

GLOSSARY: LOCAL REQUIREMENTS

This list of requirements has been taken from the generic national list of local requirements, and has been revised to reflect the particular circumstances in the area administered by Babergh District Council. Although all of the national requirements listed on the relevant checklists must be satisfied, it has not been possible to identify the possible local requirements for every type of application or development proposal. Applicants may therefore wish to make enquiries of the District Council before they make an application in order to determine the likely level of detail required. Applicants should, however, be aware that if they submit an application before determining the amount of information required they may be requested to submit additional details in order to satisfy the relevant local requirements as defined below. It should, however, be noted that failure to provide all the information required to satisfy the national and relevant local requirements will invalidate the application and it will be returned to you.

Affordable Housing Statement

Policies HS08 and HS09 in the Babergh Local Plan: Alteration No.2 (2006) outline the requirements for affordable housing provision. An affordable housing statement should therefore provide information concerning both the affordable housing and any market housing (e.g. the number of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, and plans showing the location of the units). If different levels or types of affordability or tenure are proposed for different units this should be fully explained. The affordable housing statement should also include details of any Registered Social Landlords acting as partners in the development. The Babergh Local Plan may be viewed at www.babergh.gov.uk Applicants are also advised to contact the District Council's Housing Policy and Enabling Officer.

Air Quality Assessment

There are currently no identified Air Quality Management Areas in the District. There are, however, sites that are close to the objective levels. Therefore any development which may result in significant traffic generation or other air quality implications may require an air quality assessment. Further guidance is available in Planning Policy Statement 23: Planning and Pollution Control (2004) or via the following websites. Alternatively please contact the District Council.

www.defra.gov.uk/environment/airquality/index.htm or
www.communities.gov.uk/planningandbuilding

Biodiversity Survey and Report

Where a proposed development may have possible impacts on wildlife, biodiversity, and geo-diversity or habitats and species identified as priorities in UK and Suffolk Biodiversity Action Plans information should be provided on existing interests and possible impacts on them to allow full consideration of those impacts. Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and

the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 2007 or the Protection of Badgers Act 1992. Applications for development in the countryside that will affect areas designated for their biodiversity or geo-diversity interests are likely to need to include assessments of impacts and proposals for long-term maintenance and management. This information might form part of an Environmental Statement, where one is necessary.

You are more likely to affect protected species if your proposal involves the demolition of older buildings or alterations to roof spaces, removal of trees, scrub, hedgerows or alterations to water courses. In such instances you may need to provide additional information so that we may assess any potential impacts and consider any mitigation measures.

Government planning policies for biodiversity are set out in Planning Policy Statement 9: Biodiversity and Geological Conservation (2005). PPS9 is accompanied by a Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system (ODPM Circular 06/2005, Defra Circular 01/2005 and Planning for Biodiversity and Geological Conservation: A Guide to Good Practice. Material produced by other organisations may also provide a useful reference resource for local planning authorities when developing local lists.

To check if your site is within an identified Local Wildlife Site go to www.suffolk.gov.uk/Environment/Biodiversity/CountyWildlifeSites.htm

Additional information and advice may be obtained from The Suffolk Biodiversity Partnership on the Suffolk County Council website at www.suffolk.gov.uk/Environment/Biodiversity

For professional independent ecological advice you should contact The Institute of Ecologists and Environmental Managers who hold a list of qualified ecologists offering advisory services. They may be contacted at www.ieem.org.uk

The Earth Science Conservation Classification (ESCC) should be used to indicate whether features other than designated sites are present on the proposed development land, and if so to trigger a survey and impact assessment. For further information see <http://www.english-nature.org.uk/Special/geological/protect2a.htm>. The ESCC has been used to create Suffolk County Council's checklist for geodiversity, which is based on the template taken from the website of the Association of Local Government Ecologists: www.alge.org.uk

Daylight/Sunlight Assessment

In exceptional circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in, for example, BRE guidelines on daylight assessments. Please note that the grant of planning permission would not confer any immunity on those whose works infringe another's property rights, and which might be subject to action under the Rights of Light Act 1959. For further information see 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (BR209) at http://www.aie.org.uk/books/aie_book_breslp.html

Economic Statement

Applications may need to be accompanied by a supporting statement of any regeneration benefits from the proposed development, including: details of any new jobs that might be created or

supported; the relative floor space totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal.

Environmental Statement

The Town and Country Planning (Environmental Impact Assessment) Regulations, 1999, as amended, explains when an Environmental Impact Assessment (EIA) is required. EIA may obviate the need for other more specific assessments. Applicants may find it helpful to request a 'screening opinion' (i.e. to determine whether EIA is required) before submitting a planning application. In cases, where an EIA is not required, the District Council may still require environmental information to be submitted.

Flood Risk Assessment

The Environment Agency has designated Flood Zones and a Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1, and for all proposals for new development located in Flood Zones 2 and 3. A FRA will also be required for any development other than minor development in a designated critical drainage area which has been notified to the District Council by the Environment Agency.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) and address the requirement for safe access to and from the development in areas at risk of flooding.

Further guidance is available in Planning Policy Statement 25: Development and Flood Risk (2006) and it's associated Practice Guide. .

The Environment Agency may be contacted on 08708 506506 or at enquiries@environment-agency.gov.uk or go to www.environment-agency.gov.uk Alternatively you may contact the District Council to check whether your property is within a Flood Zone.

Foul Sewerage and Utilities Assessment

All new buildings need separate connections to foul and storm water sewers. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers.

Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal.

Where connection to the mains sewer is not practical, then the foul mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory. Guidance on what should be included in a non-mains drainage assessment is given in DETR Circular 03/99 and Building Regulations Approved Document Part H and in BS6297.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than a public highway, a notice may need to be served on the owners of that land.

An application should indicate how the development connects to existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and foul and surface water drainage systems. Two planning issues arise; firstly, whether the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, and secondly, whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

The applicant should therefore demonstrate:

- (a) that, following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community;
- (b) that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures;
- (c) that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;
- (d) where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

The Environment Agency may be contacted on 08708 506506 or at www.environment-agency.gov.uk or go to enquiries@environment-agency.gov.uk

Anglian Water may be contacted on 0845 6066087 or at developerservices@anglianwater.co.uk

Heritage Statement (Listed buildings, archaeological sites, scheduled ancient monuments, conservation areas, and historic parks and gardens)

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. The following is a guide to the sort of information that may be required for different types of application.

For applications for listed building consent, a written statement that includes a schedule of works to the listed building(s), an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. A detailed survey of the building/structure as existing may be required in support of an application for listed building consent.

For applications for conservation area consent, a written statement that includes detailed surveys of the existing building/structure, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area may be required.

For applications either related to or impacting on the setting of heritage assets a written statement that includes plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, historic battlefields and scheduled ancient monuments and an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required.

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required.

For all applications involving the disturbance of ground within an Area of Archaeological Potential or in other areas in the case of a major development proposal or significant infrastructure works, an applicant may need to commission an assessment of existing archaeological information and submit the results as part of the Heritage Statement.

For heritage assets, advice is provided in Planning Policy Guidance Note 15 Planning and the Historic Environment (1994). For archaeological remains, advice is provided in Planning Policy Guidance Note 16: Archaeology and Planning (November 1990).

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application, and may include field evaluation (in accordance with PPG 16 paragraphs 19-22).

In the case of barn conversions and changes of use (including demolitions) of other traditional buildings, applications should include a structural survey and historical appraisal to assess the importance of the building.

The Heritage Statement must be prepared by a qualified professional archaeologist. In the case of barn conversions and changes of use (including demolitions) of other traditional buildings, the statement relating to the above-ground structure should be prepared by a qualified professional architectural historian.

Applicants should discuss with the Suffolk County Archaeological Service what is required in the statement. In the case of Scheduled Monuments, applicants should also discuss the requirements with English Heritage.

Sites of archaeological potential include:

- All development sites over 0.5ha in area,
- Other areas that are the subject of major development proposals or significant infrastructure works, and,
- All development sites within 100m of a known archaeological site recorded in the Suffolk Historic Environment Record (HER).

Further guidance on archaeology, the historic environment and planning can be found in Planning Policy Guidance 16 'Archaeology and Planning' and Planning Policy Guidance 15 'Planning and the Historic Environment' by following links from Suffolk County Council Website, <http://www.suffolk.gov.uk> (Archaeology and Planning). The Suffolk County Archaeologist may be contacted by email at: archaeology@et.suffolkcc.gov.uk or by telephone on 01284 352443.

Land Contamination Assessment

Applications may need to be accompanied by a land contamination assessment which should include an extended assessment of contamination in line with Planning Policy Statement 23 'Planning and Pollution Control' (2004). Sufficient information should be provided to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level.

Where contamination is known or suspected as minimum a desk study, site walkover and preliminary risk assessment relating to land contamination should be submitted with the planning application. Where the proposed use would be particularly vulnerable to the presence of contamination (e.g. residential developments or schools) then as a minimum an Environmental Search Report and a covering letter identifying any potential risks in relation to land contamination should be submitted with the planning application. If a potential risk is identified then land contamination should be suspected and additional information as specified above should be provided. For further guidance please contact the District Council.

Landscaping Details

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the Design and Access Statement, if required. Existing trees and other vegetation should, where practicable, be retained in new developments and protected during the construction of the development.

Lighting Assessment

Proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area, or open countryside, where external lighting would be provided or made necessary by the development, should be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design. '*Lighting in the countryside: Towards Good Practice*' (1997) is a valuable guide. It demonstrates what can be done to lessen the effects of external lighting, including street lighting and security lighting. The advice is applicable in towns as well as the countryside.

Further information is also available from Defra at www.defra.gov.uk/environment/localenv/nuisance/light/index.htm

Noise Assessment

Application proposals that raise issues of disturbance or are considered to be a noise sensitive development in what are considered noise sensitive areas should be supported by a noise impact assessment prepared by a suitably qualified acoustician. Further guidance is provided in Planning Policy Guidance Note 24: Planning and Noise (1994).

Further information is available from Defra at: <http://www.defra.gov.uk/environment/noise/index.htm>

Open Space Assessment

For development within open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. Planning permission is not normally given for development of existing open spaces which local communities need. In the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application. National planning policy is set out in Planning Policy Guidance Note 17: Planning for open space, sport and recreation (2002).

Parking Provision

Applications may be required to provide details of existing and proposed parking provision. These details could also be shown on a site layout plan or block plan.

Photographs and Photomontages

These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building. Photographs and photomontages should be provided in an accessible format, such as PDF (Adobe Acrobat).

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 (or “developers”), and are intended to make acceptable development which would otherwise be unacceptable in planning terms.

The District Council considers that delays in the satisfactory agreement of terms and title issues can pose a serious risk to the prompt and efficient determination of an application. For that reason, where policies contained in the Babergh Local Plan (2006) anticipate the need for such an obligation, such as Policy HS32, early pre-application discussion is encouraged.

In cases where no substantive pre-application discussion has taken place, in order to facilitate prompt and efficient processing of the application, an applicant will be expected to provide the following information at the time the application is lodged with the District Council. Failure to do so may invalidate the application.

- full and current title documentation, and
- the name and address of the applicant’s Solicitor.

In cases where substantive pre-application discussion has taken place, and Heads of Terms have been resolved and agreed, the District Council will at its discretion validate and progress the application.

Planning Statement

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations undertaken with the District Council and wider community/statutory consultees prior to submission. A separate statement on community involvement may also be appropriate for larger-scale proposals.

Site Waste Management Plan

Proposed new development should be supported by site waste management plans of the type encouraged by the code of practice published in 2004 by the Department of Trade and Industry now the Department for Business Enterprise and Regulatory Reform 'Site Waste Management Plans: guidance for construction contractors and clients'. These do not require formal approval by the District Council but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed. Further advice may be obtained from the District Council 01473 825890.

Statement of Community Involvement

Applications may need to be supported by a statement setting out the extent of pre-application consultation and involvement to demonstrate that the views of the local community have been sought and taken into account in the formulation of development proposals. Further guidance on Statements of Community Involvement is available in Chapter 7 of Creating Local Development Frameworks: A Companion Guide to PPS12 (2004). The District Council's Statement of Community Involvement can be viewed at www.babergh.gov.uk

Structural Survey/Survey as Existing

A detailed survey of the building/structure as existing may be required in support of an application if the proposal involves substantial demolition or alterations. This may need to take the form of an architectural, archaeological, photographic or structural survey.

Telecommunications Development – Supplementary Information

Planning applications for mast and antenna development by mobile phone network operators in England should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure, and technical justification and information about the proposed development.

Planning applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP). Further guidance on the information that may be required is set out in the Code of Practice on Mobile Network Development (2002).

Town Centre Uses – Evidence to accompany applications

Planning Policy Statement 6: Planning for Town Centres (2005) sets out the main town centre uses to which the policy applies, in paragraph 1.8. Subject to the policies set out in the document, paragraph 3.4 lists the key considerations for which applicants should present evidence. The level

and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal. For further information go to: <http://www.communities.gov.uk/publications/planningandbuilding/planningtown>

Transport Assessment

Planning Policy Guidance 13 'Transport' (2001) advises that a Transport Assessment (TA) should be submitted as part of any planning application where the proposed development has significant transport implications. The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA should simply outline the transport aspects of the application, while for major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. Further guidance can be found in Guidance on Transport Assessment, published by the Department for Transport (March 2007) and Circular 02/2007.

Applicants are advised to discuss their proposals with the District Council at an early stage to establish the need for a Transport Assessment. Additionally contact may need to be made with the Suffolk County Council as the local highway authority or the Highways Agency if the development has an impact on a Trunk Road.

For further information go to: www.communities.gov.uk/planningandbuilding or the Highways Agency website: www.highways.gsi.gov.uk

Travel Plan

Planning Policy Guidance 13 'Transport' (2001) promotes Travel Plans as a means of reducing car usage and increasing use of public transport, walking and cycling. Travel Plans should therefore seek to provide a range of measures and incentives to facilitate the use of alternative modes of transport. A Travel Plan should be submitted alongside planning applications which are likely to have significant transport implications and should be the first stage in managing the impacts of development. Further guidance can be found in Guidance on Transport Assessment, published by the Department for Transport (March 2007) and Circular 02/2007.

Tree Survey/Arboricultural Assessment

Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist.

Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in relation to construction – Recommendations'. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

To check if trees are subject to a Tree Preservation Order contact the District Council on (01473) 825858 or by email at planningreception@babergh.gov.uk .

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 the use of premises for purposes within Use Classes A3 (i.e. restaurants and cafes – used for the sale of food and drink for consumption on the premises), A4 (i.e. drinking establishments – use as a public house, wine-bar or other drinking establishment), A5 (i.e. hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial). This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

DESIGN AND ACCESS STATEMENTS

A Design and Access Statement should take the form of a short report which accompanies the planning application showing the process that has led to the proposal. A statement should not substitute drawings, but must identify how the proposals meet the requirements of the legislation and national, regional and local planning policies. It should also explain how the local physical, economic and social context has influenced the design and allow local communities and other stakeholders to become involved in the planning process. The legislation prohibits the District Council from entertaining an application unless it is accompanied by a Design and Access Statement. Design and Access Statements are required for both outline and full applications.

A Design and Access Statement will not be required for:

- A material change in the use of land or buildings (unless this involves operational development),
- Engineering or mining operations,
- Development of an existing dwelling house or development within the curtilage of a dwelling house (unless the dwelling is located within a National Park, an Area of Outstanding Natural Beauty, a Conservation Area, or a Site of Special Scientific Interest).

Equally statements are not required for advertisement control, tree preservation orders or storage of hazardous substances.

CONTENT OF DESIGN AND ACCESS STATEMENTS

The Design Components

In detail, the statement should explain the design principles and concepts as follows:

- **Amount** of development is how much development is proposed. For residential development; this means the number of proposed units for residential use and for all other development, this means the proposed floor space for each proposed use.
- **Layout** is the way in which buildings, routes and open spaces (both private and public) are provided, places and orientated in relation to each other and buildings and spaces surrounding the development.
- **Scale** is the height, width and length of the building or buildings in relation to its surroundings.
- **Landscaping** is the treatment of private and public spaces to enhance or protect the amenities of the site and the area in which it is situated through hard and soft landscaping measures. Statements should also explain how landscaping will be maintained.
- **Appearance** is the aspect of a place or building that determines the visual impression it makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

The statements must also demonstrate that steps have been taken to appraise the context of the proposed development.

This includes:

- **Assessment** of the sites immediate and wider context in terms of physical, social and economic characteristics and relevant planning policies. This may include both a desk survey and on site observations and access audit. The extent of the area to be surveyed will depend on the nature, scale and sensitivity of the development.
- **Involvement** of both community members and professionals undertaken or planned. This might include, for example, consultation with local community and access groups and planning, building control, conservation, design and access officers. The statement should indicate how the findings of any consultation have been taken into account for the proposed development and how it has affected the proposal.
- **Evaluation** of the information collected on the sites immediate and wider context, identifying opportunities/constraints and formulating design and access principles for the development. Evaluation may involve balancing any potentially conflicting issues that have been identified.
- **Design** of the scheme using the previous factors of assessment, involvement, and evaluation of the information collected. Understanding a development's context is vital to producing good design and inclusive access and applicants should avoid retrospectively, trying to justify a predetermined design through subsequent site assessment and evaluation.

The Access Components

This element of the statement should explain how access arrangements would ensure that all users would have equal and convenient access to building and spaces and the public transport network. It will also need to demonstrate how flexible the development will be in adapting to changing needs. Particular reference should be made to the inclusion of people with disabilities and how sources of advice on design and accessibility and technical issues have been followed. In addition consideration will need to be given to access for emergency vehicles as well as circulation routes around a particular site or exits from buildings in the event of emergency evacuation.

STATEMENTS RELATING TO LISTED BUILDINGS

Statements should provide the same level of information as described above but in addition outline the importance of the building including:

- Its intrinsic architectural and historic interest,
- The particular physical features of the building that justify its designation as a listed building, and
- The setting of the building.

GUIDANCE FOR CERTAIN APPLICATION TYPES

It is important that applicants provide accurate details which clearly explain the proposed development when it is first submitted so that the proposal can be fully understood by everybody. This will help to ensure that the application can be processed speedily without the need to supply further information at a later stage.

The following guidance has been produced to assist applicants with the preparation of information to support certain types of application. It should however be noted that it will still be necessary to comply with the relevant national and local validation requirements.

- **AGRICULTURAL AND OTHER OCCUPANCY CONDITIONS**

In the case of applications to retain development without complying with agricultural occupancy conditions, a supporting statement should be provided which explains the consideration given to the agricultural needs issues with reference to the guidance contained in Planning Policy Statement 7 Annex A. The statement should explain the steps taken to investigate current agricultural or other occupancy needs within the locality. Evidence that the property has been independently valued and marketed at an appropriate discounted price for a period of not less than 12 months in appropriate publications together with other steps taken to market the property to the agricultural or horticultural community should be provided.

In the case of other occupancy conditions, evidence should be provided to explain that the needs safeguarded by the original occupancy condition are no longer relevant together with supporting commercial evidence and evidence of efforts to market the property within the relevant community. Evidence should be provided that the property has been independently valued and marketed at an appropriate price for a period of not less than 12 months.

- **AGRICULTURAL OR HORTICULTURAL BUILDINGS**

Applications for agricultural or horticultural buildings should include a description of the proposed use of the building within the application description and be accompanied by a full review of the activities which are to be expected to be undertaken within an accompanying statement. In the case of intensive livestock buildings it may be necessary to obtain a Screening Opinion under the provisions of the Environmental Impact Assessment Regulations.

Where a new building will be located away from the existing agricultural / horticultural enterprise buildings the application statement should indicate why the site has been selected in preference to a site adjacent to those existing buildings.

Materials and finishes of any buildings or structures together with proposed surface treatments for any hard standings and access ways should be described within the application statement.

- **DEVELOPMENT ON AGRICULTURAL LAND**

Applications which propose the development of more than 0.5 ha of agricultural land and which affect land which is identified as Grade 1, 2 or 3 should be accompanied by a statement from an appropriately qualified person describing the actual classification of the land and the reasons why it is considered that the development cannot be located on other land of lower classification and what the foreseeable loss of that land from agriculture would have to the agricultural economy.

- **AGRICULTURAL OR HORTICULTURAL WORKERS DWELLINGS**

Applications for permanent residential dwellings should not be supported by a statement setting out both the current “functional need” and financial viability of the enterprise. These statements should address the issues within Annex A to Planning Policy Statement 7. A current technical appraisal of the issues mentioned in Annex A undertaken by an agricultural or similar consultant must be provided with the application.

If the application is based upon a need for a new dwelling which is essential to support a new farming activity, whether on a newly created agricultural unit or on an established one, and the need is to be met by the provision of temporary accommodation, the application should be accompanied by a statement to address the reversibility of the development.

- **AMENITY GARDEN EXTENSIONS IN THE COUNTRYSIDE**

Applications to extend the amenity garden of an existing dwelling house into the countryside normally constitute a material change of use. Application plans should detail any associated landscaping or works related to the change of use (such as ponds / banks / boundary treatment). The application should be supported by a statement indicating the range of activities that are to take place on the land along with an indication as to whether any outbuildings are to be constructed.

Where the use would develop land used for agriculture including set-aside land, reference should be made to the requirements for development on agricultural land (see above).

The application should be accompanied by a photographic survey/photomontage showing the site from appropriate public viewpoints including public rights of way within the locality. The impact upon views from the public realm should be described within a statement accompanying the application.

- **ANNEXE ACCOMMODATION**

The application description must clearly identify the nature of the accommodation proposed and the family or other need it is intended to serve.

Where annexe living accommodation for a separate household is proposed within a new detached building within the curtilage of an existing dwelling, the District Council will normally expect a Section 106 planning obligation to be concluded which secures the occupation of the annexe solely to meet the need specified in the application before the application is validated.

In the event that the applicant does not propose to conclude a Section 106 Agreement then a statement should accompany the application to explain why this is inappropriate.

- **BARN CONVERSION TO RESIDENTIAL USE AND CHANGES OF USE OF OTHER TRADITIONAL BUILDINGS**

In the case of ALL applications for the conversion of buildings the application description must include clear reference to the full range of works and uses which are proposed.

Where an application proposes a non-employment use of an existing building the provisions of Policy EM24 of the Babergh Local Plan (2006) must also be satisfied.

Where an application proposes design revisions to a previously permitted scheme then the application description must detail the full range of works currently being proposed.

The application must be accompanied by a statement which describes in detail the extent of conversion works and the extent of any new works, including extensions and additions, by reference to a marked plan which must clearly show those areas of conversion or new work by distinct colouration or hatching.

In all cases a clear timetable for the phased implementation of the work should be provided together with a proposal for monitoring of the conversion work.

Where the proposal concerns the conversion of a traditional farm building a written statement explaining how the scheme has taken account of the advice of English Heritage contained in “The conversion of traditional farm buildings – a guide to good practice” should be provided.

The application statement should also explain how the scheme addresses the approach to conversion to residential use described within English Heritage advice “Living buildings in a living landscape: finding a future for traditional farm buildings”.

The application should be accompanied by a survey of the building and an engineers report detailing the suitability of the building for the conversion works proposed.

Biodiversity issues should also be evaluated in accordance and appropriate survey information should be submitted with the application as set out in Annex B to this document.

- **CARAVAN SITES – RESIDENTIAL (TEMPORARY AND PERMANENT)**

Any relevant circumstances giving rise to a need for residential caravan accommodation should be explained in a statement to accompany the application.

In the case of a caravan for an agricultural, horticultural or forestry worker, a statement should accompany the application to explain the current ‘functional need’ and financial viability of the enterprise. These statements should address the issues within Annex A to Planning Policy Statement 7. A current technical appraisal of the issues mentioned in Annex A undertaken by an agricultural or similar consultant must be provided with the application. If the application is based upon a need for a new dwelling which is essential to support a new farming activity, whether on a newly created agricultural unit or on an established one the application should address the reversibility of the development and how the need is to be met by the provision of temporary accommodation.

If the application is for a temporary period then the application description should clearly include the period for which the caravan is required. If the application is to meet a need, such as a

personal/family circumstance, then the application description should include reference to that need.

If the application is to meet a need for gypsy or traveller accommodation reference should be made to Circular 01/2006 'Planning for gypsy and traveller caravan sites'.

If the application will require the creation of new areas of hard standing/access way surfaces then the application description must expressly identify these and the access ways/surfaces and their materials will need to be detailed on plan. Any new drainage arrangements must be detailed in the description and depicted in the same manner.

Any other building or engineering works forming part of the application should be expressly detailed in the application description and appropriately detailed in a supporting statement and/or plan.

- **CHANGES OF USE – ALL APPLICATIONS**

In all cases applications should describe the existing use in full and the proposed change, including as necessary a description of any lawful mixed uses. When detailing the existing and proposed uses reference should be made where possible to the Town & Country Planning (Use Classes) Order 1987 as amended.

The application should include a clear statement of the core activities and foreseeable ancillary aspects which will make up the proposed use together with an appropriately detailed plan showing where activities will be undertaken within the site.

- **CHANGES OF USE - NEW BUILDINGS AND CHANGES FOR PURPOSES IN CLASS A2 (FINANCIAL & PROFESSIONAL SERVICES) USES**

Planning applications for such uses should include the following information:

- Floor plans indicating the internal arrangements.
- A block plan illustrating the external parking arrangements. If no car or cycle parking is proposed, a statement explaining why should be included.
- Details stating the service to be provided. If no occupier is known this should be made clear.
- Opening hours proposed.
- Numbers of staff proposed.
- Estimated number of vehicles per day expected to visit or attend the site broken down by type function and size.

- **CHANGES OF USE – NEW BUILDINGS AND CHANGES OF USE FOR PURPOSES WITHIN CLASSES A3 (RESTAURANTS & CAFES) A4 (DRINKING ESTABLISHMENTS) A5 HOT FOOD TAKE-AWAY**

Applications for proposals for uses in Classes A3, A4 and A5 should include details of the operational characteristics of the proposed use, to include the working hours, defining trading hours where appropriate, parking arrangements etc. The application should also be accompanied by details of the mitigation measures for the noise and odour (where applicable) that would be generated by the use. Proposals for new ventilation flues, extract systems, or air conditioning units should be included in the application if they are proposed to form part of the development.

Where the proposal relates to the change of use of existing premise the application documentation shall include existing and proposed floor plans. The proposed floor plans shall identify the location of equipment which would be needed i.e. cooking appliances, plant room etc.

Applications for public houses should include plans and details of any external lighting, smoking shelters or CCTV if proposed to form part of the development.

- **COMMERCIAL AND INDUSTRIAL DEVELOPMENTS (INCLUDING CHANGES OF USE) – CLASS B1, B2 AND B8 USES AND SUI GENERIS COMMERCIAL AND INDUSTRIAL TYPE USES**

Applications should be accompanied by a Block Plan which should detail the relevant uses expected within different areas of the site and relevant functions of any rooms within buildings. Any areas for outside working / processes should be identified and the heights above ground level for outside storage depicted. Areas of the site given over to parking of commercial vehicles should be identified by vehicle type.

A statement supporting the application should include a description of the industrial or commercial process to be undertaken and any related machinery, which may be expected to be used on the site. Where processes or activities will be subject to other licensing regimes or other forms of regulation then this should be clarified, and an indication given whether or not consent has been obtained under the relevant legislation.

All major developments should be accompanied by a photomontage of any proposed buildings within their landscape setting.

Employee numbers, both existing and proposed (with reference to a formal timescale) should be stated in the supporting documentation or within the application. Hours of operation should be clearly expressed and any unusual working hours or practices identified. Estimated number of vehicles per day expected to visit or attend the site should be provided broken down by type function and size.

The expected method and frequency of disposal of waste should be identified in a supporting statement together with any measures to undertake recycling on the site.

- **DEVELOPMENT OF LAND WITHOUT COMPLIANCE WITH CONDITIONS PREVIOUSLY ATTACHED**

The application description should be framed to expressly include the description of development, condition number and reference of the earlier permission together with the summary of the effect of not complying with the condition.

The application should be accompanied by an explanation of the reason for the request for the non-compliance with the condition. Where evidence of problems with the current wording of the condition will be relevant to the District Council's consideration then this should be fully detailed.

If the application is for retention based around a long-term period of non-compliance with the condition, then this should be detailed and evidence of that provided.

In the case of applications not to comply with a condition, the planning statement should address the reason for the condition and explain why those reasons are no longer relevant or in what way a

varied condition can meet the same objective. Where the variation gives rise to differing plan details to those originally provided then the changed information should be provided.

The proposed alternative wording that is requested should be detailed in a statement accompanying the application. The application description should address this in summary and be framed to expressly include the condition number and reference of the earlier permission together with the summary of the intended variation.

- **EQUESTRIAN DEVELOPMENTS**

Applications for equestrian developments should include a statement to confirm whether the intended use will be commercial or private and, if private, any association with existing dwellings in the locality.

In the case of commercial uses the expected numbers of horses normally accommodated on the site should be detailed in the statement. The application should be accompanied by a statement indicating any equestrian events that are likely to be held and which the public will be invited to attend. Where such events will be held the statement should explain the nature of the events, the expected public attendance, times of operation, parking and access areas and other facilities that will be provided. The use of public address systems and temporary lighting should also be clarified within the application statement.

If stabling is proposed then details of any external lighting should be provided together with details of waste disposal including a waste management plan providing details regarding the siting of any manure heap and foul drainage from the stables.

In the case of commercial equestrian developments the application statement should explain the type of operation (e.g. livery yard, eventing centre, riding school, stud etc). Where the proposal includes outdoor riding arenas details of any external lighting to be installed, fencing and a cross section drawing of the arena including drainage details should be provided. Information should also be provided regarding supervision and monitoring of the site by staff and any associated living accommodation.

If permanent jumps are to be installed (eg. cross country jumps) details of their proposed siting and design will be required.

Details of the expected links by riders to and use of local public or permissive or other rights of way should be included with the application.

- **ENGINEERING OPERATIONS – ACCESSES, EXCAVATIONS/DEPOSIT OF MATERIAL, DITCHES, BUNDS, BANKS AND OTHER SIMILAR WORKS**

A statement describing the relevant engineering operations should accompany applications.

Where access arrangements are proposed then these should be fully detailed together with appropriate visibility splay arrangements. Where an access gives onto a new internal road or way to be constructed within a site then the surfacing materials for the access and that road or way should be detailed together with a timetable for the provision of the final surface.

Where material is to be deposited on the land or excavated then the source / destination of that material must be detailed so as to establish whether or not the application would constitute a “county matter”.

Applications should include details of the volume of spoil / material to be removed or infilled and indicate where that will be stored within the site if not removed. The finished profile of any excavation, ditch, bund or bank should be detailed with cross sections along two axes

Where ground levels are to be changed, the application should be accompanied by a plan indicating existing and proposed levels, including references to contours and spot heights.

- **LIVESTOCK BUILDINGS AND SLURRY LAGOONS**

The application should include drawings to show the elevations as well as the roofing and facing materials to be used together with details of the colours and finishes of those materials.

Details of the types and numbers of livestock to be housed in the building(s), details of breeding/fattening schedules or other periods during which livestock are to be housed in the building(s) together with details of proposed arrangements for waste removal and disposal must be provided with the application. Where mechanical ventilation is to be incorporated in the building details (including noise output and attenuation measures) should be provided.

The application must be accompanied by a site location plan identifying by means of distinct colouration or highlighting all permanent buildings normally occupied by people, or which would be so occupied if used for the purpose for which it is apt, other than dwellings or buildings occupied in connection with agricultural enterprise making the application (‘protected buildings’).

The accompanying statement should clearly state whether there are any protected buildings within 400m of the application site. In the case of slurry or other lagoons the location of the protected buildings use shall be measured from the nearest point of the lagoon to each such building.

Applications for slurry or other lagoons must be accompanied by details including cross sectional profile drawings together with similar details of bunding and/or other measures to ensure sufficient capacity within the lagoon to prevent the spillage of contents onto surrounding land.

- **OUTSIDE/OPEN STORAGE**

Where an application includes outside storage of any goods, materials, products or waste whether as a use in its own right or as a core activity comprising part of a principal use this should be detailed on an application Block Plan and the relevant areas expressly delineated. The proposed or expected height, above ground level, of any outside storage should be clearly stated on the plan or within a statement accompanying the application.

- **CERTIFICATE OF LAWFUL EXISTING USE OR DEVELOPMENT**

In the case of applications that are reliant upon witness evidence it should be provided in the format of a sworn statutory declaration. Where applications include other written evidence, such as billing, accounts, or publications then the original documentation shall be provided with the application. Where the application refers to photographs the full provenance of the photograph and description shall be provided at the time of application together with a scale plan showing the

location/view point of each photograph. The original photographs shall be provided with the application.

- **CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT (CLOPUD)**

Applications for a CLOPUD in relation to “permitted development” rights must be accompanied by a statement clearly describing the way in which the development meets each of the relevant conditions or limitations which control that permitted development right. Applications relating to agricultural, forestry or industrial uses (as defined by the 1995 Order) must include a statement describing the use in being at the time of the application having regard to the interpretation provisions of the particular Part. In the case of a sui generis use then all of the principal activities and processes undertaken must be detailed.

A users guide to Lawful Development Certificates is available from the Department for Communities and Local Government.