

# **Applications for Approval of Reserved Matters (where the information was not originally provided with the outline application)**

The following information is required to enable the application to be accepted and considered. “Major” developments<sup>7</sup> are likely to need more of these requirements than less complex smaller schemes:

## **National Requirements**

- Completed form (3 copies plus one original to be supplied unless the application is submitted electronically).
- A location plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North (3 copies plus one original to be supplied unless the application is submitted electronically).
- A copy of other plans and drawings or information necessary to describe the subject of the application (3 copies plus one original to be supplied unless the application is submitted electronically) including :
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries;
  - Existing and proposed elevations (e.g. at a scale of 1:50 or 1:100);
  - Existing and proposed floor plans (e.g. at a scale of 1:50 or 1:100);
  - Existing and proposed site sections and finished floor and site levels (e.g. at a scale of 1:50 or 1:100); and,
  - Roof plans (e.g. at a scale of 1:50 or 1:100).
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995.
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995.
- Design and Access Statement, if required.
- The appropriate fee.

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<sup>7</sup> “Major” developments comprise proposals for ten or more dwellings; an outline application for residential development on a site of more than 0.5 hectare; new building(s) of more than 1,000 sq. m. floorspace; or development on a site of more than 1 hectare.

- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article.

## Local Requirements

- *Affordable Housing Statement* – This will be required for housing developments where the number of units exceeds a certain threshold. For information on the Council's requirements please contact the Council's Affordable Housing Officer.
- *Air Quality Assessment* – Within a designated Air Quality Management Area (AQMA), proposals for development should usually include a statement relating to the air quality impact of the proposal. Although a formal Air Quality Impact Assessment is not appropriate for all developments within an AQMA, developers are encouraged to make reference to the AQMA where appropriate and provide some justification as to the reasons why they have not considered it further. In some instances an Air Quality Impact Assessment will be required. Further, specific guidance is provided in City of York Council's internal guidance note : "Air Quality and the Planning Process". This local guidance note builds on the information found within the national guidance note "Development Control : Planning for Air Quality, 2006 update" produced by NSCA (National Society for Clean Air) (now E.P.U.K).
- *Biodiversity/Geological Survey and Assessment Report* – The Planning Authority must consider the conservation of biodiversity when determining a planning application – this includes having regard to the safeguarding of species protected under the Wildlife and Countryside Act 1981; the Conservation (Natural Habitats etc.) Regulations 1994; or the Badgers Act 1992; as well as designated sites and priority habitats. Where a proposed development is likely to affect protected species, a designated site, priority habitat or geological feature, the application must be accompanied by a Biodiversity/Geological Survey and Report.

The circumstances in which a protected species survey and assessment will be required are explained in more detail in the published list of local requirements. If the application involves any of the development proposals shown in Table 1 (Column 1) of that document a protected species survey and assessment will be required. If the application is likely to affect any of the designated sites, priority habitats or biodiversity features listed in Table 2 or geological features listed in Table 3, a relevant survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in these tables.

The survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of the year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. The survey may be informed by the results of a search for ecological or geological data from the North Yorkshire Ecological Data Centre.

The Survey must be to an appropriate level of scope and detail and must :-

For protected species :

- a) record where species are present and identify their numbers (may be approximate); and,
- b) map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

For designated sites or priority habitat/geological features :

- a) record which habitats and features are present on and, where appropriate, around the site;
- b) identify the extent/area/length present; and,
- c) map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The Assessment must identify and describe potential development impacts likely to harm the biodiversity or geological features identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show :

- How alternative designs or locations have been considered.
- How adverse effects will be avoided wherever possible.
- How unavoidable impacts will be mitigated or reduced.
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites, priority habitats, other biodiversity/geological features or benefit protected species. The Assessment should give an indication of likely change in the area (hectares) of priority habitat etc. on the site after development e.g. whether there will be a net loss or gain. Where appropriate, an ecological/geological survey and assessment may form part of a wider Environmental Impact Assessment.

- *Daylight /Sunlight Assessment* – Where a development may cause loss of amenity to nearby property through loss of daylight or sunlight to habitable windows or cause overshadowing of adjacent land then an assessment will be required.

If the scheme involves the construction of buildings higher than single storey and within 2 metres of the common boundary with any neighbouring residential property an assessment will be required.

The extent and complexity of the assessment will need to be proportionate to the potential impact. Consider the proposed height of the proposed building, its design and orientation of the existing and proposed buildings and changes in ground levels.

Any information will be in respect of the planning merits and not have a direct bearing on other legislation contained in the Rights of Light Act.

- *Economic Statement* – Applications may need to be accompanied by a supporting statement of any regeneration benefits, such as the number of new jobs likely to be created, community benefits and any regeneration strategies that lie behind the proposals. This may be included as part of a Planning Statement. This would normally apply to larger more complex schemes and agricultural diversification schemes/new business developments in the countryside but could apply to smaller commercial developments. For developments in rural areas further advice can be found in [PPS7 “Sustainable Development in Rural Areas”](#) available on the DCLG web site.
- *Environmental Statement* – The Town and Country Planning (Environmental Impact Assessment) Regulations (1999) (as amended) set out the circumstances in which an Environmental Impact Assessment (EIA) is required. Information on this can be found at (<http://www.opsi.gov.uk/si/si1999/19990293.htm>). This usually relates to larger more complex schemes but can be required for some minor developments if there are likely to be significant environmental effects from pollution for example. For most applications EIA is not required.
- *Flood Risk Assessment* – The need for a Flood Risk Assessment depends upon which Zone, defined by the Environment Agency, applies. Generally if the site is within Zone 1 then a Flood Risk Assessment is not required. Details of the Zones and the Environment Agency’s requirements can be found on the Environment Agency’s web site at <http://www.environment-agency.gov.uk/subjects/flood/?lang=e>

Currently, this will require a Flood Risk Assessment for:

- Any development of 1 hectare or more in Flood Zone 1 (to consider surface water drainage); and,
- All proposals for development in Flood Zones 2 and 3 (including a change of use to a more vulnerable class of use).

All proposals in High Risk Flood Zones must include information about alternative sites that have been considered in order to support a sequential test for the proposed development.

- *Foul Sewerage and Utilities Assessment* – Details of drainage should be provided for both foul and surface water. You may need to contact Yorkshire Water to establish where the drains are. Their web site address is [www.yorkshirewater.co.uk](http://www.yorkshirewater.co.uk) or for development in the western part of the District you will need to consult United Utilities at [www.united-Utilities.co.uk](http://www.united-Utilities.co.uk) Applicants are encouraged to minimise the effect of surface water run-off in the planning of new developments through the use of sustainable drainage systems. Advice on this can be found on the Environment Agency’s web site at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

For major and complex schemes a statement must be provided which demonstrates that :-

- a) The availability of utility services (gas, electricity, telecommunications water, and foul and surface water sewage disposal - taking into account the capacity of the receiving water treatment works) has been examined and would not result in undue stress on the delivery of those services to the wider community,
- b) Proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures,
- c) The service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains.

Any development proposing non-mains drainage should include an assessment as required by Circular 3/99 (Planning Requirements in Respect of the Use of Non-Mains Drainage in New Development) including, where appropriate, results of a percolation test.

- *Heritage Statement* (including historical, archaeological features and Scheduled Ancient Monuments) – A Heritage Statement will need to accompany an application if it affects a Listed Building, Conservation Area, Historic Park or Garden, Registered Battlefield, World Heritage Site, Scheduled Monument or their setting. They may also be required where the application would take place in an area of archaeological importance. Where a local list exists and a building is considered to be of historic interest, though not a listed building, the following information may be required -
  - Context/street-scene elevations where significant extensions are proposed on public elevations.
  - Photographs/photomontages of elevations.
  - Structural survey where the application proposes demolition or significant alterations to the structure of the building.

Where the site is located within, or within the setting of, a Conservation Area it is expected that a statement will be submitted with any application about how the development relates to the Conservation Area, having regard to any Conservation Area Appraisal Document that may have been prepared by the Council.

- *Land Contamination Assessment* – Where contamination is known or suspected, a land contamination assessment should be provided in accordance with guidance in [PPS23 “Planning and Pollution Control”](#). Information should be provided on the levels and extent of the contamination and how it is to be remediated in order to enable a determination to be made on whether or not a proposed development can proceed. In some situations, a preliminary risk assessment may be appropriate comprising a desk study,

walk-over site reconnaissance and conceptual model (identifying potential pollutant sources, pathways and receptors as a basis for assessing risks and appraising options for remediation).

- *Land Stability/Geotechnical Reports* – For new developments that are on or adjacent to land which is known or suspected to be unstable, a report by an appropriately qualified engineer shall be submitted giving details of how land conditions are to be dealt with during the course of the development. Where the reports show that there is potential for instability details of arrangements for monitoring of ground water shall be submitted together with details of any necessary remediation details to prevent future landslips. Further advice can be found in [PPG14 “Development on Unstable Land”](#).
- *Lighting Assessment* – If the application involves significant new lighting, in terms of floodlighting, or lighting to car parks or open land, then a lighting assessment prepared by a suitably qualified lighting engineer will be required both to minimise the effect upon nearby residential properties and ensure that light pollution is minimised. Particular care will be needed with lighting in the countryside. Further advice on this can be found in “Lighting in the Countryside :Towards Good Practice” (1997) which is available at <http://www.communities.gov.uk/index.asp?id=1144822> and in the Institution of Lighting Engineers (ILE) "Guidance Notes for the Reduction of Obtrusive Light".
- *Noise Impact Assessment* – Application proposals that raise issues of disturbance or are considered to be a noise sensitive development in what are considered to be noise sensitive areas should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician. In some cases a noise assessment may be required for domestic wind turbines. Further guidance is contained in PPG 24 “[Planning and Noise](#)” (September 1994). Application proposals that raise specific issues regarding vibration should be supported by a Vibration Impact Assessment prepared by a suitably qualified acoustician. Further guidance is available in BS6472: 1992, which deals with human response to vibration in buildings; BS5228: Part IV 1992, which deals with construction vibration; and BS7385: Part 2 1993 which deals with buildings.
- *Open Space Assessment* – For development on public or private open space or recreation areas, applications should be accompanied by plans showing existing or proposed open space within or adjoining the application site. Applicants would need to demonstrate as part of the assessment that the land or buildings are surplus to requirements. It is also expected that with certain residential schemes, new open space will either be provided on site or a commuted sum paid towards up-grading existing facilities or making new provision on a different site.
- *Parking Provision* – Existing and proposed details of parking and access need to be provided for all new developments and clearly shown on the submitted plans. If no parking is to be provided, this should be clearly stated. All new developments should have access to a public highway shown in red as part of the application site.

- *Photographs/Photomontages* – These are not essential with every application but can be helpful to members of the public, Officers and Councillors in understanding the context of the application. It is expected that with major or complex schemes or applications in sensitive locations that photographs will be provided.
- *Planning Obligations/Draft Heads of Terms* – Planning Obligations or “Section 106 Agreements” are private agreements negotiated between Local Planning Authorities and persons with an interest in a piece of land. Agreements are usually required in connection with major or complex schemes and occasionally with certain minor developments. Advice on Planning Obligations can be found in ODPM Circular 05/2005 “[Planning Obligations](#)” and the model [Section 106 Agreement](#) which can be found on the Communities and Local Government website.
- *Planning and Sustainability Statement* – This will usually be required in connection with major or complex schemes and will usually assess how the scheme accords with relevant national, regional and local planning policies as well as explaining the context and background to the development. In the interests of making a difference to climate change, applicants will be expected to demonstrate how their proposals are making best use of renewable energy such as solar or wind power and/or using best practical means to reduce the carbon footprint of all new buildings. For all new residential developments applicants will be expected to have regard to the Code for Sustainable Homes of how refuse will be dealt with, including provision of bin stores and re-cycling arrangements.
- *Statement of Community Involvement* - Applicants are encouraged to submit a supporting statement setting out how the local community has been consulted on the proposal, in accordance with the Council’s Statement of Community Involvement. Examples of information helpful to supply in a Statement of Community Involvement are :
  - Records of discussions/correspondence giving the date, time and place of discussions with whom and what issues were raised, what responses given at the time and what amendments have been made to address those concerns.
  - Whether amendments have been the subject of further discussion.
- *Statement of Need for Agricultural Dwelling(s)* – Where a new agricultural dwelling is proposed a statement of the need for the new dwelling unit shall be provided in accordance with advice contained in Annex A to [PPS7 “Sustainable Development in Rural Areas”](#).
- *Structural Survey* - Structural surveys will be required in cases where it needs to be demonstrated that either a building is capable of being retained and converted, or that a building is incapable of conversion and needs to be removed. In either case factual evidence will be required to support the case.
- *Town Centre Uses (Evidence to Accompany Applications)* – This would apply to all retail and leisure developments over 2,500 square metres gross

floorspace where they are proposed to be located either in an edge of centre or an out of centre location and would not accord with the current Development Plan. They may also be required for smaller developments if they would be likely to affect smaller centres. Evidence should be supplied to show that there are no sequentially preferable sites. Policy advice is available in PPS6 “Planning for Town Centres”, March 2005 ([Planning Policy Statement 6: Planning for Town Centres](#))

- *Transport Assessment* – A Transport Assessment (TA) should be submitted as part of any planning application where the proposed development has significant transport implications<sup>8</sup>. For smaller schemes the TA should simply outline the transport aspects of the scheme but for major proposals the TA should illustrate accessibility to the site by all modes of transport, as well as giving details of measures which will a) improve public transport; b) reduce the need for parking; and, c) mitigate transport impacts. Further guidance can be found in [PPG 13 “Transport”](#).
- *Travel Plan* – Where developments are likely to generate significant additional traffic or journeys to work a Travel Plan will be required.
- *Tree Survey/Arboricultural Implications* - Where trees are within or adjacent to an application site and could influence or be affected by the development (including street trees) information will be required about which trees are to be retained and which removed. Details of the means of protection of trees during the construction period will also be required. This information should be prepared by a suitably qualified and experienced arboriculturalist.
- *Ventilation/Extraction Statement* – Details of the position and design of ventilation and extraction equipment including odour abatement techniques and acoustic noise characteristics will be required to accompany all applications for restaurants and cafés, pubs, wine bars and any other drinking establishments and all hot food takeaways. This information may be required for significant retail, business, industrial or leisure developments where substantial ventilation or extraction equipment is proposed to be installed. Advice on suitable ventilation and extraction equipment can be obtained from the Council’s Environmental Health team.

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**Major Schemes Requiring Transport Assessments**

<b>Development</b>	<b>Site Area</b>	<b>Gross Floor Area or Number of Units</b>
Food Retail	0.2 Ha.	1,000 sq. m.
Non-food Retail	0.8 Ha.	1,000 sq. m.
Office (B1)	0.8 Ha.	2,500 sq. m.
Industry (B2/B8)	2.0 Ha.	6,000 sq. m.
Residential	1.0 Ha.	80 units
Other	60+ vehicle movements in any hour	