic park and garden</p> <p>Or, upon request of the Council</p>	<p>The requirements for Statements of Heritage Significance are set out within the NPPF.</p> <p>A template statement can be completed online or downloaded from our website: https://www.torbay.gov.uk/planning-and-building/planning/apply-planning/plans-and-documents/statement-of-heritage-significance/</p> <p>It is expected that this template be completed in full and as accurately as possible. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.</p>
4.2.20 Demolition Method Statement	<p>For all applications for prior notification of proposed demolition</p> <p>Or, upon request of the Council</p>	<p>This should include details of measures that will be put in place to protect neighbouring properties from noise and dust that will be generated by the works. It should also describe how materials will either be stored or removed from the site.</p>
4.2.21 Pollution Prevention Plans (these can be incorporated into a Flood Risk Assessment or Method Statement)	<p>For demolition of major development within the 250 metre buffer of the Lyme Bay and Torbay SAC</p> <p>Or, upon request of the Council</p>	

4.2.22 Waste Audit	<p>For development proposals likely to generate significant volumes of waste during the works</p> <p>Or, upon request of the Council</p>	<p>The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation.</p>
4.2.23 Product Specification of solar PV equipment	<p>For all applications for Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) (GPDO Sch. 2 Part 14 Class J(c))</p> <p>Or, upon request of the Council</p>	
4.2.24 Community Infrastructure Levy – Planning Application Additional Information Requirement Form	<p>CIL is charged for the following developments:</p> <ul style="list-style-type: none"> - New dwellings - Larger out-of-town/ district centre retail and food and drink developments - development of more than 100 sq m of gross internal floorspace 	<p>Further guidance on CIL along with a downloadable Planning Application Additional Information Requirement Form can be found here: https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/cil/</p>
4.2.25 Fire Statements	<p>For an application for planning permission for development which involves:</p> <ul style="list-style-type: none"> - the provision of one or more relevant buildings - development of an existing relevant building - development within the curtilage of a relevant building <p>A relevant building is one which contains two or more dwellings or education accommodation and is 18m or 7 storeys in height or more.</p>	<p>Fire statements must be submitted on a form published by the Secretary of State (or a form to similar effect) contain the particulars specified or referred to in the form, which includes information about (not exhaustive list):</p> <ul style="list-style-type: none"> the principles, concepts and approach relating to fire safety that have been applied to each building in the development the site layout emergency vehicle access and water supplies for firefighting purposes what, if any, consultation has been undertaken on issues relating to the fire safety of the

	<p>The following types of application are exempt:</p> <ul style="list-style-type: none">- material change in use which would result in the building no longer being a relevant building or would not result in the provision of one or more relevant buildings within the curtilage of a relevant building	<p>development; and what account has been taken of this</p> <p>how any policies relating to fire safety in relevant local development documents have been taken into account</p> <p>Further information can be found here: https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021</p>
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This document can be made available in other languages and formats. For more information please contact planning@torbay.gov.uk
