



Validation Checklist 15 March 2021

Introduction

This checklist has been prepared by Mid Kent Planning Support (MKPS).

By creating and maintaining a validation checklist we hope to provide clarity to applicants/agents during the validation process.

The checklist aims to help you in the preparation of your application and provide the right information from the outset. This helps both the Council and any consultees in assessing the proposal and its impacts.

Ensuring that the correct information is received by MKPS in the first instance minimises the risk that we may need to contact you for further information.

Electronic Submissions File Size/Types

When making electronic submissions, individual files should not be larger than 10MB

Only the following file types can be submitted electronically for applications

Plans: .pdf

Documents: .pdf

Photographs: .jpg, .jpeg, .tif, .tiff, .pdf

Plan submissions: Paper Size/Layout for Plans/Titles/Scale bars

When submitting plans to MKPS our preferred size is A1. As much information as is reasonably possible should be contained on the one sheet.

This format provides the greatest level of readability and environmental benefits in terms of printing.

All drawings should be accurately titled, include drawings numbers, (where relevant a revision number identifying the change and date) and a scale and scale bars.

Please refrain from using the following drawing statuses if the plans you have submitted are intended to be formally determined as part of your planning application i.e. Preliminary, Illustrative, Draft, For Information Only and Do Not Scale (unless Do Not Scale is followed by for Planning Purposes Only).

Where possible please refrain from submitting plans in booklet forms.

Where illustrative material is provided to support consideration of the formal application, please indicate clearly on a schedule of drawings, those which form part of the application and those which are illustrative.

Checklist Requirements

The information required to make a valid planning application comprises:

- 1) A fully completed and correctly signed application form
- 2) The correct application fee
- 3) Provision of national information requirements (the ‘National List’)
- 4) Provision of local information requirements (the ‘Local List’ Parts A & B)
 - i.) Part A – Required for all applications
 - ii.) Part B – Additional information

1.) A completed application form		
Requirement	Information	Relevant links for further information
Completed application form	<p>Most planning applications will require a completed application form (although The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) set out the definitive requirements</p> <p>The application form and associated certificates, and/or declarations of service must be fully signed and dated. Please include the name or initial followed by the surname.</p> <p>We require that the full name and address of the applicant (and agent if appropriate) to be provided when completing the application form.</p> <p>All applications for planning permission must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be</p>	<p>Electronic Links for Application Forms</p> <p>Planning Portal Application Form Guidance Notes</p>

Please note that you are required to identify whether you are the sole 'owner', for example, if you have a lease with 7 years unexpired term, you would still be required to serve notice on the freeholder.

2.) The correct application fee

Requirement	Information	Relevant links for further information
Correct application fee (where one is necessary)	<p><i>All applications and associated consents will require the correct application fee to be paid.</i></p> <p>Validation will not take place until the fee has been <i>received</i> by Mid Kent Planning Support.</p> <p>Please note that the Planning Portal does not automatically calculate fees for 'Hybrid' applications, so such applications should be accompanied by a fee calculation note.</p>	<p>Planning Portal Application Fee Calculator</p> <p>Link to PDF Fee Schedule</p>

3.) Provision of national information requirements (The 'National List')

Requirement	Information	Relevant links for further information
Site Location Plan (Scale 1:1250 or 1:2500)	<p><i>All applications will require a Site Location Plan.</i></p> <p>A location plan should be based on an up-to-date map. The direction of north must be shown and a scale bar should be included.</p> <p>A location plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.</p> <p>The application site should be clearly and accurately outlined in red on the location plan. The location plan should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).</p> <p>A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.</p>	<p>Planning Portal Accredited Suppliers for Plans</p>

<p>Block Plan or (Scale 1:500) Site Plan (Scale 1:200)</p>	<p><i>Applications that will require a Block/Site Plan are listed below:</i></p> <ul style="list-style-type: none"> • If the proposal will alter an existing building footprint or create a new building footprint. <p>The block plan should show the proposed development in relation to the existing buildings on site.</p> <p>The direction of north must be shown and a scale bar must be included.</p> <p>The following should be included unless these would not influence or be affected by the proposed development</p> <ol style="list-style-type: none"> i. All the buildings, roads and footpaths on land adjoining the site including access arrangements ii. All public rights of way crossing or abutting the site iii. The position of all trees on site, and those on adjacent land that could influence or be affected by the development iv. The extent and type of any hard surfacing; and v. Boundary treatment including walls or fencing where this is proposed 	<p><u>Planning Portal Accredited Suppliers for Plans</u></p>
<p>Existing & Proposed Elevation Drawings (Scale 1:50 or 1:100)</p>	<p><i>Applications that will require Elevation Drawings are listed below:</i></p> <ul style="list-style-type: none"> • If the proposal will create, alter or add to a building <p>The elevation drawings should show the elevations that would be created or altered by the development in relation to the existing site.</p> <p>The elevation direction (e.g. North Elevation/Front Elevation) and a scale bar must be included.</p> <p>The elevations of any existing building that is</p>	

	to be demolished should be clearly shown.	
Existing & Proposed Floor/Roof Plans (Scale 1:50 or 1:100)	<p><i>Applications that will require Floor/Roof Plans are listed below:</i></p> <ul style="list-style-type: none"> • If the proposal will create, alter or add area to a an existing floor/roof (including the insertion of a mezzanine) <p>The floor/roof plans should show the existing layout of the building and how it will be changed as a result of the development.</p> <p>All relevant floor/roof levels that are being constructed, altered or extended should be shown. Scale bars must be included.</p>	
Site Levels and Sections (Scale 1:50 or 1:100)	<p><i>Applications that will require Site Levels/Sections are listed below:</i></p> <ul style="list-style-type: none"> • If the proposal will lead to a change in the level of the land or the proposed development is on land of different levels. <p>The site levels/section should show the existing and proposed levels of the site and where those levels differ from that of land and buildings immediately adjoining the site.</p>	
Design and Access Statement	<p><i>Applications that will require a Design and Access Statement are listed below:</i></p> <ul style="list-style-type: none"> • Development which is considered ‘major development’ • Applications where any part of the development is in a ‘designated area’ (World Heritage Site or a Conservation Area) and is a development consisting of <ul style="list-style-type: none"> i. the provision of one or more dwellinghouses; or ii. the provision of a building(s) where the floor space created by the development is 100m² or more. • Applications for listed building consent 	Planning Portal Information for Design and Access Statement

4.) Provision of local information requirements (The 'Local List')

Part A – Required for all applications

	Requirement	Information	Relevant links for further Information
A1	Street Scene Elevations	<p><i>Applications that require street scene elevations are listed below:</i></p> <ul style="list-style-type: none"> • New building(s) of two storeys or more in height in built up areas where there is a “street-scene”. 	Street Scene Guidance
A2	Heritage Statement	<p><i>Applications that will require a Heritage Statement are listed below:</i></p> <ul style="list-style-type: none"> • If the proposal will affect a conservation area, a listed building or scheduled monument <p>The heritage statement as a minimum should include photographs and an impact assessment.</p>	Heritage Statement Guidance
A3	Flood Risk Assessment	<p><i>Applications that will require a Flood Risk Assessment are listed below:</i></p> <ul style="list-style-type: none"> • If the site is in the Environment Agency’s Flood Zone 1 and over 1 Hectare; or • Where the site is located within Flood Zones 2 or 3; or • Development other than minor development in a designated critical drainage area 	Flood Risk Assessment Guidance
A4	Ecological/ Protected Species Survey	<p><i>Applications that will require an Ecological/Protected Species Survey are listed below:</i></p> <ul style="list-style-type: none"> • If the development is likely to affect statutorily protected species; or • Is in a site of Special Scientific Interest (SSSI); or • In a Special Protection Area (SPA) • In a Special Area of Conservation (SAC) 	Ecological Survey Guidance
A5	Tree Survey/Arboricultural	<p><i>Applications that will require a Tree Survey/Arboricultural assessment are listed</i></p>	Tree Survey Guidance

	Assessment	<p><i>below:</i></p> <ul style="list-style-type: none"> Where there are trees or hedges on your own property or on adjoining properties which are within falling distance, or in the case of designated ancient woodland/trees and veteran trees within 30m, of your proposed development, including level changes, service runs and landscaping. 	
A6	“Shadow” Habitats Regulations Assessment	<i>Applications which fall within the catchment area of the River Stour and are developments which generate additional population will require a “Shadow” Habitats Regulations Assessment</i>	“Shadow” HRA Guidance
A7	Affordable Housing Statement FOR MAIDSTONE ONLY	<i>Applications for housing development of 10 or more dwellings or has a site area of 0.5 hectares or more</i>	Affordable Housing Statement Guidance
A8	Change of Use Applications FOR MAIDSTONE ONLY	<i>Applications that will require full details of design where the mobile unit or other “feature” is intended on a semi-permanent basis e.g static caravan or other structure intended to be stationed on the land on a semi-permanent basis and which may include operational works.</i>	Change of Use Guidance
A9	Community Infrastructure Levy (Form 1) Additional Information and (Form 2) Assumption of Liability. FOR MAIDSTONE ONLY	<p><i>Applications that will require a CIL form 1 are listed below: (MAIDSTONE ONLY)</i></p> <ul style="list-style-type: none"> Applications for full planning permission, including householder applications and reserved matters following an outline planning permission, and applications for Lawful development Certificates. <p>All planning applications that fall within the above types will need to have someone assuming liability for payment. To assist the Council in the CIL collection process, liable parties are required to submit a signed assumption of liability form with the CIL Form 1, in order that the liable person can be issued with</p>	CIL Form 1 Guidance CIL Forms CIL FORMS\form 2 assumption of liability.pdf

	a liability notice by the Council	
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Please Note: Information that may be necessary to identify potential impacts and required mitigation and which would thus enable the council to consider and determine your application efficiently. If such information is not submitted, the council may have no choice but to refuse the application due to a lack of supporting information.

Note: [The Town and Country Planning \(Development Management Procedure and Section 62A Applications\) \(England\) \(Amendment\) Order 2021](#) came into force on **16th July 2021** and requires Fire Statements to be provided for developments which fall within the definition and height requirements as set out in Article 9A.

4.) Provision of local information requirements (The ‘Local List’)		
Part B – Additional Information		
Requirement	Information	Relevant links for further information
B1	<p><i>Air Quality Assessment</i></p> <p><i>Applications that will require an Air Quality Assessment (AQA) are listed below:</i></p> <ul style="list-style-type: none"> • Proposals that are likely to generate high levels of air pollution, such as significant industrial developments; or • Significant proposals that are located in any Air Quality Management Area (AQMA); or • That would result in a significant increase in traffic passing through any AQMA; or • Development that may result in the exceedance of air quality standards within currently undesignated areas 	<p>Air Quality Assessment Guidance</p> <p>Air Quality Information (Maidstone)</p> <p>Air Quality Information (Swale)</p>
B2	<p><i>Contaminated Land Investigation</i></p> <p><i>Applications that will require a Contaminated Land Investigation are listed below:</i></p> <ul style="list-style-type: none"> • When previous uses on or adjoining the site could have given rise to contamination such as landfill sites, former industrial and commercial processes, petrol filling stations, institutional uses, storage of chemicals (including on farms); or • When an initial desktop and walkover study suggests that contaminants may be present 	<p>Contaminated Land Investigation Guidance</p>

B3

<p>Noise Impact Assessment</p>	<p><i>Applications that will require a Noise Impact Assessment are listed below:</i></p> <ul style="list-style-type: none">• Proposals that generate high levels of noise such as noisy sports; commercial, industrial or manufacturing/warehousing developments using noisy machinery or vehicles, refrigeration plant and equipment; or• New housing or other noise sensitive uses adjacent to sources of noise, including roads,	<p><u>Noise Impact Assessment Guidance</u></p>
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		railways and industrial sources	
B4	Draft Planning Obligation/S106 Agreement	<p><i>Applications that will require a Draft Planning Obligation/S106 Agreement are listed below:</i></p> <ul style="list-style-type: none"> Proposals where it is reasonable to expect that a Planning Obligation/S106 Agreement is likely to be required 	Planning Obligation/S106 Agreement Guidance
B5	Renewable Energy Assessment	<p><i>Applications that will require a Renewable Energy Assessment are listed below:</i></p> <ul style="list-style-type: none"> Buildings (new build or conversions) with a gross floor space of 2,500m² or more; or Residential developments providing 25 or more residential units 	Renewable Energy Assessment Guidance
B6	Retail and Town Centre Uses Impact Assessment	<p><i>Applications that will require a Retail and Town Centre Uses Impact Assessment are listed below:</i></p> <ul style="list-style-type: none"> All new retail, leisure and office proposals, including extensions, outside a town centre with a gross floor space of 2,500m² or more 	Retail and Town Centre Uses Impact Assessment Guidance
B7	Structural Survey or Statement	<p><i>Applications that will require a Structural Survey or Statement are listed below:</i></p> <ul style="list-style-type: none"> Where it is important to know whether or not the building(s) are capable of conversion rather than reconstruction (e.g. barn conversions); or Any application relating to a listed building where works are proposed that involve demolition or affect the structural integrity of the building (this includes works to remove, or reinforce elements of an existing listed building) 	Structural Survey/Statement Guidance
B8	Transport Assessment	<p><i>Applications that will require a Transport Assessment are listed below:</i></p> <ul style="list-style-type: none"> Residential developments of 40 dwellings or more; or Developments (including non-residential) with a gross floor space of 2,500m² or more Where recommended as mitigation, a draft travel plan should also be submitted 	Transport Assessment Guidance

B9	<p>Transport Statement</p>	<p><i>Applications that will require a Transport Statement where:</i></p> <ul style="list-style-type: none"> • Residential developments of 10 dwellings or more, or • Development (including non-residential) with a gross floor space of 1,000 m2 or more • Site has an area of 0.25 hectare or more and the development proposed will have limited transport issues arising • Where recommended as mitigation, a draft travel plan should also be submitted. 	<p>NPPG Guidance</p>
B10	<p>Ventilation and Extraction Details</p>	<p><i>Applications that will require Ventilation and Extraction Details to be provided are listed below:</i></p> <ul style="list-style-type: none"> • All applications for hot-food takeaways, bars/pubs, restaurant uses and laundrettes; or • Significant retail, business, industrial, leisure or other developments where substantial ventilation or extraction equipment is proposed to be installed 	<p>Ventilation and Extraction Details Guidance</p>
B11	<p>Minerals Assessment</p>	<p><i>Applications that will require a Minerals Assessment are listed below:</i></p> <ul style="list-style-type: none"> • If the site is located within a Minerals Safeguarding Area (subject to some exemptions, please consult 'Kent Minerals and Waste Local Plan 2013 – 2030 (KMWLP)) 	<p>Minerals Assessment Guidance</p> <p>Link to Kent Minerals and Waste Local Plan</p>
B12	<p>Public Art Guidance</p> <p>FOR MAIDSTONE ONLY</p>	<p><i>Applications that will need to consider Public Art Guidance are listed below:</i></p> <ul style="list-style-type: none"> • Developments which result in the net increase of 50 dwellings or more; or • For commercial developments a net increase of 2,000m² 	<p>Public Art Guidance</p>

Guidance for Local List Part A - Required Information

A1. Street Scene Elevations

Description and Scope

All applications for new buildings of two storeys or more which are proposed in built up areas where there is a 'street scene' i.e a line of buildings fronting a highway in close proximity to each other. There will be a need to fully understand how the proposed building(s) will relate to the established 'street scene' and so scaled elevations are required to show at least the relationship between the proposed building(s) and those either side in terms of respective heights, distances and materials etc

Paragraph 12 of the National Planning Policy Framework (NPPF) sets out the importance of achieving well designed places by ensuring that development proposals "will function well and add to the overall quality of the area....are visually attractive as a result of good architecture, layout....are sympathetic to local character and history and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit" (Paragraph 127 of the NPPF).

A2.) Heritage Asset - Assessment of Significance and Impact

Description and Scope

Applications affecting heritage assets or their settings should be accompanied by an assessment of significance and impact in line with **Section 15 of the National Planning Policy Framework (2019) and the National Planning Practice Guidance**. The significance of the heritage assets and the extent of the impact of the proposals on the heritage assets and their settings should be assessed using appropriate expertise.

In all cases the level of detail provided should be proportionate to the importance of the heritage assets and the extent of the proposed development. It should be sufficient to adequately understand the potential impact of the proposal on the significance of the heritage assets and their settings. It will normally include, amongst other things, reference to the statutory list description and the Kent County Council Historic Environment Record and details of the expertise and sources that have been consulted.

Heritage Assets are defined in the NPPF as *"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)."*

Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, applicants should submit an appropriate desk-based

assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation.

Further information is available in **Section 16 of the NPPF and the National Planning Practice Guidance** which is available on the Department for Communities and Local Government website or at <http://planningguidance.planningportal.gov.uk> or <https://historicengland.org.uk/advice>

Photos and photomontages 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.

A3.) Flood Risk Assessment

Description and Scope

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 as designated by the Environment Agency. An FRA will also be required for any development other than minor development in a designated critical drainage area, which has been notified to the Local Planning Authority 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. The FRA should be prepared by an applicant in consultation with the local planning authority with reference to their published local development documents and any Strategic Flood Risk Assessment.

Section 14 of the National Planning Policy Framework 2019 and the National Planning Practice Guidance provides guidance for both local planning authorities and applicants in relation to the undertaking of FRAs and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere. Please also refer to National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk>.

A4.) Ecological Survey and Report

Description and Scope

Where a proposed development is likely to affect statutorily protected species, information should

be provided on 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 of Habitats and Species Regulations 2017 or the Protection of Badgers Act 1992. Applications for development in the countryside that will affect areas designated for their biodiversity 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.

It is most likely that protected species will be affected by proposals which relate to;

- Traditional timber framed buildings
- Disused or undisturbed buildings,
- Pre or early twentieth century buildings
- Rural buildings and buildings near to woodland
- Buildings with large roof timbers, large roof voids, uneven roofs with gaps, or wood cladding or hanging tiles especially on south facing walls
- Roofs warmed by the sun
- Trees with cavities, damage or loose bark
- Lakes, rivers and streams on or adjacent to the application site
- Heathland or adjacent to the application site
- Meadows, grassland, parkland and pasture or adjacent to the application site
- Ponds or slow moving water bodies or adjacent to the application site
- Rough grassland and previously developed land
- Woodland including scrub and hedgerows
- Coastal habitats, and
- Veteran trees, tunnels, cellars, ice houses, old mines and cave systems especially with high humidity, close to woodland or with many crevices

Government planning policies for biodiversity are set out in **Section 15 of the National Planning Policy Framework (2019) and National Planning Practice Guidance** or at <https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment>

Material produced by other organisations may also provide a useful reference resource for local planning authorities when developing local lists.

A5.) Tree Survey / Arboricultural Assessment

Description and Scope

Where there are trees/hedges within the application site, or on land adjacent to it, that could

influence or be affected by the development, information will be required in accordance with the current edition of British Standard, BS5837. This information should be prepared by an arboriculturalist using the methodology set out in the Standard and should consider all aspects of the development, including any activity that would result in level changes or excavations. In most cases a Tree Constraints Plan and an Arboricultural Implications Assessment (AIA) must be provided as a minimum, or a statement setting out why these details are not required. Where the AIA identifies potential conflicts with trees an Arboricultural Method Statement (AMS) with tree protection details must also be provided. The level of detail required should be consistent with the tree stock present and the type and scale of development. This should help to ensure that development is suitably integrated and potential conflicts are avoided.

Threshold

All applications when:

- Tree/hedge removals or pruning work has taken place or will be necessary to implement any aspect of the development; and/or
- The proposal has the potential to affect retained trees/hedges, including their roots; and/or
- Construction activity will be within 30m of the stem of any tree within woodland designated as Semi Natural or Replanted Ancient Woodland or likely to be categorised as a veteran tree.

Note: Outline applications are expected to include an Arboricultural Method Statement (AMS) and tree protection details only in relation to matters being considered.

A.6.) “Shadow” Habitats Regulations Assessment and Natural England consultation response.

Description and Scope

Paragraph 43 of the NPPF confirms that “the right information is crucial to good decision-making, particularly where formal assessments are required (such as environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delays, applications should discuss what information is needed with the local planning authority and expert bodies as early as possible”.

If the development results “in a net increase in population served by a wastewater system” – see the [Natural England advice](#) letter on the Council website, and falls within the catchment of the River Stour then the applicant will be expected to show how they going to achieve nutrient neutrality as part of their application.

Regulation 63(2) of [The Conservation of Habitats and Species Regulations 2017](#) confirms that “a person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required”.

Regulation 63(3) also confirms that *“the competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body....”*

All applicable applications which are caught by the Natural England advice should submit a “Shadow” Habitats Regulations Assessment. The applicant will want to ensure that the mitigation measures are sufficient and effective and that a successful appropriate assessment has been produced, and a copy of the “Shadow” Habitats Regulations Assessment submitted.

Threshold

All development which will result in a net increase in population served by a wastewater system that falls within the catchment area of the River Stour (this includes those developments proposing the use of on-site package treatment plants which drain via soakaways and to the groundwater).

IMPORTANT NOTE: If your application falls outside the catchment area of the River Stour as shown by the Natural England advice letter but would discharge into a Waste Water treatment works listed in the advice letter e.g for Maidstone Applications - the Lenham Waste Water Treatment works, then the application is caught by the requirement to carry out a Habitats Regulations Assessment and the requirements listed above apply.

A7.) Affordable Housing Statement

Description and Scope

An Affordable Housing Statement should be provided as part of the planning application, clearly setting out how the application meets the affordable housing requirements. This statement should contain details of the size, tenure, type and location of the affordable units. Full details of the Council’s Affordable and Local Needs Housing (July 2020) can be found [here](#)

A typical Affordable Housing statement should include details of the following:

- the total number of all residential units;
- the number of affordable units; numbers of bedrooms and property types across all tenures to demonstrate representative mix of unit types and sizes;
- plans showing the location of units;
- the different levels or types of affordability or tenure proposed for different units- this should be clearly and fully explained in line with policy expectation;
- design standards (ideally - D.C.L.G. Nationally Described Space Standards compliant) with full unit floor plans;
- demonstration that the affordable units have proportionate car parking spaces in line with policy expectation.

Threshold

All applications for housing development of 10 or more dwellings or a site area of 0.5 hectares or

more.

A8.) Change of Use applications which involve semi-permanent features such as Static Caravans – Maidstone Borough Council Only

Description and Scope

Where an application involves the change of use of land and it is proposed that a semi-permanent structure will be placed on the land, for instance a static caravan (this section would not apply to uses involving touring caravans as they are not intended for use on a semi-permanent basis), then the design details of the caravan will be required to be submitted alongside details of layout and scale. Given that the design of the caravans is established in case law as being a proper matter for consideration in such applications – see Patricia Shave v Maidstone Borough Council 2020 EWHC 1895 (Admin), such details are required to enable an examination of their impacts.

Threshold

All applications which involve semi-permanent structures on the land are required to submit full details of their design, layout and scale of the proposed static caravan to a recognised scale of not less than 1:100

A9.) CIL Additional Information Form – Maidstone Borough Only

Description and Scope

The Community Infrastructure Levy Regulations 2010 as amended introduced a charge on all new development to help fund infrastructure projects to support the development in the local area. CIL is a non-negotiable financial levy and is calculated on the Gross Internal Area of development.

From 1 October 2018 all planning permissions in Maidstone that result in the following may be CIL chargeable:

- New build residential floorspace of more than 100sqm
- The creation of a new dwelling if less than 100sqm (including retirement and extra care homes or
- The conversion of a building to create a new residential dwelling that is no longer in lawful use or
- The creation of more than 100sqm of new build floor space for retail development.

Following the introduction of the Community Infrastructure Levy all applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to submit an additional information form and an assumption of liability form.

Threshold

All planning applications that are CIL liable will need to have someone assuming liability for payment. To assist the Council in the CIL collection process, liable parties are required to submit a signed assumption of liability form with the CIL Form 1, in order that the liable person can be issued with a liability notice by the Council.

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/form_2_assumption_of_liability.pdf

Maidstone has an adopted charging schedule which provides further details on the charging rates of the Community Infrastructure Levy in the borough and those developments that can be made exempt:

<http://services.maidstone.gov.uk/docs/October%202017%20Approved%20Community%20Infrastructure%20Levy%20Charging%20Schedule.pdf>

Note: Residential development: including extensions over 100sqm, annexes, self-build homes, social and charitable housing will also be CIL liable, however a relief or exemption for these may be applied for which a separate approval must be granted by the Council.

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/4

Guidance for Local List Part B - Additional Information:

That may be necessary to enable the council to consider and determine your application efficiently. If such information is not submitted the council may decide to refuse the application due to a lack of supporting information.

B1.) Air Quality Assessment

Description and Scope

Where development is proposed inside, or adjacent to an Air Quality Management Area (AQMA), or could lead to significant impact on an AQMA, or where the development could in itself result in the designation of an AQMA, or where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan. Applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Where AQMAs cover regeneration areas, developers should provide an air quality assessment as part of their planning application. Further advice is available in **Section 15 of the National Planning Policy Framework (2019)** and at <https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment>

Local guidance is also available via:

<http://www.maidstone.gov.uk/home/other-services/environmental-health/primary-areas/air-quality>

<https://www.swale.gov.uk/air-quality/>

Threshold

Proposals that are likely to generate high levels of air pollution, such as significant industrial developments, for example large factories producing high levels of pollutants such as Nitrogen Dioxide, OR;

Significant proposals that are located in any Air Quality Management Area (AQMA) or would result in a significant increase in traffic passing through any AQMA

B2.) Contaminated Land Investigation

Description and Scope

Applications may also need to be accompanied by a land contamination assessment, which should include an extended assessment of contamination in line with **Section 15 of the National Planning Policy Framework (2019)** and at <http://planningguidance.planningportal.gov.uk>

Sufficient information should be required 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 or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed. Where remediation measures are proposed they should take account of the presence of any trees.

Threshold

When previous uses on or adjoining the site could have given rise to contamination such as landfill sites, former industrial and commercial processes, petrol filling stations, institutional uses, storage of chemicals (including on farms), or;

When an initial desktop or walkover study suggests that contaminants may be present.

B3.) Noise Impact Assessment

Description and Scope

Applications for developments that raise issues of disturbance by noise to the occupants of nearby

existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise, should be supported by a noise assessment prepared by a suitably qualified person.

Further guidance is provided in Section 15 of the National Planning Policy Framework (2019) at <http://planningguidance.planningportal.gov.uk>

Threshold

- Proposals that generate high levels of noise such as noisy sports; commercial, industrial or manufacturing / warehousing developments using noisy machinery or vehicles, refrigeration plant and equipment; or
- New housing or other noise sensitive uses adjacent to sources of noise, including roads, railways and industrial sources

B4.) Draft Planning Obligation/Section 106 Statement

Description and Scope

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.

Where Development Plan Documents contain policies that give details of likely planning obligation requirements, a local planning authority may require a draft Section 106 Agreement to be submitted with the application. Further advice on planning obligations is available on the attached link: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Threshold

Where a Planning Obligation is reasonably likely to be required.

The need for a planning obligation will depend upon the type of development proposed. Typically an agreement will be required for the provision of community and highway infrastructure. This may include items such as affordable housing provision, education, library, youth and community and off site highway improvements, in accordance with Local Plan Policies.

If you are not seeking to make a planning obligation in accordance with Local Plan policy, a fully detailed and appropriately formatted viability assessment should be submitted in accordance with the current version of the Kent Viability Protocol.

B5.) Renewable Energy Assessment

Description and Scope

An effective means of raising the standard of new and refurbished buildings with regard to energy and other forms of sustainable construction is to achieve a reduction of carbon dioxide emissions through the use of energy efficiency measures, such as passive solar design, and/or renewable energy technologies, such as solar water heating, photovoltaics, wind power, biomass heating and ground source heating/cooling.

A Renewable Energy Assessment should:

- Calculate the predicted carbon dioxide emissions per annum,
- Assess the technical feasibility of renewable energy technologies for the application site,
- Calculate the carbon dioxide saving as a percentage of site predicted carbon dioxide emissions, and

Threshold

Buildings (new build or conversions) with a floorspace of 2,500 sq.m or more gross floorspace or more.

Residential developments providing 25 or more residential units.

B6.) Retail and Town Centre Uses Impact Assessment

Description and Scope

Section 7 of the National Planning Policy Framework 2019 set out that Local Planning Authorities should ensure the vitality of town centres. For town centre use developments, which are retail, leisure and office uses, outside of town centres and not in accordance with up to date local plan Local Planning Authorities should require an impact assessment is carried out if the development is over a proportionate, locally set floorspace threshold or in the absence of such a threshold, 2,500 sq m.

Further guidance is provided in **Section 7 of the National Planning Policy Framework (2019)** and at <http://planningguidance.planningportal.gov.uk>

Threshold

All new retail, leisure and office proposals, including extensions, outside a town centre of 2,500 sq m or more gross floorspace. The scope of the Assessment should include:

- The impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- The impact on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.
- For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

B7.) Structural Survey or Statement

Description and Scope

A structural survey will be required in support of an application if the proposal involves substantial demolition, reconstruction or alteration of an existing building. It will also be required in order to demonstrate that certain types of building (for example traditional farm buildings, listed buildings etc) are structurally sound and capable of being developed without the need for substantial demolition and reconstruction. The report should be prepared by a Chartered Structural Engineer with expertise in the type of work involved and should, amongst other things, justify the extent and nature of any proposed structural work and/or the need for demolition.

Threshold

Where it is important to know whether or not the building(s) are capable of conversion rather than reconstruction, or;

Any application relating to a listed building where works are proposed that involve demolition or affect the structural integrity of the building.

B8.) Transport Assessment

Description and Scope

Section 9 of the National Planning Policy Framework (2019) advises that a Transport Assessment (TA) should be submitted as part of any planning application where the proposed development generates significant amounts of transport movement. 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 will be found in Guidance on Transport Assessment, (March 2007) published by the Department for Transport. Also refer to National Planning Practice Guidance or at <http://planningguidance.planningportal.gov.uk>

Threshold

Residential developments of 40 dwellings or more and other developments including non-residential proposals of 2,500 square metres or more gross floorspace.

B9.) Transport Statement

Annex 2 in the Glossary section of the February 2019 NPPF advises that Transport Statements are a simplified version of a transport assessment and are used when it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.

The NPPG in [paragraph 4, https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements](https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements) advises that Transport Statements are a lighter-touch evaluation to be used where this would be more proportionate to the potential impact of the development (i.e in the case of development with anticipated limited transport impacts).

Threshold

- Residential developments of 10 dwellings or more, or
- Development (including non-residential) with a gross floor space of 1,000 m² or more
- Site has an area of 0.25 hectare or more and the development proposed will have limited transport issues arising
- Where recommended as mitigation, a draft travel plan should also be submitted.

B10.) Ventilation / Extraction Details

Description and Scope

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 Class A3 (ie restaurants and cafes - use for the sale of food and drink for consumption on the premises), A4 (ie drinking establishments - use as a public house, wine bar or other drinking establishment) and A5 (ie hot food takeaways - use for sale of hot food for consumption off the premises), uses. 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.

Threshold

All applications for hot-food takeaways, bars/pubs, restaurant uses and launderettes etc should include this information, and it 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.

B11.) Minerals Assessment

Kent County Council have adopted a Supplementary Planning Document (SPD) that provides guidance on the procedures to be followed when development other than mineral or waste management facilities, including local plan allocations, are proposed to be located within or in close proximity to safeguarded areas or safeguarded mineral or waste infrastructure assets. The SPD is available to view at: <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy#tab-1>

B12.) Public Art Guidance (Maidstone Only)

Maidstone Borough Council has produced a Public Art Guidance which is intended for applicants, agents and planning officers to assist with the commissioning of public art. This has a borough wide remit and is a material planning consideration in planning decisions. Thresholds have been set to which public art will be expected on site and these can be found at: https://www.maidstone.gov.uk/data/assets/pdf_file/0010/12070/Public-Art-Guidance-November-2017.pdf