



Portsmouth
CITY COUNCIL

**Review of the Local List of Requirements and
information provided on the Council's
website for the Validation of Planning
Applications**

Review of the Local List of Requirements and information provided on the Council's website for the Validation of Planning Applications

1. Background

1.1 All planning applications require supporting information so that the decision maker and third parties are clear as to what is proposed. Whilst there are national mandatory requirements, and certain information is provided within the planning application form, section 62(3) of the 1990 Act enables the local planning authority to require the submission of other information or particulars. However, para (6)(c) of Article 34 of the Development Management Procedure Order 2015 [DMPO15] stipulates that any other particulars as may be required by a local planning authority must be;-

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

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

These particulars are known as the 'Local List'.

1.2 In January 2013, the Government introduced legislation requiring local lists to be reviewed every two years. If a list is not reviewed within that time-frame, it cannot be used for the validation of planning applications. In addition to ensuring clarity, the Government has advocated that the preparation of the Local List and any subsequent review is undertaken in consultation with interested parties. The relevant provisions of the DMPO15 are attached as Appendix B.

1.3 The current Local List was last reviewed and adopted in 2013 following a period of consultation with agents who regularly submit applications.

1.4 Any minor changes to the Local List, or changes brought about by legislative requirements, can be made without the need to carry out consultation with stakeholders and the public. In this review the proposed changes incorporate additional requirements and they were, accordingly, the subject of consultation. Details of the consultation process and responses are attached as Appendix C.

1.5 This report seeks approval of an updated Local List that takes into account firstly, the need to provide clarity and, secondly, responses of consultees.

2. Proposed changes

2.1 The information provided on the Council's website is concise and easy to navigate. It is also generally consistent with the Local List requirements of other Councils within the PUSH area. There is, nonetheless, an opportunity to refine both the content of the

information and how it is presented. Whilst the content of the sections under the heading “Submitting a planning application” as proposed is attached as **Appendix A** to this report the following paragraphs refer to the justification for the proposed revisions and additions.

- 2.2 The main medium for public viewing of plans is now online and it is important that accurate measurements of plans can be made when it is not possible to print to scale. It is therefore proposed to make the inclusion of a scale bar on detailed plans a local mandatory requirement.
- 2.3 Information should be provided as to when the Local List requirements were reviewed and formally adopted as part of an audit trail. As such it is proposed that this information is provided within the section “**Required documents and important information**”.
- 2.4 At present there is no information regarding the dispute procedure that is available under the provisions of article 12 of the Development Management Procedure Order 2015. It is proposed to rectify this omission by introducing a new section “**What can you do if your application is not considered to be valid?**”
- 2.5 Noise levels affect quality of life and para 123 of the NPPF draws attention to the objective to ensure that future occupiers are not adversely affected by noise pollution. Where it is proposed to undertake residential development adjacent to or in close proximity to a main road, a noise generating commercial use or a railway line, a noise assessment will be required.
- 2.6 Similarly, the NPPF recognises that any new development in Air Quality Management Areas is consistent with any local air quality action plan. It is therefore proposed that where the development is proposed inside, or adjacent to an air quality management area (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 that air quality would have on the proposal or the impact of the proposal on the air quality of the area.
- 2.7 The need for a Transport Assessment or Transport Statement is set out in the Council’s SPD ‘Parking Standards and Transport Assessments. It is therefore proposed to include the provision of a TA or TS as may prove necessary by the scale of the development within the list of requirements for full and outline applications.
- 2.8 When the Enterprise and Regulatory Reform Act 2013 came in to force the requirement for conservation area consent for demolition or substantial demolition of a non-listed building in a conservation area was abolished. Control of such demolition now forms part of planning control such that an application for demolition now

requires planning permission. It is therefore proposed to remove the local requirements for Conservation Area Consent and introduce information into the local list requirements for applications for full permission and prior approval for demolition.

2.9 The ability to renew an extant planning permission was rescinded by the Government in 2013. This section within the Local List is to be removed.

2.10 With the coming into effect of the General Permitted Development Order 2015, and subsequent amendments, provisions were introduced that allowed certain changes of use and associated works subject to a prior approval procedure. In order to ensure that adequate details are submitted to enable proper consideration of the relevant issues, it is proposed to add these to the Local List.

3 Consultation response

3.1 The draft validation checklist and other information to be provided on the Council's website was the subject of a public consultation exercise between 9 October 2017 and 20 November 2017 by way of a notification on the website on the Planning 'Home' page and a letter to regular agents.

3.2 The comments of those who responded to the consultation exercise and Officer's comments are attached at Appendix C.

4. Conclusion

4.1 No consultee responses were received and as such no Officer comments are required.

4.2 It is proposed to revise the Planning web pages as set out in Appendix A and adopt the validation checklist as set out in Appendix D with effect as from Friday 8th December 2017.

REVISED WORDING TO PCC WEBSITE PAGES - 'SUBMITTING A PLANNING APPLICATION'.

Required documents and important information

When submitting a planning application you are required to provide information in accordance with both the national and local lists of mandatory documents.

The mandatory documents that are needed to accompany a planning application are listed in the sections below - failure to provide any of the mandatory or local list documents will result in your application becoming invalid. Please read the national and local requirements for your application type before completing your application form.

Applicable to all application types that include the submission of drawings is the requirement to show the appropriate scale (such as a scale bar), and should show the original paper size.

Plans marked 'do not scale', or similar, will not be accepted.

If any plan or drawing is based, or appears to be based, upon Ordnance Survey information, maps or data, authorisation to reproduce the data should be clearly shown.

Applications including any drawings that appear to infringe Ordnance Survey copyright will not be registered (this includes Land Registry plans and Google maps).

We are unable to accept documents that contain Google Streetview images due to privacy laws

The local mandatory planning documents [the Local List] were reviewed and consulted on between 9 October 2017 and 20 November 2017, and were adopted on 8th December 2017.

The full list of application types and associated forms can be found on the Planning Portal by clicking on the following link:-

https://www.planningportal.co.uk/info/200126/applications/60/consent_types

In the event that applications and accompanying documents/drawings are submitted electronically via the Planning Portal there will not be a need to submit two copies of those documents/drawings separately.

What can you do if your application is not considered to be valid?

You may challenge a request for information from the local list by submitting a notice, under article 12 of the Development Management Procedure Order 2015, stating why you consider that the information is not necessary for a planning decision to be made. We must then either confirm that

- (i) we no longer require the information by issuing a “validation notice” or
- (ii) that we maintain there is a need for the information by issuing a “non-validation notice”.

These notices must be served before the end of the relevant determination period for the type of application. In practice it is more likely that a “validation notice” will be issued but in cases where, a non-validation notice is served, especially if pre-planning application advice has not been sought, the applicant risks having the application held in abeyance. Such a notice can then be challenged as part of an appeal against non-determination after a period of eight, thirteen or sixteen weeks has elapsed depending on the type of application. In such cases, the statutory time period will be considered to have begun at the point where the local planning authority has received the fee, documents and other information necessary to validate the application, but excluding the disputed information specified in the article 12 notice. The Planning Inspectorate will consider the merits of the validation dispute and the appeal itself.

Notwithstanding the published information requirements for validating planning applications, there will be occasions when further information is requested during the determination process, for example where requested by consultees or to overcome planning objections. In any event, to avoid the risk of an application being refused planning permission for failure to provide sufficient relevant information, agents and applicants are advised to seek guidance at pre-application stage regarding information requirements.

National mandatory planning documents

A list of national mandatory documents can be found on the government [planning portal](#) and are summarised as follows;-

- The standard application form
- Location plan to a scale of 1:1250 or 1:2500 – which shows the site area and its surrounding context which can be purchased online from one of the Planning Portal's accredited suppliers either as part of the application process, or separately, and then attached to the application.
- Site Plan (sometimes known as a block plan) to a scale of 1:500 – which shows the proposed development in detail and can be purchased from one of the Portal's three accredited suppliers.

- An ownership certificate A, B, C or D must be completed stating the ownership of the property.
 - Agricultural holdings certificate – this is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application.
 - A Design and Access statement (if required) – this should outline the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with. Find out more about design and access statements [here](#).
 - The correct application fee.
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Local mandatory planning documents and important information

Local requirements are dependent on the type of application submitted. To find out which local mandatory documents are required in addition to the national requirements, please see the application type under the headings or application types listed below.

There are, however, certain general or site specific requirements that will apply to planning applications which must also be met. These are outlined as follows;-

Community infrastructure levy

From April 2012 all development in the city is potentially liable to pay the community infrastructure levy, which will help fund infrastructure projects to support the development of the city.

We will need accurate information regarding proposed new floorspace, as well as any proposed demolition or reuse of existing floorspace, in order to establish whether a development is liable and to calculate liability correctly.

We also need to know who will pay the levy if planning permission is granted and implemented.

- Download and complete the community infrastructure forms available on the planning portal [here](#) then submit with your planning application.

Submitting a planning application within flood zone 2 or 3

Although specific guidance is available through the Planning Portal and Planning Practice Guidance, to assist applicants who are proposing a householder development or small non-residential extensions (less than 250sqm) you should download and complete the form 'Flood risk – assessment and information form' from the list of documents below and submit it with your planning application.

If you do not provide this information or a site specific flood risk assessment your application will be invalid. Before completing the Flood Risk Assessment form you should refer to the standing advice on the GOV.UK website

Air quality

Where a development is proposed inside, or adjacent to an air quality management area (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.

Contaminated land

The potential for contamination is a material planning consideration, and the government has indicated that it considers that the redevelopment of sites is the most appropriate and cost effective time to deal with contamination issues. Applications which involve the creation of new residential properties, or an extension to a residential property where contamination or gassing is known, or commercial redevelopment with an area greater than 250m², will need to be accompanied by a desk-top study outlining historical uses.

Houses in multiple occupation

With the introduction of an Article 4 Direction on 1 November 2011 planning permission is required for the change of use of a Class C3 dwelling to a Class C4 HMO where between three and six unrelated people share a kitchen and/or a bathroom. Planning applications for change of use can be made online using the [Planning Portal](#) website. For a change of use application it will be necessary to submit; (i) a location plan and block plan, in accordance with the National requirements, together with floor plans to a scale of either 1:100 or 1:50 showing the internal layout of the property, and (ii) a schedule of room sizes. Where accommodation is to be provided within the roof space the submitted drawings must include cross-sections to show the floor area with a headroom of at least 1.5m.

There is no fee for this type of application.

Where an application is submitted for a change of use from a Class C4 HMO to a Sui Generis HMO a planning fee and the normal requirements for an application for full permission will apply. These requirements include floor plans and a schedule of room sizes. Where accommodation is to be provided within the roof space the submitted drawings must include cross-sections to show the floor area with a headroom of at least 1.5m.

Housing floor space standards

Where an application includes the provision of residential accommodation [e.g. flats, houses and maisonettes] drawings showing the internal layout of that accommodation are required to include a schedule of the gross internal floor areas of the proposed accommodation which have a headroom of at least 1.5m together with the floor areas of bedrooms. Where accommodation is to be provided within the roof space the submitted drawings must include cross-sections to show the floor area with a headroom of at least 1.5m.

Statement of Community Involvement

The National Planning Policy Framework emphasises the importance of planning applicants carrying out community engagement on their emerging proposals and states:

‘Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.’

Consultation with the public and other stakeholders by a developer/applicant on more significant or sensitive proposals prior to the submission of an application can help to identify at an early stage potential problems or improvements that could be made to proposals.

Applications for more significant or sensitive proposals are to be supported by a statement setting out how the views of the local community have been sought and taken into account in the formulation of development proposals. The level of detail provided should reflect the scale of the development. Early engagement with the Council’s Development Management Team is encouraged to establish objectives and agree the consultation approach, including who will be consulted, and set out what the public can influence by making comments.

Heritage statements

Where a development proposal would impact on the fabric or setting of a designated (or non-designated) heritage asset, the applicant will be required to provide a supporting heritage statement (HS).

The statement should be proportionate to the significance of the asset, and the scale of proposed work. Its content should describe the significance of the asset, identify the impact of the proposal on that significance, and provide a clear justification (rationale) for any development, (particularly where a proposal would result in harm to asset(s) or their setting).

In preparing the statement, the applicant should as a minimum consult the City Council's Historic Environment Record (HER).

Application for a building or land that you do not own

- If you have signed a certificate B you will also need to complete a Notice No.1 form - available from the list of documents below.
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LEGISLATIVE BACKGROUND

Town & Country Planning Development Management Procedure Order 2015

The following extracts from Articles 11, 12 and 34 set out the legal requirements in relation to the validation process.

Article 11

Paragraph (2) - When the local planning authority with whom the application has to be lodged receive—

(e) - subject to paragraph (3), the particulars or evidence required by the authority under section 62(3) of the 1990 Act (applications for planning permission)

Paragraph (3) - Paragraph (2)(e) only applies if-

(a) before the application is made the local planning authority publish or republish, for the purposes of article 34(4) and (5), a list of requirements on their website;

(b) the particulars or evidence that the authority require to be included in the application fall within that list;

(c) the particulars or evidence the authority require to be included in the application—

(i) are reasonable having regard, in particular, to the nature and scale of the proposed development; and

(ii) are about a matter which it is reasonable to think will be a material consideration in the determination of the application; and

(d) the list mentioned in sub-paragraph (a) was published (or republished) during the 2 year period immediately before the date on which the application is made.

Article 12

Paragraph (1)(b) - Where the **applicant** considers any particulars or evidence required **do not** meet the requirements set out in article 34(6)(c), the applicant may send a notice to the authority.

Paragraph (2) - The notice must—

(i) specify which particulars or evidence the applicant considers do not meet the requirements set out in article 34(6)(c);

(ii) set out the reasons the applicant relies upon in holding that view; and

(iii) request the authority to waive the requirement to include those particulars or evidence in the application.

Paragraph (3) - Following receipt of the notice mentioned in paragraph (1) and not later than the date specified in paragraph (3), the local planning authority must notify the applicant either that—

(i) the authority no longer require the applicant to provide the particulars or evidence (“a validation notice”); or

(ii) the authority continues to require the applicant to provide the particulars or evidence (“non-validation notice”).

Paragraph (4) - The date specified in this paragraph is—

(a) the date the period specified or referred to in article 34(2) (“the determination period”) ends; or

(b) where the notice mentioned in paragraph (1) is received—

(i) during the 7 working days immediately preceding the end of the determination period; or

(ii) on the final day of, or after the end of, the determination period,

the date which is 7 working days after the date the notice is received by the local planning authority.

Article 34

Paragraph (6)(c) - the particulars or evidence the authority require to be included in the application—

(i) are reasonable having regard, in particular, to the nature and scale of the proposed development; and

(ii) are about a matter which it is reasonable to think will be a material consideration in the determination of the application;

Consultation process

The recommended process for reviewing and revising local lists involves the following 3-step process:

- Step 1: Reviewing the existing local list

Local planning authorities should identify the drivers for each item on their existing local list of information requirements. These drivers should be statutory requirements, policies in the National Planning Policy Framework or development plan, or published guidance that explains how adopted policy should be implemented.

Having identified their information requirements, local planning authorities should decide whether they need to revise their existing local list. Where a local planning authority decides that no changes are necessary, it should publish an announcement to this effect on its website and republish its local list.

- Step 2: Consulting on proposed changes

Where a local planning authority considers that changes are necessary, the proposals should be issued to the local community, including applicants and agents, for consultation.

- Step 3: Finalising and publishing the revised local list

Consultation responses should be taken into account by the local planning authority when preparing the final revised list. The revised local list should be published on the local planning authority’s website.

The document was made available on the City Council’s website and key stakeholders were notified of the consultation exercise by email. Supporting text set out the purpose of the draft validation checklist and explained how interested parties could submit representations

Consultation responses

	Representation	Response
	None received.	None required.

Updated Local List

Householder application for planning permission for works to or extension of a dwelling or construction of an outbuilding for purposes ancillary to the dwelling

In addition to the National mandatory documents you are also required to submit the following:-

Floor plans - 2 copies of both existing and proposed floor plans drawn to a metric scale of 1:50 or 1:100

Elevations - 2 copies of both existing and proposed elevations drawn to a metric scale of 1:50 or 1:100

Sections - 2 copies of both existing and proposed sections drawn to a metric scale of 1:50 or 1:100

Roof plans - 2 copies of both existing and proposed roof plans to a metric scale of 1:50 or 1:100

Heritage statement (if applicable) - 2 copies of a Heritage Statement where the application site comprises a Listed Building or the site is included within a conservation area.

The National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance and provide a clear justification (rationale) for the proposal. As a minimum the Council's historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where an application site has potential for archaeological interest a desk-based assessment would normally suffice but in some situations a field evaluation would be required.

Tree Survey/Arboricultural report - If any part of the development is going to affect any tree, whether within the curtilage of the site or an adjoining site, then you will be required to submit 2 copies of a tree report/arboricultural impact statement detailing the implications of the development on those trees.

Flood risk assessment (if applicable) - If any part of the proposed development will fall within flood zone 2 or 3 you will be required to submit the 'Flood risk – assessment and information form'

Ecology - If the proposed development may affect a protected species, such as a bat roost or slow worm, a preliminary ecological appraisal should be carried out. As part of the

consideration of an application the Council must be satisfied that the proposal would not have an unacceptable impact on protected species.

Application for full planning permission for change of use and/or construction of a building

In addition to the National mandatory documents you are also required to submit the following:-

Floor plans - 2 copies of both existing and proposed floor plans drawn to a metric scale of 1:50 or 1:100

Elevations - 2 copies of both existing and proposed elevations drawn to a metric scale of 1:50 or 1:100

Sections - 2 copies of both existing and proposed sections drawn to a metric scale of 1:50 or 1:100

Roof plans - 2 copies of both existing and proposed roof plans to a metric scale of 1:50 or 1:100

You may also be required to submit the following;-

Heritage statement (if applicable) - 2 copies of a Heritage Statement where the application site comprises a Listed Building or the site is included within a conservation area.

The National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance and provide a clear justification (rationale) for the proposal. As a minimum the Council's historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where an application site has potential for archaeological interest a desk-based assessment would normally suffice but in some situations a field evaluation would be required.

Flood risk assessment (if applicable) - If any part of the proposed development will fall within a flood zone you will be required to submit 2 copies of a Flood Risk Assessment. The environment agency website will help you determine if the proposed site is in a flood zone. <https://flood-map-for-planning.service.gov.uk/>

Tree Survey/Arboricultural report - If any part of the development is going to affect any tree, whether within the curtilage of the site or an adjoining site, then you will be required to submit 2 copies of a tree report/arboricultural impact statement detailing the implications of the development on those trees.

Noise assessment report (if applicable) - Where it is proposed to undertake residential development adjacent to or in close proximity to a main road, a noise generating commercial use or a railway line, 2 copies of a noise assessment will be required that provides ambient noise levels and projected noise levels within the proposed building.

Air Quality report (if applicable) - Where a development is proposed inside, or adjacent to an air quality management area (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 2 copies of such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area.

Transport assessment/statement (if applicable) - 2 copies of a transport assessment is a comprehensive and systematic process that sets out the transport issues relating to a proposed development and identifies measures that will be taken to deal with the anticipated transport impacts of a scheme. For medium size developments, a transport statement rather than a full assessment will usually be sufficient. For further information and guidance please refer to the Council's [Parking standards and transport assessments SPD](#)

Ecology - The Wildlife and Countryside Act 1981 gives special protection to, amongst other species, bats. If the proposed development may affect a protected species, such as a bat roost, a preliminary ecological appraisal should be carried out. As part of the consideration of an application the Council must be satisfied that the proposal would not have an unacceptable impact on protected species. It is recommended that you get in touch with the city council's ecologist as soon as possible to discuss what survey requirements are necessary.

Habitats Regulations Assessment - The city has a wealth of natural habitats and an incredibly scenic coastline which are part of the attractiveness of the area. Large sections of the Solent coastline have been internationally recognised as Special Protection Areas (SPAs). Other areas have been designated as SSSI's, Special Areas of Conservation (SAC's), Ramsar sites or Local Nature Reserves. Any development that is likely to have a significant effect on those areas will require the submission of a Habitats Regulations Assessment and package of mitigation. Further information can be found in the Supplementary Planning Document: [Solent Special Protection Areas](#) and Milton Common Local Nature Reserve [Restoration and Management Framework](#).

Environmental Impact Assessment (EIA) - If the development falls within Schedule I or II of the Town and Country Planning EIA regulations (2011) you will be required to submit 3 copies of an environmental impact assessment.

If you are unsure whether an EIA statement is required you can submit an EIA screening opinion to us for clarification prior to submitting your application.

Demolition of a non-listed building in a conservation area - in addition to the mandatory requirements, and a Heritage statement and drawings referred to above, the application needs to be accompanied by photographs showing the elevations of the building(s).

Application for Outline planning permission with all matters reserved

In addition to the National mandatory documents you are also required to submit the following:-

Heritage statement (if applicable) - 2 copies of a Heritage Statement where the application site comprises a Listed Building or the site is included within a conservation area.

The National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance and provide a clear justification (rationale) for the proposal. As a minimum the Council's historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where an application site has potential for archaeological interest a desk-based assessment would normally suffice but in some situations a field evaluation would be required.

Flood risk assessment (if applicable) - If any part of the proposed development will fall within a flood zone you will be required to submit 2 copies of a Flood Risk Assessment. The environment agency website will help you determine if the proposed site is in a flood zone.

<https://flood-map-for-planning.service.gov.uk/>

Tree Survey/Arboricultural report - If any part of the development is going to affect any tree, whether within the curtilage of the site or an adjoining site, then you will be required to submit 2 copies of a tree report/arboricultural impact statement detailing the implications of the development on those trees.

Noise assessment report (if applicable) - Where it is proposed to undertake residential development adjacent to or in close proximity to a main road, a noise generating commercial use or a railway line, 2 copies of a noise assessment will be required that provides ambient noise levels and projected noise levels within the proposed building(s).

Air Quality report (if applicable) - Where a development is proposed inside, or adjacent to an air quality management area (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 2 copies of such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area.

Transport assessment/statement (if applicable) - 2 copies of a transport assessment is a comprehensive and systematic process that sets out the transport issues relating to a

proposed development and identifies measures that will be taken to deal with the anticipated transport impacts of a scheme. For medium size developments, a transport statement rather than a full assessment will usually be sufficient. For further information and guidance please refer to the Council's [Parking standards and transport assessments SPD](#)

Ecology - The Wildlife and Countryside Act 1981 gives special protection to, amongst other species, bats. If the proposed development may affect a protected species, such as a bat roost, a preliminary ecological appraisal should be carried out. As part of the consideration of an application the Council must be satisfied that the proposal would not have an unacceptable impact on protected species. It is recommended that you get in touch with the city council's ecologist as soon as possible to discuss what survey requirements are necessary.

Habitats Regulations Assessment - The city has a wealth of natural habitats and an incredibly scenic coastline which are part of the attractiveness of the area. Large sections of the Solent coastline have been internationally recognised as Special Protection Areas (SPAs). Other areas have been designated as SSSI's, Special Areas of Conservation (SAC's), Ramsar sites or Local Nature Reserves. Any development that is likely to have a significant effect on those areas will require the submission of a Habitats Regulations Assessment and package of mitigation. Further information can be found in the Supplementary Planning Document: [Solent Special Protection Areas](#) and Milton Common Local Nature Reserve [Restoration and Management Framework](#).

Environmental Impact Assessment (EIA) - If the development fall within Schedule I or II of the Town and Country Planning EIA regulations (2011) you will be required to submit 3 copies of an environmental impact assessment.

If you are unsure whether an EIA statement is required you can submit an EIA screening opinion to us for clarification prior to submitting your application.

Demolition of a non-listed building in a conservation area - in addition to the mandatory requirements, and a Heritage statement and drawings referred to above, the application needs to be accompanied by photographs showing the elevations of the building(s).

Application for Outline planning permission with some matters reserved

In addition to the National mandatory documents you are also required to submit the following:-

Heritage statement (if applicable) - 2 copies of a Heritage Statement where the application site comprises a Listed Building or the site is included within a conservation area.

The National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to

understand the potential impact of the proposal on their significance and provide a clear justification (rationale) for the proposal. As a minimum the Council's historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where an application site has potential for archaeological interest a desk-based assessment would normally suffice but in some situations a field evaluation would be required.

Flood risk assessment (if applicable) - If any part of the proposed development will fall within a flood zone you will be required to submit 2 copies of a Flood Risk Assessment. The environment agency website will help you determine if the proposed site is in a flood zone.

<https://flood-map-for-planning.service.gov.uk/>

Tree Survey/Arboricultural report - If any part of the development is going to affect any tree, whether within the curtilage of the site or an adjoining site, then you will be required to submit 2 copies of a tree report/arboricultural impact statement detailing the implications of the development on those trees.

Noise assessment report (if applicable) - Where it is proposed to undertake residential development adjacent to or in close proximity to a main road, a noise generating commercial use or a railway line, 2 copies of a noise assessment will be required that provides ambient noise levels and projected noise levels within the proposed building(s).

Air Quality report (if applicable) - Where a development is proposed inside, or adjacent to an air quality management area (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 2 copies of such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area.

Transport assessment/statement (if applicable) - 2 copies of a transport assessment is a comprehensive and systematic process that sets out the transport issues relating to a proposed development and identifies measures that will be taken to deal with the anticipated transport impacts of a scheme. For medium size developments, a transport statement rather than a full assessment will usually be sufficient. For further information and guidance please refer to the Council's [Parking standards and transport assessments SPD](#)

Ecology - The Wildlife and Countryside Act 1981 gives special protection to, amongst other species, bats. If the proposed development may affect a protected species, such as a bat roost, a preliminary ecological appraisal should be carried out. As part of the consideration of an application the Council must be satisfied that the proposal would not have an unacceptable impact on protected species. It is recommended that you get in touch with the city council's ecologist as soon as possible to discuss what survey requirements are necessary.

Habitats Regulations Assessment - The city has a wealth of natural habitats and an incredibly scenic coastline which are part of the attractiveness of the area. Large sections of

the Solent coastline have been internationally recognised as Special Protection Areas (SPAs). Other areas have been designated as SSSI's, Special Areas of Conservation (SAC's), Ramsar sites or Local Nature Reserves. Any development that is likely to have a significant effect on those areas will require the submission of a Habitats Regulations Assessment and package of mitigation. Further information can be found in the Supplementary Planning Document: [Solent Special Protection Areas](#) and Milton Common Local Nature Reserve [Restoration and Management Framework](#).

Environmental Impact Assessment (EIA) - If the development fall within Schedule I or II of the Town and Country Planning EIA regulations (2011) you will be required to submit 3 copies of an environmental impact assessment.

If you are unsure whether an EIA statement is required you can submit an EIA screening opinion to us for clarification prior to submitting your application.

Demolition of a non-listed building in a conservation area - in addition to the mandatory requirements, and a Heritage statement and drawings referred to above, the application needs to be accompanied by photographs showing the elevations of the building(s).

The **additional documents** required when submitting an outline application are dependent on which matters you want to have considered (Access, Appearance, Landscaping, Layout and Scale). Below is a list of what is required for each matter in addition to the national requirements.

Access

Block plan - 2 copies of a block plan of the site indicating road layout and pedestrian routes with access and egress points indicated to a metric scale of 1:200 or 1:500

Appearance

Elevations - 2 copies of both existing and proposed elevations and street scenes to a metric scale of 1:50 or 1:100

Landscaping

Landscape plan - 2 copies of a landscape plan to a metric scale of 1:200 or 1:500. This plan should indicate both the hard and soft landscaping as well as the materials to be used and the species of any plants to be planted

Layout

Floor plans - 2 copies of both existing and proposed floor plans to a metric scale of 1:50 or 1:100

Block plan - 2 copies of a block plan to a metric scale of 1:200 or 1:500

Scale

2 copies of drawings to a metric scale of 1:200, 1:100 or 1:50 providing information on the size of the development and massing, including the height, width, length and roof form of each proposed building.

Application for approval of reserved matters following outline permission

The outline permission has established that in principle the proposed development is acceptable and what other matters are reserved for future approval [the Reserved Matters].

In addition to the National mandatory documents the other documents you are also required to submit are dependent on which of the Reserved Matters are to be considered. Below is a list of what is required for each reserved matter.

Access - 2 copies of a block plan of the site indicating road layout and pedestrian routes with access and egress points indicated to a metric scale of 1:200 or 1:500

Appearance - 2 copies of both existing and proposed elevations and street scenes to a metric scale of 1:50 or 1:100

Landscaping - 2 copies of a landscape plan to a metric scale of 1:200 or 1:500. This plan should indicate both the hard and soft landscaping as well as the materials to be used and the species and density of any plants to be planted

Layout - 2 copies of both existing and proposed floor plans to a metric scale of 1:50 or 1:100; and 2 copies of a block plan to a metric scale of 1:200 or 1:500

Scale - 2 copies of drawings to a metric scale of 1:200, 1:100 or 1:50 providing information on the size of the development and massing, including the height, width, length and roof form of each proposed building.

Other additional documents required when submitting an application for reserved matters are also dependent on which matters you want to have considered (Access, Appearance, Landscaping, Layout and Scale). Below is a list of what could be required;-

2 copies of a **Heritage statement** where the application site comprises a Listed Building or the site is included within a conservation area.

The National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance and provide a clear justification (rationale) for the proposal. As a minimum the Council's historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where an application site has potential for archaeological interest a desk-based assessment would normally suffice but in some situations a field evaluation would be required.

2 copies of a **Flood risk assessment** (if applicable)

Please note a Heritage statement and flood risk assessment will only be required if you did not submit them with your Outline application.

Tree Survey/Arboricultural report - If any part of the development is going to affect any tree, whether within the curtilage of the site or an adjoining site, then you will be required to submit 2 copies of a tree report/arboricultural impact statement detailing the implications of the development on those trees.

Prior Approval for the demolition of buildings

If you are proposing to demolish a building, or to 'substantially demolish' part of a building, you will need prior approval and Building Control approval before you start the works.

The prior approval procedure does not apply to the demolition or substantial demolition of a building included in the statutory List of Buildings of Architectural or Historic Interest. It is an offence to demolish or substantially demolish a Listed Building without first obtaining Listed Building Consent.

An application for prior approval must include:

- (a) a location plan with the application site edged red to a metric scale of 1:1250 or 1:2500;
- (b) the application form or a letter with a written description of the proposed demolition (application forms can be found on the Planning Portal website);
- (c) a statement that a site notice has been put up at the site by the applicant or their agent (a template site notice can be found below).

The site notice must be filled out in full and be clearly displayed in a publicly accessible area on or next to the site for no less than 21 days. The prior approval process will take up to 28 days from registration to determine and it is during this period that the city council will undertake an EIA/HRA screening, if required. If no response is heard from the city council after the 28 day period then approval is considered to be granted.

Please note that for Building Control approval, a Notice of Demolition with an accompanying block plan will need to be sent to buildcontrol@portsmouthcc.gov.uk at least 6 weeks prior to demolition works beginning. The notice can be sent in at the same time as the prior approval application. A template Notice of Demolition can be found here: www.portsmouth.gov.uk/ext/documents-external/pln-build-control-demolition-notice.pdf

Important Information

The Wildlife and Countryside Act 1981 gives special protection to bats because of their roosting requirements and many buildings in the city have the potential to have bat roosts in them. If the building has the potential to house bats, a bat survey would be required. It is recommended that you get in touch with the city council's ecologist as soon as possible to discuss what survey requirements are necessary.

If the building is found to contain bats, a license will be required from Natural England before any works can take place.

Furthermore, if the scale of demolition would be extensive, or the site is located near to a protected habitat, then an Environmental Impact Assessment (EIA) and/or a Habitats Regulation Assessment (HRA) may also be required.

Unless it is known that there is no asbestos present in the building, prior to demolition, applicants will need to have an asbestos survey undertaken by a trained specialist. If asbestos is present, a demolition survey and appropriate measures will be required. For more information please see the HSE website: www.hse.gov.uk/asbestos/managing/survey-refurb.htm

Application for Tree Preservation Order Consent

In addition to the National mandatory documents you are also required to submit the following:

- (a) 2 copies of a sketch plan of the site indicating the location of the tree(s) in relation to any neighbouring properties and roads adjacent to the site, and
- (b) Technical evidence - if disease is being claimed then you are required to submit written arboricultural advice or other diagnostic information from an appropriate expert

If there is alleged damage to property e.g. subsidence or damage to drains or drives you are required to provide:

- (a) a report by an engineer or surveyor, to include a description of the damage, vegetation, monitoring data, soil, roots and repair proposals, or
- (b) a report from an arboriculturalist to support the tree work proposals.

It is an offence to carry out works to, or fell a tree that is covered by a Tree Preservation Order without consent.

Application for Listed Building Consent for alterations, extension or demolition of a listed building

In addition to the National mandatory documents you are also required to submit the following:

- (a) 2 copies of existing and proposed elevations to a metric scale of 1:50 or 1:100
- (b) 2 copies of existing and proposed floor plans to a metric scale of 1:50 or 1:100
- (c) 2 copies of photographs showing the existing details and 2 copies of a photomontage showing the proposed effect
- (d) 2 copies of plans showing key architectural details to a metric scale of 1:20. This may include any new windows, doors and gates

(e) 2 copies of existing and proposed sections to a metric scale of 1:50 or 1:100

(f) 2 copies of a Heritage Statement

The National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance and provide a clear justification (rationale) for the proposal. As a minimum the Council's historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

The content and level of detail to be included in the heritage statement should be proportionate to the importance of the asset and no more than is sufficient to understand the potential impact of the proposals on the significance of the asset.

Where an application site has potential for archaeological interest a desk-based assessment would normally suffice but in some situations a field evaluation would be required.

Application for a Certificate of Lawfulness of Proposed Works to a listed building

The application should include the following:-

- (a) a detailed description of the proposed works (including existing and proposed materials and finishes) together with details of those part(s) of the building likely to be affected
- (b) the reasons the applicant thinks they are entitled to a Certificate of Lawfulness of Proposed Works i.e. why they think the proposed works do not affect the special architectural or historic interest of the listed building
- (c) any other relevant information
- (d) existing and proposed floor plans to a metric scale of 1:50 or 1:100
- (e) existing and proposed elevations to a metric scale of 1:50 or 1:100
- (f) existing and proposed sections to a metric scale of 1:50 or 1:100
- (g) an Ordnance Survey based plan to a scale of 1:1250 with the application site edged red.
- (h) a statement as to the applicant's interest (ownership, tenancy etc.) in the listed building(s) and any interest of any other person
- (i) details of listed building grading – if not known, this information can be found in the National Heritage List for England, which is available on Historic England's website at: (<https://www.historicengland.org.uk/listing/the-list>)

Any figured dimension must be given in metres and a scale bar should be included. Each plan should show the direction of North.

The burden of proof in an application for a Certificate of Lawful Development lies firmly with the applicant and therefore clear and precise information, supported by sufficient evidence, must be provided to enable the council to make a complete and accurate assessment against current planning legislation.

Failure to submit all the required information may result in the refusal of your application.

Application for consent to display an advertisement(s)

In addition to the National mandatory documents you are also required to submit the following:-

- (a) 2 copies of existing and proposed elevations to a metric scale of 1:50 or 1:100
- (b) 2 copies of a side section to a metric scale of 1:50 or 1:100 showing the extent of projection of all proposed signs
- (c) 2 copies of photographs showing the existing signs if you are applying for replacement signs or of the elevation the proposed sign is being fixed to if you are applying for a new sign
- (d) 2 copies of a photomontage showing the proposed sign(s) in situ
- (e) 2 copies of a drawing to a metric scale of 1:50 showing the size, materials and colours to be used in the proposed advertisement(s) and details of their colour(s) of method of illumination.

Application for a Lawful Development Certificate for an Existing use, or Operation or Activity in Breach of a Planning Condition

In addition to the National mandatory documents you are also required to submit the following:-

Where the application relates to a use, a building operation, or non-compliance with a condition –

- (a) The date that the use (or breach of condition) started, or the date on which the building was substantially complete
- (b) Any use class the applicant considers to be applicable
- (c) In the case of a breach of condition, details of the relevant application

2 copies of evidence supporting your application. Documentary evidence could include where appropriate:-

- (a) Utility Bills
- (b) Council tax bills
- (c) Tenancy agreements
- (d) Sworn statements or affidavits from people with personal knowledge of the site
- (e) Environmental health records (if related to a commercial premises or hmo's)

- (f) An explanatory statement
- (g) Photographic evidence
- (h) Copies of bills / invoices, company accounts
- (i) Copies of previous planning permissions

If your application relates to a building operation or use of a building you are required to submit 2 copies of the following (in addition to the documents listed above):-

- (a) Existing and original floor plans for all applications involving the use of a building to a scale of not less than 1:100.
- (b) Existing and original elevations for all building works to a scale of not less than 1:100.

The burden of proof in an application for a Certificate of Lawful Development lies firmly with the applicant and therefore clear and precise information, supported by sufficient evidence, must be provided to enable the Council to make a complete and accurate assessment against current planning legislation. Failure to submit all the required information may result in the refusal of your application.

Application for a Lawful Development Certificate for a proposed use or development

- (a) Floor plans - existing and proposed floor plans to a metric scale of 1:50 or 1:100
- (b) Elevations - existing and proposed elevations to a metric scale of 1:50 or 1:100
- (c) Sections - existing and proposed sections to a metric scale of 1:50 or 1:100
- (d) Location Plan - an Ordnance Survey based plan to a scale of 1:1250 with the application site edged red. A blue line must be drawn on the plan around any other land owned by the applicant close to or adjoining the application site

Any figured dimension must be given in metres and a scale bar should be included. Each plan should show the direction of North.

The burden of proof in an application for a Certificate of Lawful Development lies firmly with the applicant and therefore clear and precise information, supported by sufficient evidence, must be provided to enable the council to make a complete and accurate assessment against current planning legislation.

Failure to submit all the required information may result in the refusal of your application.

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

In addition to the National mandatory documents you are also required to submit the following:-

- (a) Details of all the proposed changes to the original application including 2 copies of revised drawings showing the amended elevations and floor plans as may be appropriate

Whilst this application can be submitted electronically via the Planning Portal the link to the page within the Planning Portal website where the forms can be downloaded is:-

https://ecab.planningportal.co.uk/uploads/appPDF/Z1775Form034_english_en.pdf

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

In order for the Council to assess the proposal you are required to submit:-

- (a) A written description of the proposed development
- (b) A location plan to a metric scale of 1:1250 indicating the proposed location
- (c) A plan to a metric scale of 1:50 or 1:100 (or a dimensioned photomontage) showing details of the proposed equipment
- (d) The appropriate fee
- (e) Evidence that notice has been given to any person (other than the developer) who is an owner or tenant of the land to which the development relates

Notification for Prior Approval of a Proposed Larger Home Extension

In order for the Council to assess the amenity impact of the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing(s) showing the existing building to a metric scale of 1:100
- (c) A drawing(s) showing the length, height and depth of the proposed extension in relation to the existing building to a metric scale of 1:100

Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3)

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing(s) showing the proposed layout of the building to a metric scale of 1:100
- (c) A covering statement that addresses; (i) transport and highway impacts, (ii) contamination risk, and (iii) flood risk.

Notification for Prior Approval of Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), and for Associated Operational Development

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) When applicable drawing(s) showing details of the design and external appearance of the proposed operational development to a metric scale of 1:100
- (c) A drawing showing the proposed layout of the building to a metric scale of 1:100
- (d) A covering statement that addresses; (i) transport and highway impacts, (ii) contamination risk, (iii) flood risk, and (iv) impact on the provision of retail services in the area.

Notification for Prior Approval for a Change Of Use from Storage or Distribution Buildings (Class B8) and any land within its curtilage to Dwellinghouses (Class C3)

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing showing the proposed layout of the building to a metric scale of 1:100
- (c) A covering statement that addresses; (i) air quality impacts, (ii) transport and highway impacts, (iii) contamination risk, (iv) flood risk, (v) noise impacts, (vi) impact on the sustainability of storage, distribution or industrial services in the area.

Notification for Prior Approval for a Change of Use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwellinghouses (Class C3) and for Associated Operational Development

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) When applicable drawing(s) showing details of the design and external appearance of the proposed operational development to a metric scale of 1:100
- (c) A drawing showing the proposed layout of the building to a metric scale of 1:100
- (d) A covering statement that addresses; (i) transport and highway impacts, (ii) contamination risk, and (iii) flood risk.

Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurants and Cafés (Class A3)

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) When applicable drawing(s) showing details of the design and external appearance of the proposed operational development to a metric scale of 1:100
- (c) A drawing showing the proposed layout of the building to a metric scale of 1:100
- (d) A covering statement that addresses; (i) noise impacts, (ii) transport and highways impacts, (iii) impacts of hours of operation, (iv) impacts of storage and handling of waste, and (v) impact on the provision of services in the area.

Notification for Prior Approval for a Change of Use from Shops (Class A1) and Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops (Sui Generis Uses) to Assembly and Leisure Uses (Class D2)

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing showing the proposed layout of the building to a metric scale of 1:100
- (c) A covering statement that addresses; (i) noise impacts, (ii) transport and highways impacts, (iii) impacts of hours of operation, and (iv) impact on the provision of services in the area

Notification for Prior Approval of Proposed Change of Use [Class B1, C1, C2, C2A and D2 uses] to a State-Funded School or Registered Nursery

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing showing the proposed layout of the building to a metric scale of 1:100
- (c) A covering statement that addresses; (i) transport and highways impacts, (ii) noise impacts, and (iii) contamination risk

Prior Approval for development consisting of the provision of temporary school buildings on vacant commercial land and the use of that land as a state-funded school for up to 3 academic years

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing(s) showing the proposed layout of the site to a scale of 1:500 and details of the proposed building(s) to a metric scale of 1:100
- (c) A covering statement that addresses; (i) transport and highways impacts, (ii) noise impacts of the development, (iii) contamination risks of the site, (iv) flood risk, and (v) the siting and design of the development

Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing(s) showing the details of the proposed Solar Photovoltaics (PV) equipment by way of a roof plan and elevations of the building to a metric scale of 1:100
- (c) A covering statement that addresses the impact of glare on the occupier of neighbouring land

Notification for Prior Approval for a Development Consisting of the Erection or Construction of a Collection Facility within the Curtilage of a Shop

In order for the Council to assess the proposal you are required to submit:-

- (a) An Ordnance Survey based location plan to a scale of 1:1250 with the application site edged red
- (b) A drawing(s) showing the details of the proposed collection facility in the form of plans and elevations to a metric scale of 1:100
- (c) A covering statement that addresses siting, design and external appearance

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

In order for the Council to assess the proposal you are required to submit:-

- (a) Plans and drawings to a metric scale as may be relevant
- (b) Such other supporting information as may be necessary to describe the subject of the application

Application to discharge a condition

In order for the Council to assess the proposal you are required to submit:-

- (a) Plans and drawings to a metric scale as may be relevant
- (b) Such other supporting information as may be necessary to describe the subject of the application

Application to modify or discharge a planning obligation

In addition to the application form available here, for the Council to assess the proposal you are required to submit:-

- (a) In the case of a modification to a requirement for the provision of affordable housing a 'financial and viability appraisal' and/or
- (b) Such other supporting information as may be necessary to describe the subject of the application

Last update 21/11/17 - adoption