



VALIDATION CHECKLIST FOR PLANNING APPLICATIONS

Public Consultation Document

October 2023

What is a validation checklist for planning applications?

The validation checklist sets out the level of information required by the City Council to support a planning application. The checklist comprises a list of documents and guidance that explains when each document is required.

The checklist is divided into two sections which are the national validation requirements and the local validation requirements. The National requirements are set by Central Government and are consistent across all local planning authorities in England. These are set out on the Planning Portal. The local requirements (or 'Local List') must be prepared by each local planning authority and should be tailored to reflect the material planning considerations that are relevant for that area.

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

- a) We no longer require the information by issuing a 'validation notice' or,
- b) 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 be challenged as part of an appeal against non-determination after a period eight, thirteen or sixteen weeks has lapsed, 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 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 in the appeal itself.

Notwithstanding the published information requirements for validating planning applications, there will be occasions where 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.

Submitting a Planning Application

When submitting a planning application, you are required to provide information in accordance with both the National and Local lists. These specify the mandatory documents that are needed to accompany an application.

Please read the National (<https://www.gov.uk/guidance/making-an-application#National-information-requirements>) and Local (see below) requirements for your application before completing your form.

You are encouraged to make your application electronically via the [National Planning Portal](#), though paper-based submissions are allowed. If you choose to make an application by paper, please be aware that the process of registration may take longer and ensure that at least copies of all drawings, forms and other submissions are included in your application. These will be converted to electronic versions and originals disposed of after six months.

Failure to provide any of the mandatory documents will result in your application being made invalid.

The process for invalid applications is as follows:

- Once it is known that the application is invalid you will be contacted (normally by email if one is provided) by a member of the team, outlining what information is still required to make the application valid.
- After 14 days, if no response is received, you will receive a 14 day reminder that the information is still required.
- If after the 14 days, there has still been no response, the application will be returned as invalid and your fee will be refunded, minus an admin fee of **10% of the application fee paid**.

If you still wish to continue with the application, you will be required to start the submission process again.

It is our aim to process new applications within 3-5 working days, however, there will be times when this is longer.

National and Local mandatory documents

Requirements for Plan drawing

- Plans marked "Do Not Scale", or similar, cannot be accepted.
- **All** plans must have a scale bar.
- Should show the original paper size.
- If any plan or drawing is based or appears to be based upon Ordnance Survey information/maps/data then to preserve Ordnance Survey copyright, the relevant licence to reproduce the data should be clearly shown. No application will be registered if any of the drawings submitted infringe or appear to infringe Ordnance Survey copyright; this includes Land registry plans and Google maps.
- Please also note that we are unable to accept documents that contain Google Streetview images due to privacy laws.

Community Infrastructure Levy

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

Applicants for full planning permission (including householder applications and reserved matters following an outline planning permission) should submit the CIL additional information form alongside their planning application. The Local Planning Authority may refuse to validate the planning application if this information is not provided.

Major and Significant Applications.

For larger applications additional requirements may apply, and other submissions are recommended as good practice.

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 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.

For Major applications, Applicants are encouraged to submit a Planning Statement detailing the context and purpose of an application and including an assessment of how the proposed development accords with policies in national planning guidance, the development plan, and Supplementary Planning Documents (SPDs). Any other material considerations to be taken into account should also be detailed.

Applications for more significant or sensitive proposals should be accompanied by a Statement of Community Involvement 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.

Applications for Town Centre uses with a floorspace larger than 2,500 square metres, located outside of designated town centres should include a sequential assessment and assessment of likely impacts within the accompanying planning statement.

Applications for Tall Buildings will need to be accompanied by a Tall Buildings Statement, in accordance with guidance of the Council's SPD on Tall Buildings.

Larger applications may also need to be supported by additional planning obligations, also known as 'section 106 agreements'. These may deliver on requirements described in the Council's Supplementary Planning Documents, such

as Affordable Housing provision or Employment and Skills Plans. Details of any proposed planning obligations should be included in the Planning Statement accompanying the application. If an Applicant seeks to challenge the Council's requirement for certain planning obligations, they will normally be requested to supply a viability assessment produced by a suitably qualified expert. The developer will also be expected to confirm agreement to pay all of the reasonable fees associated with the Council's procurement of an independent viability review of evidence submitted by the applicants.

Applications can be made in a number of different ways. In cases where a staged consent approach is being used, such as an application for Outline Planning Permission with a subsequent Reserved Matters application, certain documents will need to be submitted only at the Outline or Reserved Matters stage and others will need to be updated at each stage. Advice should be sought from the Planning Service in each case.

Specific plans and documents

Local requirements are dependent on the type of application submitted and are required in addition to mandatory national validation requirements. The list below provides guidance on the specific required plans and documents likely to be needed to support applications of different types and scale and related to different locations and constraints. The specific requirements for each application may vary based on its individual circumstance so applicants are encouraged to undertake a formal pre-application enquiry with the Planning Service in order to establish the specific requirements of their proposal. Plans and supporting documents will include:

Planning Application form - Specific for your type of application. These are available through the Council's website and include certificates for declaring Ownership (Certificate A, B, C or D) and an Agricultural holdings certificate (which is required whether or not the site includes an agricultural holding).

The correct application fee - Fees are set nationally and can be calculated using the online calculator within the Planning Portal

Location Plan - showing the application site in relation to the surrounding area drawn to a metric scale of 1:1250 or 1:2500 and showing the direction of North. The application site must be outlined in Red, with any other land in the ownership of the applicant in the surrounding area outlined in Blue. Any land required to connect the site to a public highway for access should also be shown in Red.

Block Plan (or Site Plan) - showing the full application site, including all land associated with the site (e.g. front and rear gardens), drawn to a metric scale of 1:500 and showing at least immediately adjoining neighbouring buildings and features. Block plans should indicate all areas of hardstanding (such as permeable driveways and patios) and all outbuildings, including refuse and cycles stores.

Floor plans - Existing and proposed floor plans of all floors drawn to a metric scale of 1:50 or 100 and showing the direction of North. Where the development provides any additional dwellinghouses (flats, houses or maisonettes) or alters or provides a

House of Multiple Occupancy, floor plans must show the internal layout of that accommodation and every room within it, accompanied by a schedule of the gross internal floor areas of the proposed accommodation. Where accommodation is to be provided within the roof space, the submitted drawings must include elevations, cross-sections and plans to show the floor area with a headroom of at least 1.5m.

Elevations - Existing and proposed elevations of all elevations drawn to a metric scale of 1:50 or 1:100. Elevations should be clearly annotated with their orientation (north/south and/or front/rear etc). Elevations should include annotations for the location of proposed materials (for operational development) and details of colour and method and colour of illumination (if applicable and especially relevant for applications for Advertisement Consent).

Sections - Existing and proposed sections drawn to a metric scale of 1:50 or 1:100

Roof plans - Existing and proposed roof plans to a metric scale of 1:50 or 1:100

Streetscenes - If alterations are proposed to the front elevation, proposed streetscenes to a metric scale of 1:100 showing at least two neighbouring properties on each site.

Architectural details - for applications for Listed Building Consent plans showing key architectural details to a metric scale of 1:20. This may include any new windows, doors and gates.

Photographs and Photomontages - Site photographs, or montages including the proposal can be beneficial to understand a scheme. This may be particularly useful for applications for Advertisement Consent.

Design and Access Statement (required for all Major development, development providing one or more dwellinghouse, development providing a building creating a floorspace of 100 square metres or more, or developments effecting listed buildings) - The 'D&A' Statement must explain the design principles and concepts that have been applied to the development and demonstrate the steps taken to appraise and take account of the context of the development. It must also explain the policies relating to access and any specific access issues have been taken into account and what, if any consultation has been undertaken.

Heritage statement (If the site is within a Conservation Area, includes a Listed Building, Scheduled Monument, Registered Park or Garden or could impact on the setting or is adjacent to any of these, or if it has the potential to affect a locally listed building and/or other non-designated heritage asset) - The content and level of detail for a 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. As an absolutely minimum reference should be made to the Portsmouth Historic Environment Record. 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 (for development in Flood Zone 2 and 3) - If any part of the proposed development will fall within a flood zone you will be required to submit

a Flood Risk Assessment. The environment agency website will help you determine if the proposed site is in a flood zone.

Flood risk Assessment Required by para 167 of the NPPF for works to properties with Flood Zones 2 and 3, or where the site area is greater than 1hectare, or the site is at risk of flooding from any source.

Tree Survey/Arboricultural report - If there are any trees on the site, or adjacent to the site, i.e. any part of the development is going to affect any tree then you will be required to submit a tree report detailing the implications of the development on those trees. For application to works on a tree within a tree preservation order or in a Conservation Area where disease is being claimed or damage to property is alleged written arboricultural advice or other diagnostic information from an appropriate expert (e.g. engineer or surveyor as appropriate) will be required.

Contaminated land Assessment - Where the risk of contamination or gassing is known to be present on-site applications which involve the creation of new dwellinghouse, an extension to a residential property or commercial redevelopment with an area greater than 250m² will need to be accompanied by a desk-top study outlining historical uses.

Air Quality Impact Assessment - 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.

Transport Assessment/Transport Statement - All developments should consider the transport impacts created, maximising opportunities to reduce reliance on private cars and assessing the implication of traffic movements. A proportionate assessment of impacts must accompany an application and the thresholds and details of such assessments are contained with the Council's SPD on Parking Standards and Transport Assessments.

Construction Environmental Management Plan and/or Statement of method of demolition - In respect of larger or complex sites where the development work itself will have likely adverse environmental effects a 'CEMP' may be required to describe how these effects will be managed. For schemes involving significant demolition, or for applications for prior approval for demolition a statement of proposed method of demolition should be provided.

Habitat Regulations Assessment - For any development creating new dwellinghouses, hotel bedspaces, or other use that increases overnight stays an assessment of the Likely Significant Effect on the Special Protection Areas surrounding Portsmouth should be submitted. This will need to include the applications response to the Council's Revised Interim Nutrient Neutral Strategy and the Solent Recreation Mitigation Strategy.

Biodiversity and Protected Species - Where a proposed development may have possible impacts on wildlife and biodiversity information should be provided on existing biodiversity interests and an assessment of possible impacts, including any proposals for mitigating, management and compensating for such effects. This may include a Protected Species Survey and Assessment (Phase 1 Habitat Survey) if protected sites or protected species are likely to be affected. For relevant schemes to be determined after November 2023 details of achieving a 10% Biodiversity Net gain in accordance with the national Metric will also need to be submitted. Further guidance on Biodiversity Net Gain is available from DEFRA and on the Council's website.

For applications for Lawful Development Certificate for an Existing use, or Operation or Activity in Breach of a Planning Condition; or for a Lawful Development Certificate for a proposed use or development - **Evidence Supporting the Lawful Use of the Site** - 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.

Biodiversity Gain Plan - As of the November 2023 all proposals for Major Development, and from April 2024 all proposals for Minor Development will need to be accompanied by a Biodiversity Gain Plan. This plan should include:

- a) Headline Results of the latest version of the DEFRA Metric with its supporting calculations showing the pre-development and the post-development biodiversity value of the onsite habitat; and
- b) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat and steps taken to provide at least 10% biodiversity net gain (unless Local Plan policy requires a higher level) on site; or
- c) where not all of the 10% Biodiversity Net Gain (or higher where required by Local Plan policy) requirement can be provided on site, any proposal for biodiversity gain or registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development.

Where layout is a reserved matter, the Biodiversity Gain Plan submitted should show the headline results of the latest version of the DEFRA metric with its supporting calculations showing the pre-development biodiversity value of the onsite habitat and the location of those habitats.

Health Impact Assessment (HIA) - for largescale applications a Health Impact assessment is required. This assessment should demonstrate that the development can:

- understand the local community health needs and demonstrate how it can support these;

- demonstrate how it has considered health inequalities.
- meet the requirements of the 2017 [Town and Country Planning \(Environmental Impact Assessment\) Regulations](#) as they apply to human health.
- meet the various requirements in relation to health of the [National Planning Policy Framework](#)
- meet the policy requirements of the Portsmouth Local Plan that major development proposals undertake an HIA.
- demonstrate the opportunities of a proposal and how a development has been positively planned.