



Local List for Validating Planning Applications

Torbay Council wants to make quick decisions on planning applications for high quality development in the Bay. We want to see high quality development, which clearly benefits the Bay, to be built as soon after planning permission as possible. To achieve this we need the right information, at the right time. This document sets out the sort of information required to support different types, locations and scale of development proposal. This document also provides a basis for pre-application discussions between the applicant and the Council. We believe this approach will save applicants time, money and disappointment.

The Council is happy to discuss and use Planning Performance Agreements for major development proposals.

The Basics.....

In order for a planning application to be valid all of the following information must be included:

- 1. A completed application form,**
- 2. The other mandatory national information requirements specified in the Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO) (see pages 2-6) and other relevant legislation, and**
- 3. Any additional information as may be specified by the Local Planning Authority on their Local List of information requirements (see pages 6-14)**

National Requirements

The national requirements for the submission of planning applications are set out in the DMPO, summarised in the tables below:

Applications for Planning Permission		
Document / Plan	DMPO Ref.	Notes
Relevant application form completed in full, including signed Ownership Certificate, Agricultural Land Declaration and Declaration (original and 1 copy unless submitted electronically)	Article 6(1)(a) and Article 12	These can be obtained from the Planning Portal website www.planningportal.gov.uk . If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.
Location Plan drawn to an identified scale and showing the direction of North (original and 1 copy unless submitted electronically) You can create your Location Plan online using accredited suppliers on the Planning Portal website www.planningportal.gov.uk . Location Plans are usually drawn at 1:1250 or 1:2500 scales. If possible, please show at least two street names on your plan. The site to which the application relates should be outlined in red and any adjoining land owned by the applicant in blue.	Article 6(1)(c)(i)	Not required for: applications to remove or vary conditions, applications where the development has already been carried out or applications to extend time limits for implementation (unless listed building or conservation area consents).
Any other plans, drawings and information necessary to describe the development, where plans and drawings are to be drawn to an identified scale and plans shall show the direction of North (original and 1 copy unless submitted electronically)	Article 6(1)(c)(ii)	Not required for: applications to remove or vary conditions, applications where the development has already been carried out or applications to extend time limits for implementation (unless listed building or conservation area consents).
Design and Access Statement about: <ul style="list-style-type: none"> the design principles and concepts that have been applied to the development with reference to the amount, layout, scale, landscaping and appearance of the development, and how the design 	Article 8	Legislative provision is set out in the The Town and Country Planning (Development Management Procedure) (England) Order 2010. Design and Access Statements are currently not required for the following development types:

<p>takes into account the context of the development; and</p> <ul style="list-style-type: none"> • how issues relating to access to the development have been dealt with, including consideration of Local Plan policies relating to access and any consultation undertaken on this issue. <p>NB. Major development proposals will be assessed against the design considerations set out in Local Plan. In addition, major development proposals incorporating 10 dwellings or more will be assessed against Building for Life criteria (or equivalent methodology). Therefore, for these types of application the Design and Access Statement should make reference to these policies and / or be structured around these considerations / criteria.</p>		<ul style="list-style-type: none"> - householder applications unless in a conservation area or relating to a listed building; - development incidental to the enjoyment of a dwellinghouse or flat; - change of use; - engineering or mining operations; - extensions up to 100 sq m to non-domestic buildings unless in a conservation area; - erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure up to 2m high or the existing height, whichever is greater, unless within the curtilage of a listed building or conservation area; - development up to 100m³ on operational land consisting of the erection of a building and where the height of the building does not exceed 15m or its former height, whichever is greater, unless in a conservation area; - alteration of existing building where the size of the building does not increase, unless within a conservation area; - plant or machinery up to 15m high or its existing height, whichever is greater, unless within a conservation area; - applications to remove or vary conditions; or applications to extend time limits for implementation (unless listed building or conservation area consents). <p>Guidance on Design and Access Statements is available on the Planning portal website www.planningportal.gov.uk</p>
<p>Appropriate fee</p>	<p>Article 29(3)(e)</p>	<p>As currently set out in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits (England) Regulations 2012.</p>

Applications for approval of reserved matters		
Document / Plan	DMPO Ref.	Notes
Application form completed in full, including signed Declaration (original and 1 copy unless submitted electronically)	Article 5	This can be obtained from the Planning Portal website www.planningportal.gov.uk . If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.
Any other information required to identify the outline planning permission to which it relates (original and 1 copy unless submitted electronically)	Article 5	
Such particulars, plans and drawings necessary to deal with the matters reserved (original and 1 copy unless submitted electronically)	Article 5	
Appropriate fee	Article 29(3)(e)	As currently set out in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits (England) Regulations 2012. A guide is available on the Planning Portal website www.planningportal.gov.uk .

Applications for a non-material amendment following a grant of planning permission		
Document / Plan	DMPO Ref.	Notes
Application form completed in full, including signed Declaration (original and 1 copy unless submitted electronically)	Article 9	This can be obtained from the Planning Portal website www.planningportal.gov.uk . If you do not have access to the internet please contact the Spatial Planning department at Torbay Council. Notice must also be given to any other person who owns the land or is a tenant of an agricultural holding on the land.
Any plans, drawings or other information necessary to describe the subject of the application		
Appropriate fee	Article 29(3)(e)	As currently set out in the Town and Country Planning (Fees for Applications, Deemed Applications,

		<p>Requests and Site Visits (England) Regulations 2012.</p> <p>A guide is available on the Planning Portal website www.planningportal.gov.uk.</p>
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Applications for a Lawful Development Certificate for an Existing use or operation or a Proposed use or development		
Document / Plan	DMPO Ref.	Notes
Application form completed in full, including statement of interest in the land, the name and address of any other person known to have an interest in the land and whether they have been notified, and signed Declaration	Article 35(1) and Article 35(2)(c)	This can be obtained from the Planning Portal website www.planningportal.gov.uk . If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.
Location Plan drawn to an identified scale and showing the direction of North	Article 35(2)(a)	Where more than one use, operation or other matter, please indicate these on the Location Plan (Article 35(4)). You can create your Location Plan online using accredited suppliers on the Planning Portal website www.planningportal.gov.uk . Location Plans are usually drawn at 1:1250 or 1:2500 scales. If possible, please show at least two street names on your plan. The site to which the application relates should be outlined in red and any adjoining land owned by the applicant in blue.
Such evidence verifying the information included in the application as the applicant can provide	Article 35(2)(b)	Further information may be requested (Article 35(9)).
Appropriate fee	Article 35(12)(b)	As set out in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests & Site Visits (England) Regulations 2012.

Local Requirements ('The Local List')

In addition to the national requirements, Torbay Council has its own requirements reflecting the character and nature of Torbay, as well as the need to achieve high quality development in such a unique place. These requirements are presented in the tables below for different types of planning application. **However, the documents and plans listed will not always be required and it will depend on the specific circumstances of the development.** Whilst information is provided in the tables describing when each document or plan should be included in your submission, applicants are encouraged to carry out a pre-application enquiry with Torbay Council to confirm the content of your application. Where there is any uncertainty please contact the Spatial Planning department at Torbay Council. In addition, **the tables are not exhaustive and the Council reserves the right to invalidate applications where further information is required, although this is only likely to happen in very special circumstances.**

Householder Application

In addition to the national requirements, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Statement of Heritage Significance (this can be incorporated into the Design and Access Statement)	Para. 128	Policy HE1	Where the development will affect a heritage asset or its setting, such as a conservation area or listed building
Parking Assessment		Policies IF4, DE3, H5 & H6	Where the development would reduce or alter the available parking spaces, or where new parking is proposed
Elevation at scale 1:10 or greater of proposed and existing windows and a typical section including reveal at scale of 1:1			Where development includes replacement windows in a conservation area or Listed Building

NB. Applicants are encouraged to discuss their proposals with their neighbours to resolve any potential issues, such as loss of light. In addition, applicants should be aware of any trees with Tree Preservation Orders (TPOs) that might be affected by their proposals and notify the Council if their proposal involves works to a tree in a conservation area.

Application for Outline or Full Planning Permission

In addition to the national requirements, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Planning Statement / Planning Policy Statement	Para. 11		For all major development proposals, as defined in the DMPO. This may be required in relation to non-major applications (for example, in Conservation Areas), please seek the advice of the Spatial Planning Department prior to submission.
Sustainability Statement (this can be combined with the above)	Para. 14	Policy SC1	For all major development proposals, as defined in the DMPO. This may be required in relation to non-major applications (for example, in relation to development outside the urban area), please seek the advice of the Spatial Planning Department prior to submission
Statement of Community Involvement (this can be incorporated into the Design and Access Statement)			For all major development proposals, as defined in the DMPO. This may be required in relation to non-major applications (for example, where the type of development proposed is likely to require control through conditions in relation to noise, odour etc), please seek the advice of the Spatial Planning Department prior to submission
Employment Statement / Economic Impact Assessment (including tourism impact)	Section 1	Policies E1, E2 & T1	Sites of 30 or more dwellings or 1ha (whichever is the smaller) and development proposals resulting in a net loss of employment / tourist accommodation floorspace
Town Centre Impact Assessment (including sequential test)	Para. 26	Policy TC3	Proposals for A1 retail comparison goods and town centre uses over 1,000 sq m gross floorspace and A1 convenience retail uses over 500 sq m gross floorspace outside of town centres

Transport Statement or Transport Assessment	Para. 32	Policy IF3	For major development proposals, as defined in the DMPO.
Travel Plan	Para. 36	Policy IF3	For major development proposals, as defined in the DMPO, and other development likely to have significant transport implications, please seek the advice of the Spatial Planning department prior to submission
Telecommunications Statement (including consultations and self certification statement)	Section 5	Policy IF2	All telecommunications development not permitted by Part 24 Class A of the GPDO as amended
Design Code	Para. 59		For all applications incorporating a masterplan
Health Impact Assessment	Section 8	Policies SC1 & SC3	For major development proposals, as defined in the DMPO
Open Space, Sports and Recreation Assessment	Para. 74	Policy SC2	For major development proposals, as defined in the DMPO, and for development proposals on existing open space, sports and recreational land
Energy Statement	Section 10	Policies EG1 & EG2	For major development proposals, as defined in the DMPO.
Flood Risk Assessment	Para. 102	Policy ER1	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
Coastal Change Assessment (this can be incorporated into the Design and Access Statement)	Para. 107	Policy C2	For major development proposals in the undeveloped coastal zone
Phase 1 Habitat Survey / Extended Phase 1 Habitat Survey	Section 11	Policy NC1	Where biodiversity is likely to be affected by the proposal and for all major development, as defined in the DMPO
Geological Survey	Section 11	Policy NC1	For major development proposals, as defined in the DMPO. This may be required in relation to non-major development (for example, where geodiversity is likely to be affected significantly by a proposal), please seek the advice of the Spatial

			Planning department prior to submission.
Appropriate Assessment	Para. 119	Policy NC1	For development proposals likely to have a significant effect on a European site, as defined by the Conservation of Habitats and Species Regulations 2010(a) following a screening process and the necessary surveys. For further information please carry out a pre-application enquiry and consult Natural England.
Contamination Desk Top Study	Para. 121	Policy ER3	Where land contamination is suspected from previous uses
Land Stability / Geotechnical Report	Para. 121	Policy ER4	For major development proposals, as defined in the DMPO. This may be required in relation to non-major development (for example, where land instability is suspected), please seek the advice of the Spatial Planning department prior to submission
Noise Impact Assessment	Para. 123	Policy DE3	For major development proposals, as defined in the DMPO. This may be required in relation to non-major developments (for example, in relation to all schemes which require extraction flues or mechanical ventilation and all schemes that generate significant noise levels), please seek the advice of the Spatial Planning department prior to submission
Air Quality Assessment	Para. 124	Policy DE3	For major development proposals, as defined in the DMPO, within an Air Quality Management Area or within 500m of an Air Quality Management Area
Lighting Assessment	Para. 125	Policy DE3	For major development proposals where lighting is likely to affect amenity
Statement of Heritage Significance (this can be incorporated into the Design and Access Statement)	Para. 128	Policy HE1	Where the development will affect a heritage asset or its setting, such as a conservation area or listed building
Archaeological Desk Based	Para. 128	Policy HE1	Where the application site

Assessment (this can be combined with the above)			includes, or is likely to include, archaeological remains; this can be confirmed by carrying out a pre-application enquiry
Mineral Extraction Impact Assessment	Section 13	Policy M1	For development proposals for minerals extraction
Mineral Resource Impact Assessment		Policy M3	For development proposals on or in the vicinity of a mineral resource
Infrastructure Assessment (incorporating foul sewerage and utilities)		Policies IF1, ER2 & H6	For major development proposals, as defined in the DMPO
Parking Assessment (this can be incorporated into the Transport Statement or Transport Assessment)		Policies IF4, DE3, H5 & H6	For major development proposals, as defined in the DMPO. This may be required in relation to non-major development (for example, where proposals do not meet the standards set out in the Local Plan parking policy), please seek the advice of the Spatial Planning department prior to submission
Visual Impact Assessment (this can be incorporated into the Design and Access Statement)		Policy EN3	For major development proposals, as defined in the DMPO
Pollution Prevention Plans		Policy ER2	For major development proposals, as defined in the DMPO, within the 250m buffer of the Marine SAC
Waste Management Scheme / Waste Audit and 5 year Waste Management Plan		Policies W1 & W2	For major development proposals, as defined in the DMPO
Tree Survey / Assessment in accordance with BS5837:2012 or any superseding standard		Policy DE1	For development proposals likely to affect trees
Topographical Survey (existing and proposed)			For major development proposals, as defined in the DMPO. This may be required in relation to non-major developments (for example, where there is a significant change in levels across the site), please seek the advice of the Spatial Planning Department prior to submission
Landscaping Plans			For major development proposals, as defined in the DMPO
Information required in connection with Section 106 Agreement (Heads of Terms, method of payment, solicitor's			For development proposals where a S106 Agreement is required to provide contributions towards CIL or other necessary planning

contact details and confirmation will pay Council's legal fees)			obligations
Environmental Impact Assessment			For Schedule 1 development or Schedule 2 development likely to have significant effects on the environment, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Please seek the advice of the Spatial Planning department through a screening request (these are typically more likely to relate to major developments unless the proposal has significant environmental impacts, for example due to the sensitivity of the site).
Viability Assessment			Where the proposals do not meet CIL or other necessary planning obligations. This must be carried out by an independent consultant and paid for by the applicant. Please seek the advice of the Spatial Planning department prior to submission.
Elevation at scale 1:10 or greater of proposed and existing windows and a typical section including reveal at scale of 1:1			Where development includes replacement windows in a conservation area or Listed Building

Application for Approval of Reserved Matters

No further information is required other than that required to meet the national requirements. However, please seek the advice of the Spatial Planning Department prior to submission in the event that, for example, further design information is required to justify the proposed approach.

Application for Listed Building Consent

In addition to the national requirements, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Statement of Heritage Significance (this can be incorporated into the Design and Access Statement)	Para. 128	Policy HE1	All applications
Archaeological Desk Based Assessment (this can be combined with the above)	Para. 128	Policy HE1	Where the application site includes, or is likely to include, archaeological remains; this can be confirmed by carrying out a pre-application enquiry
Structural Survey			Where the application proposes demolition, significant alterations to the structure of the building or heavier floor loading
Elevation at scale 1:10 or greater of proposed and existing windows and a typical section including reveal at scale of 1:1			Where development includes replacement windows in a conservation area or Listed Building

Application for Conservation Area Consent

In addition to the national requirements, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Phase 1 Habitat Survey / Extended Phase 1 Habitat Survey	Section 11	Policy NC1	Where demolition is likely to have an impact on biodiversity / species habitats
Statement of Heritage Significance	Para. 128	Policy HE1	All applications
Archaeological Desk Based Assessment (this can be combined with the above)	Para. 128	Policy HE1	Where the application site includes, or is likely to include, archaeological remains; this can be confirmed by carrying out a pre-application enquiry
Pollution Prevention Plans		Policy ER2	For demolition of major development proposals, as defined in the DMPO, within the 250m

Application for Advertisement Consent

No further information is required other than that required to meet the national requirements.

Application for Lawful Development Certificate

No further information is required other than that required to meet the national requirements.

Application for prior notification of proposed development by telecommunications code system operators

No further information is required other than that required to meet the national requirements set out in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001. An application form can be obtained from the Planning Portal website www.planningportal.gov.uk together with respective guidance notes (V3.2.1). If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.

Applications for prior notification of agricultural or forestry development (including proposed buildings, roads, excavation/deposit of waste material from the farm and fish tanks)

No further information is required other than that required to meet the national requirements set out in the Town and Country Planning (General Permitted Development) Order 1995. An application form can be obtained from the Planning Portal website www.planningportal.gov.uk together with respective guidance notes (V3.2). If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.

Application for prior notification of proposed demolition

No further information is required other than that required to meet the national requirements set out in the Town and Country Planning (General Permitted Development) Order 1995. An application form can be obtained from the Planning Portal website www.planningportal.gov.uk together with respective guidance notes (V3.2). If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.

Application for tree works: works to trees subject to a Tree Preservation Order (TPO) and/or notification of proposed works to trees in a conservation area

No further information is required other than that required to meet the national requirements. An application form can be obtained from the Planning Portal website www.planningportal.gov.uk together with respective guidance notes (V3.4). If you do not have access to the internet please contact the Spatial Planning department at Torbay Council.

Application for approval of details reserved by condition

There are no national requirements for applications for the approval of details reserved by condition except that they should be made in writing and that the authority should determine them within 8 weeks of the application being validated. In addition, there are no local requirements. An application form can be obtained from the Planning Portal website www.planningportal.gov.uk together with respective guidance notes (V3.2). If you do not have access to the internet please contact the Spatial Planning department at Torbay Council. Applicants are encouraged to discuss the application with Torbay Council before submission.

Application for removal or variation of a condition following grant of planning permission

In addition to the national requirements, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Any plans, drawings and information necessary to describe the development resulting from the removal or variation of condition, where plans and drawings are to be drawn to an identified scale and plans shall show the direction of North (original and 1 copy unless submitted electronically)			For applications for minor material amendments

Application for hedgerow removal notice

In addition to the national requirements set out in the Hedgerow Regulations 1997, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Phase 1 Habitat Survey / Extended Phase 1 Habitat Survey	Section 11	Policy NC1	All applications
Tree Survey / Assessment in accordance with BS5837:2012 or any superseding standard			Where significant trees are to be removed
Landscaping Plans			Where replacement hedgerow is proposed

Application to modify or discharge a planning obligation agreed under S106 of the Town and Country Planning Act

In addition to the national requirements, the following documents may be required:

Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
S106 Agreement Modification / Discharge Statement			All applications in order to explain the planning reasons to modify or discharge the planning obligation

Application for non-material amendment following a grant of planning permission

No further information is required other than that required to meet the national requirements. An application form can be obtained from the Planning Portal website www.planningportal.gov.uk together with respective guidance notes. A Design and Access Statement is not required.

Application for a new application to replace an extant planning permission, in order to extend the time limit for implementation

In addition to the national requirements, the following documents may be required:

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Document / Plan	NPPF Ref.	New Local Plan Ref.	When Required?
Planning Statement / Planning Policy Statement		Para. 11	Where there have been any significant changes in policy or other material considerations since the grant of the original planning permission