



**HYNDBURN**

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an excellent council

# **VALIDATION CHECKLIST FOR PLANNING AND OTHER APPLICATIONS**

January 2025

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## 1. INTRODUCTION

This document, which is also available on the Council's website, is for use by applicants and agents when submitting planning and other applications. It can be found at: [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk).

Different types of application require different levels of information and supporting documentation. This checklist list should be used to determine what information is required for each application type.

Pre-application discussions will detail the required information for an application. A separate pre-application advice protocol and charges can be found at [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk).

## 2. SUBMISSION OF APPLICATIONS

The Council will validate each application according to

- National Requirements which are mandatory for all applications.
- Local Requirements depending on the nature of the proposal.

Providing all the required information is included at the outset the application will be classed as 'Valid' and will progress to a decision.

If information is missing, the application will be held as 'Invalid' and delayed until the necessary information is received. If information is not provided within **28 days** of us requesting it we will not be able to deal with the application and it will be treated as withdrawn. We will not keep any documents relating to such applications.

Due to the volume of invalid applications being handled by the planning department an administrative charge will be levied where an application is deemed to be withdrawn. The charge seeks to recover some of the cost of officer time involved in handling them. These are:

- Major Applications: £120.00
- Minor Applications: £60.00
- Householder / Other / Advertisement Applications: £36.00

Should you disagree with the Council's reasons for invalidating a planning application then the planning department will make every effort to resolve disagreements by informal negotiation.

If negotiation fails then the agent or applicant must send the local planning authority a notice under the provisions of Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO). This must set out the reasons why the applicant considers that the information requested by the local planning authority, in refusing to validate the planning application, does not meet the [statutory tests](#). Further information on this procedure can be found in the [Planning Practice Guidance](#).

### **Planning Portal Submissions**

Applicants are encouraged to submit and pay for planning and other applications electronically using the Government's Planning Portal service on the internet – [www.planningportal.co.uk](http://www.planningportal.co.uk).

### **Email Submissions**

Planning applications can be submitted to the Council via email to [planning@hyndburnbc.gov.uk](mailto:planning@hyndburnbc.gov.uk). There is a limit to the file size that can be received by email and larger files may be sent by online file transfer service or on USB memory stick.

### **Paper Submissions**

The Council will process applications submitted on paper. These require

- (i) 1 copy of each document, plan and form and;
- (ii) 1 copy of all the application documents on USB memory stick in PDF format.

Paper Applications (with USB memory stick) should be posted to:

Hyndburn Borough Council  
Scaitcliffe House  
Ormerod Street  
Accrington  
BB5 0PF

Or deposited in the Main Reception at Scaitcliffe House.

## **Payment**

A schedule of planning application fees can be found at [Planning Portal](#). If you submit your application to us through the Planning Portal your planning application fee will be requested at the time of submission.

If you are submitting your application by email or hard copy you can pay by:

- Card by telephoning the Contact Centre 01254 380155 between 9:00am to 5:00pm
- Cheque made payable to Hyndburn Borough Council.

It will help us to process applications quickly if you:

- Include all the necessary information
- Submit plans at A4/A3 size where possible
- Avoid using high definition colour where possible
- Avoid using large file sizes
- Avoid ring binding reports
- Avoid password protecting documents
- Include a document schedule

## **Changes to the description of development**

To avoid any delay in the processing and validation of applications, applicants should ensure that the description of development entered on the application form accurately describes the proposed development.

Should the local planning authority consider that an amendment to the description of development is required, we will write to you to seek your agreement to any revised wording.

## **Commercially Sensitive or Personal Information**

Hyndburn Borough Council may publish comments and personal details received in connection with planning applications on the internet and make them available for public inspection. This information may include (but is not confined to) names, addresses, signatures, email addresses and phone numbers.

When submitting any document which contains any commercially sensitive or personal information you are requested to submit two copies, one of which redacts the sensitive information so that it is suitable to be made publicly

available. It will rarely be acceptable to make entire documents or entire sections of reports that contain commercially sensitive information exempt from publication. Even in those circumstances an executive summary will be required to ensure a transparent and accountable system

### **Planning Application Drawings**

All drawings should include a drawing reference number as these are referred to in planning conditions (stamped plans are not issued). All scaled drawings should also include a linear scale bar and should refer to the paper print off size e.g. "print off at A3".

## **NATIONAL REQUIREMENTS**

### **3. APPLICATION FORM**

#### **Required for all applications**

A completed standard application form is available to view and download via the Planning Portal. Applicants are encouraged to apply online via the Planning Portal. Alternatively an application can be completed electronically and submitted directly to the Council or an application can be completed on a paper version of the form which can be provided by the Council on request.

All the relevant questions should be answered and if not relevant to the application, then the words “not applicable” should be inserted for clarity.

### **4. CORRECT FEE**

#### **Required for all applications unless an exemption or concession applies**

You can check the fee for your application by:

- Using the fee calculator available on the Planning Portal [website](#).
- Telephoning the Development Management team at 01254 380111 or emailing [planning@hyndburnbc.gov.uk](mailto:planning@hyndburnbc.gov.uk)

Planning Applications submitted without a fee are classed as ‘invalid’ and cannot be processed until payment is received.

Regulation 4 of the 2012 Fees Regulations, as amended, sets out that planning application fees are waived for applications solely for the alteration or extension of an existing dwellinghouse; or works in the curtilage of an existing dwellinghouse (other than the erection of a dwellinghouse) for the purpose of providing:

- Means of access to or within it for a disabled person who is resident in it, or is proposing to take up residence in it; or
- Facilities designed to secure that person's greater safety, health or comfort.

For the purposes of the regulation, “disabled person” means—

- a) a person who is within any of the descriptions of persons to whom section 29 of the National Assistance Act 1948 (welfare arrangements for blind, deaf, dumb and crippled persons, etc) applies; or
- b) a child who is disabled for the purposes of Part 3 of the Children Act 1989 (local authority support for children and families).

The applicant should provide evidence of disability (e.g. a letter confirming the applicant (or family member) is disabled or that they are receiving benefits) and that the proposed development is necessary and appropriate as a direct result of their disability needs. This can be demonstrated by submitting either a letter from a medical professional (GP or consultant) or a letter/statement from an Occupational Therapist following a home assessment.

Any information provided will be treated confidentially for the sole use of planning officers and will not be placed in the public domain. However, for transparency reasons, it may be necessary to make reference to the disability needs within reports in the event that officers are to consider making an exception to policy.

## **5. OWNERSHIP CERTIFICATES**

Required for all applications apart from those listed below

Under the 1990 Act all applications must be accompanied by the relevant certificates concerning the ownership of the application site. This applies to all applications except for:

- The approval of reserved matters
- Applications for lawful development certificates
- The discharge or variation of conditions
- The prior notification for agricultural development
- The prior notification for telecommunications development
- Works to protected trees
- Consent to display advertisements.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

- Certificate A must be completed when the applicant is the sole owner of the site.

- Certificate B must be completed when the owner of the site is known to the applicant
- Certificate C and D must be completed when some or none of the owners of the site are known.

## **6. AGRICULTURAL HOLDING CERTIFICATE**

Required for all applications apart from those listed below

This certificate is required whether or not the site includes an agricultural holding and all tenants must be notified prior to the submission of an application.

This certificate is not required for:

- The submission of an application for reserved matters
- Applications for lawful development certificates
- A renewal of temporary planning permission,
- The discharge or variation of conditions,
- The prior notification for agricultural development
- The prior notification for telecommunications development
- Works to protected trees,
- Consent to display advertisements.

## **7. ARTICLE 6 NOTICES**

Required for all applications

If Certificate B has been completed a copy of the Article 6 notice must be served on all the owners of the site in question. This may be required where Certificate C has been served or when some of the owners are known. Templates are available via the Planning Portal.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

## **8. PLANS AND DRAWINGS**

Required for all applications.

a) Location plan

This should:

- Be up-to-date and of Ordnance Survey quality
- At a scale of 1:1250 or 1:2500
- Show a North point.
- Show at least two named roads
- Show surrounding buildings which are named or numbered.
- Clearly identify the application site with a red edge which should include all the land required to carry out the proposed development.
- Show any other land in the control or ownership of the applicant which is close to or adjacent to the application site, with a blue line.
- Show the exact location of the application site.

An appropriate location plan can be obtained via [www.planningportal.co.uk](http://www.planningportal.co.uk) or from an approved Ordnance Survey supplier.

b) Any other plans and drawings necessary to describe the development which is the subject of the application

Additional plans and drawings (existing and proposed) will in most cases be necessary to describe the proposed development. These can include:-

- Site Layout Plans
- Floor Plans
- Elevations
- Site Levels Plans
- Sectional Drawings
- Roof Plans

## **9. DESIGN AND ACCESS STATEMENT**

They are required for:

- Applications for Major Development<sup>1</sup>;

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<sup>1</sup> [As defined in Article 2 of the Town and Country Planning \(Development Management Procedure \(England\) Order 2015](#)

- Applications for development in a designated area<sup>2</sup>, where the proposed development consists of:
  - one or more dwellings; or
  - a building or buildings with a floor space of 100 square metres or more.
- Applications for listed building consent.

A Design and Access Statement must:

- a) explain the design principles and concepts that have been applied to the proposed development; and
- b) demonstrate the steps taken to appraise the context of the proposed development, and how the design of the development takes that context into account.

It should cover several key aspects, including:

- Details of the use or uses proposed
- The amount of development
- The layout of the development
- The scale of the development
- Any landscaping of the site
- The appearance of the development
- The access to the development and any parking arrangements

Additional information is also required for outline applications, even if layout, scale and access are reserved. As a minimum outline applications should always include information on:

- Use – the use or uses proposed and any distinct development zones within the site identified,
- Amount of development – amount proposed for each use,
- Indicative layout – including separate zones proposed within the site boundary as appropriate,
- Scale parameters – an indication of the upper and lower limits for height, width and length of each building,
- Indicative access points – an area or areas in which the access point or points will be located.

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<sup>2</sup> A “designated area” means a World Heritage Site or a Conservation Area.

Design and Access Statements accompanying applications for listed building consent must include an explanation of the design principles and concepts that have been applied to the proposed works, and how they have taken account of:

- the special architectural or historic importance of the building;
- the particular physical features of the building that justify its designation as a listed building; and
- the building's setting.

## **10. ENVIRONMENTAL IMPACT ASSESSMENT**

They are required for development falling within the provisions of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

A developer is required to prepare an Environmental Statement to enable the local planning authority to give proper consideration to the likely environmental effects of the proposal.

Environmental Impact Statements (EIA) are required for major developments over a certain size or where there would be a significant impact on the local environment. The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the developer to describe the likely significant effects of a development on the environment and to set out any proposed mitigation measures.

The applicant may submit an application to the Council for a Screening Opinion for a definitive decision as to whether an EIA is required.

## **11. BIODIVERSITY NET GAIN**

Biodiversity Net Gain is an approach to development. It makes sure that habitats for wildlife are left in a measurably better state than they were before the development. BNG is mandatory under [Schedule 7A of the Town and Country Planning Act 1990 \(as inserted by Schedule 14 of the Environment Act 2021\)](#).

Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development. More information can be found here: <https://www.gov.uk/guidance/biodiversity-net-gain>.

Applicants must confirm whether they believe that planning permission, if granted, would be subject to the biodiversity gain condition, and if not, the reasons why.

There are specific exemptions from biodiversity net gain for certain types of development. The exemptions are set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations [2024].

Where an applicant wishes to claim an exemption from biodiversity net gain, the reason for exemption should be clearly set out on the planning application form. Failure to provide the appropriate level of information may result in a delay in the validation of the planning application.

Where development would be subject to the general biodiversity gain condition, the application must be accompanied by minimum information set out in [Article 7A of the Town and Country Planning Act 1990](#). For avoidance of doubt, the following is the mandatory minimum information required:

- confirmation that the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('[degradation](#)'), and where they have:
  - a statement to the effect that these activities have been carried out;
  - the date immediately before these activities were carried out;
  - the pre-development biodiversity value of the onsite habitat on this date;
  - the completed metric calculation tool showing the calculations, and
  - any available supporting evidence of this;

- a description of any irreplaceable habitat (as set out in column 1 of the [Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations \[2024\]](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

In addition to these minimum information requirements, further information may need to be provided in order to assist the consideration of biodiversity net gain as part of the planning application, in particular where there are particular considerations around significant onsite biodiversity enhancements or use of offsite biodiversity gains (see Local Requirements Section 30 below).

## **12. FIRE STATEMENT**

They are required for applications for ‘relevant buildings’ which includes buildings that:

- contain two or more dwellings or educational accommodation and
- meet the height condition of 18m or more in height, or 7 or more storeys

Fire statements will support the consideration of information on fire safety matters as they relate to land use planning matters (e.g. site layout, water supplies for firefighting purposes and access for fire appliances). It is the intention that the information provided within a fire statement is focussed and concise, specific and relevant to the development, and proportionate to the scale, type and complexity of the proposal. A fire statement will evidence that thinking on fire safety matters, as they relate to planning, has been incorporated into the planning application.

Further information about Fire Statements is available at

[Fire safety and high-rise residential buildings \(from 1 August 2021\) - GOV.UK \(www.gov.uk\)](#)

## **13. OUTLINE PLANNING APPLICATIONS**

Outline applications are about establishing whether a particular type of development is acceptable on a site in principle.

Part 3 of the Development Management Procedure Order identifies certain 'reserved matters' which may be set aside at the outline stage for subsequent approval by the local planning authority. These are Layout; Scale; Appearance; Access; and Landscaping.

Regardless of which matters are set aside for subsequent approval, the outline application is required to set out information about the proposed use/uses and the amount of development proposed for each use.

Even where access is a reserved matter, the outline application must state the area or areas where access points to the development proposed will be situated. This is to enable an early assessment of whether safe vehicular and pedestrian access will be possible.

Where layout is a reserved matter, the outline application shall state the approximate location of buildings, routes and open spaces included in the development proposed. This will typically be in the form of a Site Masterplan or Parameter Plan showing how the amount and type of development proposed will be distributed across the site.

Where scale is a reserved matter, the outline application shall state the upper and lower limit for the height, width and length of each building included in the development proposed. This is in order to establish a three dimensional building envelope within which the detailed design of the buildings will be constructed.

It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application.

Any plans submitted for illustrative purposes will not form part of the list of approved plans on any outline planning approval and should be clearly marked 'Illustrative' on the plans.

#### **14. SECTION 73 (S73) (MINOR MATERIAL) AND SECTION 96A (S96A) (NON-MATERIAL) AMENDMENTS**

Applications for removal/ variation of condition(s) (submitted under S73 of the Town and Country Planning Act 1990) or applications for minor non-material amendments will be required to be accompanied by the following information:

- Application form
- Plans/Information to clearly identify the site and the proposed amendments

### **LOCAL REQUIREMENTS**

Additional information may also be required by the Council prior to the validation of the application depending on the nature and type of application or the nature of the character of the area within which the application site is located. This section will clearly outline what the Council's local requirements are to validate an application, having regard to national guidance and informed by policy.

The list is considered to meet the statutory tests in so far that the information requested is considered to be:

- Reasonable having regard, in particular, to the nature and scale of the proposed development; and
- About a matter which it is reasonable to think will be a material consideration in the determination of the application.

Applicants or agents are advised to seek advice on the need for such additional information with the local planning authority at the pre-submission stage.

Meeting the requirements of this list does not preclude a request for further information later in the decision making process where this is deemed necessary to fully assess the development proposal.

Whilst planning obligations are not a validation requirement, it would potentially reduce delays if Heads of Terms were submitted alongside an application where a planning obligation is considered likely to be necessary. It is advised that planning obligations are considered at pre-application stage.

Applicants should be aware that there will be a legal fee which the applicant will need to pay on completion of a Section 106 Agreement/Unilateral Undertaking.

### **15. EXISTING AND PROPOSED SITE PLAN**

#### **Required for all applications**

This should:

- Be at a scale of either 1:500 or 1:200
- Show the direction of North
- Show the proposed development in relation to the site boundaries and other existing buildings on site
- Include written dimensions including those to the boundaries
- Indicate any buildings or other structures to be demolished.

It should also include the following unless these would NOT influence or affect the proposed development:

- All the buildings, roads and footpaths on land adjoining the site including access arrangements
- All public rights of way crossing or adjoining the site
- The position of all trees on the site, and those on adjacent land
- The extent and type of any hard surfacing
- Any boundary treatments including walls/fencing where these are proposed.

## **16. EXISTING AND PROPOSED FLOOR PLANS**

Required for applications where:

- New floor space is proposed,
- A change in the use of floor space is proposed.

These should:

- Be drawn to a recognised metric scale, preferably 1:50 or 1:100
- Be annotated with external dimensions.
- Explain the proposal in detail.
- Show details of the existing buildings and those for the proposed development.
- Show the development in context with any adjacent buildings (including property numbers where appropriate).

## **17. EXISTING AND PROPOSED ELEVATIONS & ROOF PLANS**

Required for applications where:

- Existing buildings are proposed to be demolished or altered
- New buildings are proposed

These should:

- Be drawn to a recognised metric scale, preferably 1:50 or 1:100
- Be annotated with dimensions (including height to eaves and ridge)
- Explain the proposal in detail (including reference to existing & proposed external materials).
- Show all sides of the proposal
- Clearly show the relationship between any adjoining buildings or any building in close proximity (2 metres) providing details of the positions of any openings on each property.

They are also required for Applications for Advertisement Consent to show:

- The size and position of the proposed advertisement in relation to the associated site and buildings
- Height above ground level
- Amount of projection
- Sections
- Materials & Colours
- Method of fixing

## **18. EXISTING AND PROPOSED SECTION DRAWINGS**

Required for applications:

- Where a proposal involves a change in ground levels – drawings should be submitted to show both existing and finished levels.
- On sloping sites – full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings within or in close proximity to the site.

These should:

- Be drawn to a recognised metric scale preferably at 1:50 or 1:100

- Show a cross section through the proposed building(s) or site.

Wherever possible, the drawings should contain existing site levels and finished floor levels (with levels related to a fixed datum point off-site) and also show the proposals in relation to adjoining buildings. Section drawings may also be requested in other cases by the planning officer. The drawings may take the form of contours, spot levels or cross/long sections as appropriate.

## **19. EXISTING AND PROPOSED SITE LEVELS PLANS**

Required for applications:

- which propose new building(s), extensions to building(s), decking area(s) and/or other engineering operations.

The plans should include finished floor levels where new buildings, floor level changes to existing buildings or extensions to buildings in Flood Zones 2 or 3 are proposed. Where no change in ground level is being proposed then fixed datum points included on existing and proposed site layout plans would be acceptable.

## **20. STREET SCENE ELEVATIONS**

Required for:

- Major developments where requested during pre-application discussions
- New buildings in prominent or sensitive locations
- New buildings on infill plots

## **21. SHOPFRONT DETAILS**

Required for all applications for new shopfronts

Applications shall be accompanied by:

- A section plan detailing the projection of any signage, canopies and roller shutters;
- Elevation plans detailing the existing and proposed shopfront, at a scale of 1:10 or 1:20.

## **22. LISTED BUILDING PLANS**

Required for applications for Listed Building Consent where elevational changes are proposed.

Elevation drawings for applications for Listed Building Consent should typically be provided at a scale of 1:20.

Section details shall be provided of each elevation affected which clearly indicates eaves, guttering/rain water goods, soffit/overhangs and window/door reveals and the proposed window/door framing profiles/systems and materials as well as any internal alterations which may be proposed (e.g. panelling, fireplaces, plaster moulding and other decorative details).

### **23. PLANS FOR MAJOR HOUSING DEVELOPMENTS**

Required for all major applications for housing development where design/appearance and/or layout is being considered.

The following plans shall be provided:-

- Materials Plan – showing full details of the proposed external facing materials.
- Boundary Treatment Plan – showing the proposed walls, fencing etc. to be erected on the site along with plans detailing the height and appearance of these boundary treatments.

### **24. DETAILS OF ANY PRE-APPLICATION DISCUSSIONS**

We would encourage prospective applicants to discuss their proposals with us before they submit their applications. Such pre-application discussions will ensure that the application has the best chance of success and that the information required is identified at the outset thus speeding up the decision making process.

Details of any pre application meeting should be included with any subsequent application.

Full details of this service can be found at [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk).

### **25. STATEMENT OF COMMUNITY INVOLVEMENT**

Required for:

- Major development where there is likely to be significant public interest in the proposals.
- Any development involving an installation for the harnessing of wind power for energy production where
  - (a) the development involves the installation of more than 2 turbines; or
  - (b) the hub height of any turbine exceeds 15 metres

The statement should set out how the applicant has complied with the requirements for pre-application consultation and should demonstrate that the views of the local community have been sought and taken into account in formulating the development proposals. Options for engagement include:

- Meeting(s) with relevant Ward Councillors and Parish/ Town Council;
- Issue letters or leaflets in the locality
- Local exhibition or public consultation event
- Press release/advertisement in local newspapers / social media
- Public meeting or meeting with particular groups in the community.

## **26. PLANNING STATEMENT**

Required:

- For all major developments
- For developments not in accordance with the development plan
- When requested in association with pre application advice
- For applications for advertisement consent to address amenity & public safety
- For wind turbines:
  - to address why the turbine is needed
  - to provide details of wind speeds
  - to provide evidence of the feasibility of energy generation
  - to include a shadow flicker report

The information provided should identify the need for the proposed development and explain how the proposal relates in policy terms to national and local level.

## **27. STRUCTURAL SURVEY/PRIOR NOTIFICATION FOR DEMOLITION**

### Required for:

- Applications involving the conversion of barns or other buildings outside the urban areas.
- Applications for Listed Buildings / buildings within a conservation area where identified as necessary during pre-application discussions
- Applications where there is evidence of land instability
- Applications for Prior Notification for Demolition will require a Demolition and Method statement

This must be carried out by a competent person and give an appraisal of the structural stability of the building, identify clearly any re-building works and include a schedule of works necessary to carry out the conversion.

## **28. TREE SURVEY**

### Required for:

- All developments affecting trees within or adjacent to the development site

An Arboricultural Impact Assessment (incorporating a tree survey) must be provided for all developments that potentially impact on trees either on the application site or on an adjoining site. Where trees are protected by a Tree Preservation Order, or are within a Conservation Area, such a survey is essential.

The location of any trees within adjacent properties that may be affected by the application should also be shown. An Arboricultural Impact Assessment (AIA) must include (where relevant):

- a survey of existing trees and hedgerows present within/ adjacent to the application site (this shall indicate the species and height of the trees and hedgerows plus canopy diameter and show their location on a tree constraints plan)
- Indicate which trees and hedgerows will be retained as part of the development and which trees/hedgerows are proposed to be removed (including a tree retention and removal plan)

- In terms of those trees and hedgerows to be retained it shall include an Arboricultural Method Statement indicating how the work will be carried out including site preparation and earth works, as well as a Tree Protection Plan.
- A tree shading analysis where retained trees or newly planted trees hold potential to shade buildings or the gardens of dwellings.
- In terms of those trees and hedgerows to be removed it shall include clear justification

An AIA must be produced by an appropriately qualified arboriculturalist, and the works proposed must conform to “BS 5837 (2012) Trees in Relation to Design, Demolition and Construction – Recommendations.”

## **29.ECOLOGICAL ASSESSMENTS (INCLUDING BAT AND NESTING BIRD SURVEYS)**

Required for developments which impact on:

- Site of Special Scientific Interest
- Biological Heritage Sites
- District Wildlife Sites
- Habitat of Principle Importance (priority habitats)
- Sites meeting the standard set for BHS/DWS/HPI
- Sites designated or shown to be important in the Local Nature Recovery Strategy
- Sites containing  $\geq 25\text{m}^2$  medium and above habitat distinctiveness types (DEFRA habitat distinctiveness classification).
- Geological heritage sites
- Wildlife Links or Corridors and
- Development which is likely to affect the habitat of protected species,

Planning Trigger List for works requiring a Preliminary Bat Roost Assessment, incorporating a nesting bird survey:

- a) Conversion, modification, demolition or removal of buildings and structures (especially roof voids) (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:

- agricultural buildings (e.g. farmhouses, barns and outbuildings) particularly of traditional brick or stone construction and/or with exposed wooden beams;
  - buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water;
  - pre-1960 detached buildings and structures within 200m of woodland and/or water;
  - pre-1914 buildings within 400m of woodland and/or water;
  - pre-1914 buildings with gable ends or slate roofs, regardless of location;
  - located within, or immediately adjacent to woodland and/or water;
  - Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost assessment the site appears to be particularly suited to bats.
- b) Development affecting built structures:
- tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures
  - unused industrial chimneys that are unlined and brick/stone construction;
  - bridge structures, aqueducts and viaducts (especially over water and wet ground).
- c) Floodlighting of:
- churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water;
  - any building meeting the criteria listed in (1) above.
- d) Tree work (Felling, removal or lopping) and/or development affecting:
- woodland;
  - field hedgerows and/or lines of trees with connectivity to woodland or water bodies;
  - old and veteran trees that are more than 100 years old;
  - mature trees with obvious holes, cracks or cavities, or which are covered with mature ivy (including large dead trees).
- e) Proposals affecting water bodies:

- within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats.
- f) Proposals located in or immediately adjacent to:
- quarries or gravel pits;
  - natural cliff faces and rock outcrops with crevices or caves and swallets.
- g) Proposals for wind farm developments of multiple wind turbines and single wind turbines
- h) Proposed development affecting any type of buildings, structures, feature or location where protected species are known to be present.

Please note that where the Preliminary Bat Roost Survey recommends further Phase 2 Presence Absence Bat surveys then such surveys must also be submitted prior to validation.

Each case is individually assessed and this is not a comprehensive list of situations where ecological surveys will be required. Any assessments that are over 2 years old will be considered out-of-date and will need to be re-visited unless agreed otherwise.

Wind Turbine applications should be accompanied by a site specific assessment of potential impacts upon biodiversity

The survey should assess the implications of the proposed development upon the wildlife present within the locality, including any measures for mitigating the impact.

Householder applications affecting a roof space will require a statement relating to the presence of bats or owls. If bats/owls are found within the roof space an ecological survey will be required.

### **30. BIODIVERSITY NET GAIN**

In line with current legislation and guidance, relevant developments should provide net gains in biodiversity. Relevant applications for major development submitted on or after 12th February 2024 and applications for non-major

development submitted on or after 2nd April 2024, will need to submit the minimum national information requirements.

In order to assess whether these applications will be able to meet the biodiversity gain objective, the Council requires the minimum information to be submitted (as set out in Section 11 of the National Requirements above), plus the following additional information:

- a draft Biodiversity Gain Plan which sets out the steps undertaken to minimise any adverse impacts of the development on the biodiversity of the site, the pre-development biodiversity value on-site, the estimated post-development biodiversity value on-site, the number of biodiversity units likely to be needed on biodiversity off-site gain and any statutory biodiversity credits that might need to be purchased for the development (a Biodiversity Gain Plan template form is available from the Government at: <https://www.gov.uk/government/publications/biodiversity-gain-plan>);
- a draft Habitat Management and Monitoring Plan (a link to a HMMP template is available at: <https://publications.naturalengland.org.uk/publication/5813530037846016>)

Applications likely to be exempt from demonstrating a measurable biodiversity net gain are listed below but may be subject to change:

- development impacting habitat of an area below a 'de minimis' threshold of 25 square metres, or 5m in length for hedgerows and watercourses, where the development does not involve the loss of any priority habitats;
- householder applications;
- biodiversity gain sites (where habitats are being enhanced for wildlife);
- small scale self-build and custom housebuilding;
- permission in principle;
- reserved matters;
- development granted planning permission by a development order under section;
- urgent Crown development granted under s293A TCPA 1990;
- retrospective planning permissions made under section 73A;
- section 73 permissions where the original permission to which the section 73 relates to was either granted before or the original application was made before the date the regulations for biodiversity net gain come into force;

For outline applications where layout is a reserved matter, the draft Biodiversity Gain Plan should show the information requested above, with as much information as possible, in order to apply relevant planning conditions or draft relevant planning obligations for the significant biodiversity net gains to be provided on-site and/or off-site.

### **31. LANDSCAPING PROPOSALS (INCLUDING LVIAS)**

Required for:

- Major and Most Full Applications
- Some outline/reserved matters applications
- Other applications as identified during pre-application discussions or during the application process
- Proposals which have the potential to impact on heritage assets (e.g. listed buildings/conservation areas)

Landscaping is an important constituent of the development of a site and detailed hard and soft landscaping should be given as much consideration as the other elements of the overall design of the site. Reference should be made to the landscaping of the site within the Design & Access Statement.

Although in some instances it is possible to deal with the detailed landscape design by planning condition, where the site is in a prominent location such as areas of high townscape value or rural areas, a Landscaping Scheme including species and numbers of plants and a schedule of surfacing materials should be submitted with the application. Existing trees and other vegetation should be retained wherever practicable and protected during the construction of the proposed development.

Landscaping schemes should include:

- Proposed ground levels, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, structures including street furniture.
- Proposed and existing functional services above and below ground, (e.g. drainage, power/communication cables, manholes)
- Planting plans, schedules of plants, noting species, plant sizes & proposed numbers/planting densities where appropriate

- Existing vegetation to be retained, together with measure for its protection during the construction process.
- Details of long term maintenance and management
- For major applications where it is proposed to phase development, a landscape strategy should form part of the landscaping proposals.

For sites that are considered to be particularly sensitive in landscape or visual terms Landscape and Visual Impact Assessment (LVIA) will be required. For example:

- where large scale developments are proposed, particularly vertical developments;
- where developments are within areas with a national or international landscape or landscape heritage designation (e.g. AONB);
- where developments may affect the settings of the above areas; or
- where developments will be particularly visible from publicly accessible viewpoints.

LVIAs should be carried out by qualified landscape professionals in accordance with the Landscape Institute and Institute of Environmental Management and Assessment's Guidelines for Landscape and Visual Assessment (GLVIA) 3rd Edition (2013).

### **32.STATEMENT OF PROPOSED HEADS OF TERMS FOR PLANNING OBLIGATIONS**

In determining planning applications the Council has to ensure that developments contribute to the locality in which they are situated, and, that where they create a demand for additional facilities or infrastructure, the cost of providing these is borne by those with an interest in the development.

The means of achieving this is through a 'Section 106' Legal agreement drawn up by the Councils solicitor between the Council and anyone with an ownership interest in the application site. Under this agreement, the developer agrees to certain matters, or undertakes to make a financial contribution towards, the cost of specific works made necessary by the development.

Decision Notices are not released until any associated S.106 Agreement is completed. To minimise any unnecessary delays a Statement of 'Heads of

Terms' is required. This provides details of the matters to be agreed to and the contact details of the applicant's solicitor.

Required for:

- All Major Residential Applications in connection with Public Open Space
- All Major Applications in connection with Highways/Transport/Affordable Housing, etc where this is identified during pre-application discussions.

Applicants should clarify in pre-application discussions with the local planning authority any required planning obligations. Where such requirements have been identified a 'heads of terms' document should be submitted with the planning application. Applicants are advised that there will be additional legal fees to be paid in respect of either the preparation of or checking of planning obligations. A 'heads of terms' document should include the applicant's agreement to cover the Council's S.106 monitoring and recording costs and reasonable legal costs in drafting or checking a S.106 Agreement.

It is strongly advised that applicants discuss S.106 agreement requirements and prepare draft S.106 agreements in advance of formal submission of a planning application. The Council operates a formal pre-application advice service available at [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk). The Council's Solicitor can prepare S.106 agreements for a charge.

### **33. OPEN SPACE PROPOSALS**

Required for:

- Major Residential Developments

Applications for Major Residential developments should include proposals for the provision of appropriate areas of open space, including amenity space, playing fields and play space. In some cases where there is an abundance of open space in the locality it might be appropriate, in lieu of the provision of on-site open space for a developer to make a financial contribution towards the provision, enhancement or maintenance of existing nearby open space and play areas.

Provision should be made in accordance with the Council's Policy on Open Space and the application should include details of long term maintenance and management of any on-site open space to be provided.

### 34. TRANSPORT ASSESSMENT

Required for:

- All Major Residential or Commercial Developments
- Wherever specified during pre-application discussions
- Developments affecting or adjacent to a level crossing

The table below illustrates the thresholds that will be used to determine whether a Transport Assessment (TA) and a Transport Plan (or Statement) (TP) will be required. Transport Assessments are thorough assessments of the transport implications of development, and Transport Plans are a 'lighter-touch' evaluation to be used where this would be more proportionate to the potential impact of the development.

Use Class	TA Threshold (m <sup>2</sup> GFA)	TP Threshold (m <sup>2</sup> GFA)
A1 Retail	1,000	1,000
A1 Non food retail	1,000	1,000
A2 Financial & Professional Services.	2,500	2,500
A3 Food and Drink	1,000	◆
B1 (a) Offices	2,500	2,500
B1(b) and (c) Light ind., Research and Dev.	2,500	2,500
B8 Storage & Distribution	10,000	◆
C1 Hotels	1,000	◆
C2 Hospital	2,500	1,000
C2 Residential College / School	250	500
C3 Dwelling Houses	100 dwellings	◆
D1 Primary Schools	1,000	◆
D1 Secondary Schools	2,500	◆
D1 Further Education	2,500	500
D1 Medical	2,500	◆
D1 Conf. facilities	1,000	1,000
D1 Other	2,500	2,500
D2 Cinema	1,000	1,000
D2 Stadia	1,500 Seats	1,500 Seats
D2 Other	1,000	1,000

◆ To be determined by the Highway Authority on a case-by-case basis.

TAs and TPs should quantify and assess the impact of the proposals on traffic movement and highway safety, and provide details of any proposals for access or transport improvements.

As the Highways Authority for Lancashire, Lancashire County Council (LCC) provides a dedicated pre-application highways advice service that offers relevant, accurate up to date advice on how individual developments will impact on the highway network. Details of the service can be found at:

<https://www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-highways-advice-service/>

### **35. TRAVEL PLAN**

Required:

- For major retail, employment, leisure and educational developments
- Wherever specified during pre-application discussions

A Travel Plan should outline the way in which the transport implications of the development will be managed in order to ensure the minimum environmental, social and economic impacts. It should seek to promote more sustainable methods of transport other than the private car.

Lancashire County Council's Sustainable Travel Team may be able to advise applicants on the requirements for a Travel Plan. Email: [sustainabletravel@lancashire.gov.uk](mailto:sustainabletravel@lancashire.gov.uk).

### **36. PARKING ARRANGEMENTS/CYCLE STORAGE AND ACCESSIBILITY QUESTIONNAIRES**

Existing & Proposed Parking & Access Arrangements are required for:

- New developments and change of use
- Householder applications where the proposed development will affect existing parking arrangements.

An Accessibility Questionnaire is required for:

- All Major Applications

A copy of the accessibility questionnaire can be found at page 173 of the Hyndburn Development Management DPD and is also available to download separately at [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk).

## 37. RETAIL SEQUENTIAL ASSESSMENT AND IMPACT ASSESSMENT

NPPG sets out [government guidance](#) on proposed retail developments.

A sequential assessment is required for all planning applications for 'main town centre uses'<sup>3</sup> which are neither in an existing centre nor in accordance with an up-to-date plan except for small scale rural offices or other small scale rural development. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

The sequential approach requires a thorough assessment of the suitability, viability and availability of locations for main town centre uses. It requires clearly explained reasoning if more central opportunities to locate main town centre uses are rejected and should demonstrate:

- that sites have been assessed for their availability, suitability and viability.
- that all in-centre (and then edge-of-centre) options have been thoroughly assessed before less central sites are considered.
- that there are no town centre sites (or other sequentially preferable sites) to accommodate a proposed development.

Proposals for new retail and leisure floorspace that are not located in defined Town Centres or Local Centres, are not in accordance with specific policies in the Site Allocations DPD and which are larger than the thresholds set out in Policy DM3 of the Hyndburn Development Management DPD, must also be supported by an Impact Assessment.

The assessment shall include:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

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<sup>3</sup> Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

- the impact of the proposal 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.

Where the Council has particular concerns arising due to the size and nature of a proposal (of retail or other main town centre uses) in relation to the health of a specific centre, it may on occasion require an impact assessment to be submitted below the thresholds stated in Policy DM3 of the Hyndburn Development Management DPD.

### **38. FLOOD RISK ASSESSMENTS (INC SEQUENTIAL AND EXCEPTION TESTS)**

Flood risk areas have been identified by the Environment Agency and may be viewed at <https://flood-map-for-planning.service.gov.uk/>. Flood Risk Assessments should address the issue of flood risk to both property and people and be in accordance with guidance set out in NPPF and [Government guidance](#).

Required for all development proposed:

- in flood zones 2, 3 or 3b
- within flood zone 1 with a site area of 1 hectare or more
- in areas with critical drainage problems
- within flood zone 1 where the LPA's strategic flood risk assessment (SFRA) shows it will be at increased risk of flooding during its lifetime
- that increases the [vulnerability classification](#) and may be subject to sources of flooding other than rivers or sea

Guidance on the requirements for Flood Risk Assessments to be submitted is available at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications> including advice on Flood Risk Assessments required for minor extensions.

For householder applications located within a Flood Risk Zone the planning application shall be accompanied by a simple flood risk assessment. The relevant form which will constitute the required simple FRA can be found at [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk).

### Sequential and Exception Tests

The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites:

- Within medium risk areas; and
- Then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.

A Sequential Test is required for major and non-major development if any proposed building, access and escape route, land-raising or other vulnerable element will be:

- in flood zone 2 or 3
- in flood zone 1 and the Strategic Flood Risk Assessment for the area shows it will be at increased risk of flooding during its lifetime
- subject to sources of flooding other than rivers or sea

A development is not exempt from the Sequential Test just because a Flood Risk Assessments shows the development can be made safe throughout its lifetime without increasing risk elsewhere.

A Sequential Test will not be required where:

- A site has been allocated for development and subject to the test at the plan making stage (provided the proposed development is consistent with the use for which the site was allocated and provided there have been no significant changes to the known level of flood risk to the site, now or in the future which would have affected the outcome of the test).
- A site is in an area at low risk from all sources of flooding, unless the Strategic Flood Risk Assessment, or other information, indicates there may be a risk of flooding in the future.
- The application is for a development type that is exempt from the test, as specified in [footnote 56 of the National Planning Policy Framework](#).

For individual planning applications subject to the Sequential Test, the area to apply the test will be defined by local circumstances relating to the catchment area for the type of development proposed.

The Exception Test requires two additional elements to be satisfied (as set out in the National Planning Policy Framework) before allowing development to be allocated or permitted in situations where suitable sites at lower risk of flooding are not available following application of the sequential test.

It should be demonstrated that:

- development that has to be in a flood risk area will provide wider [sustainability benefits to the community that outweigh flood risk](#); and
- the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Further guidance on when the Exception Test will be required is available at <https://www.gov.uk/guidance/flood-risk-and-coastal-change>.

### **39. DRAINAGE STRATEGY**

Required for:

- [major development](#) with surface water drainage
- development with surface water drainage in an [area at risk of flooding](#) such as flood zones 2 or 3, or at risk of surface water flooding

A drainage strategy must be submitted to explain how the hierarchy of drainage options has been assessed by the applicant and to justify why the drainage options situated higher up in the hierarchy have been discounted.

1. Into the ground (infiltration);
2. To a surface water body;
3. To a surface water sewer, highway drain, or another drainage system;
4. To a combined sewer

If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s) along with full details of the proposed drainage arrangements within the site.

Applications should include details of the disposal of surface water run-off. Where it is proposed to drain this to existing drains the location of those drains should be indicated and where Sustainable Drainage Solutions (SuDS) are

proposed there should be sufficient engineering, geotechnical and hydrological information provided to demonstrate the feasibility and suitability of the proposed solution.

For major applications, the Lancashire Sustainable Drainage Systems (SuDS) pro-forma should also be submitted to outline the surface water sustainable drainage approach of the development. The pro-forma and guidance notes are available to download at <https://www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/lead-local-flood-authority-planning-advice-service-for-surface-water-and-sustainable-drainage/>.

#### **40. ARCHAEOLOGICAL ASSESSMENT**

Required where:

- An application affects any known or suspected archaeological site.

The Archaeological Assessment should be prepared by a suitably qualified person/organisation and be submitted in accordance with advice in NPPF.

#### **41. HERITAGE STATEMENT**

Required for development involving:

- Works or demolition to Listed Buildings, works within Conservation Areas or works or demolition to other designated and non-designated heritage assets.
- Alterations or new development affecting the setting of Listed Buildings, Conservation Areas or other designated and non-designated heritage assets.
- Works to a Registered Park or Garden.
- Works affecting an area of archaeological interest

A Heritage Statement should include a description of the significance of any heritage asset(s) affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary.

This information together with an assessment of the impact of the proposal will be required as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

Applications for Listed Building Consent will require:

- A schedule of proposed works
- An analysis of the significance of archaeology
- The history and character of the building
- The principles of and justification for the proposed works
- The impact of the proposed works on the significance of the heritage asset.

A Structural Survey may also be required.

Applications affecting the setting of a Listed Building or a Conservation Area will require:

- Details of the design principles affecting the impact, scale, layout, appearance and character of the development
- A statement demonstrating an understanding of the historical, archaeological and architectural interest of the affected Listed Building or Conservation Area.
- A Statement providing a description of the significance of the Heritage asset affected by a proposal, including the contribution that setting makes to their significance

This information may be included within the Design & Access Statement accompanying the application.

## **42. REFUSE STORAGE FACILITIES/RECYCLING DETAILS**

Required for developments which include:

- New dwellings
- New retail and business development
- New industrial developments

Details of the proposed facilities for the storage & collection of refuse, as well as for the provision of recycling facilities, will be required for these developments

### **43. CONTAMINATED LAND SURVEY**

#### Required where:

- Contamination is known or suspected (e.g. landfill sites, or land with an industrial use history)
- The proposed use would be particularly vulnerable to ground contaminants (e.g. allotments, residential use, schools)

A survey of the application site may be required to establish the degree of contamination and remedial measures that may be necessary. Contamination can result from a previous use of the site or from migrating landfill gas.

The Council will normally expect a Phase I Desk Study to be submitted for any application which results in a sensitive end use on a site where such a site is or may be contaminated by virtue of previous uses.

If the site is known or identified as having high levels of contamination on site, a Phase II Intrusive Investigation Survey may also be required.

### **44. NOISE IMPACT ASSESSMENT**

#### Required for proposals which:

- Introduce a noise source which may cause loss of amenity
- Introduce a noise sensitive development in a noisy environment (e.g. adjacent to a railway line/motorway or existing noise generating activity)

The Noise Impact Assessment should be prepared by a suitably qualified person/organisation and include measurements of existing and proposed noise levels and also recommend, where appropriate, mitigation measures.

For further advice please contact Hyndburn Environmental Health.

### **45. AIR QUALITY ASSESSMENT**

#### Required for proposals which:

- When there would be increased congestion/traffic volumes/speed/HGV movements
- For 100 + new parking spaces outside an AQMA
- For 50+ new parking spaces inside an AQMA
- For 50+ new retail parking spaces outside an AQMA
- For 20+ new retail parking spaces inside an AQMA
- For Dwellings, Residential Care facilities or schools within an AQMA or within areas of poor air quality where there may be an exceedance of a National Air Quality Objective.
- For Commercial or Industrial plant/ equipment producing emissions close to or within an AQMA

The Air Quality Assessment should be prepared by a suitably qualified person/organisation and provide information on existing and proposed air quality and include mitigation measures where appropriate.

For further advice please contact Hyndburn Environmental Health.

#### **46.ODOUR ASSESSMENT**

##### Required for:

- All uses falling within Use Classes A3 & A5 the Town & Country Planning (Use Classes Order) (as amended 2008) (Hot Food Takeaways & Restaurants)
- Other commercial developments causing odorous emissions (e.g. brewing, rendering, paint spraying, launderettes)
- Odour sensitive developments proposed in areas of poor odour amenity (e.g. dwellings, hospitals, schools )
- Applications in near vicinity to sites regulated by the Environment Agency which pose a significant risk of nuisance to the development

The Assessment should be prepared by a suitably qualified person/organisation and provide information on current and proposed conditions and include mitigation measures where appropriate.

For further advice please contact Hyndburn Environmental Health.

## **47. FLUES AND VENTILATION EXTRACTION DETAILS**

This will be required for all applications which involve the sale or preparation of cooked food, laundrettes and other uses which require air conditioning or extraction and filtration equipment.

The details should include scaled drawings of the ducting, flues and filters including the size, materials and position of flues. These should be shown in relation to the relevant elevation of the building. The information provided should also contain details of any measures required to ameliorate the impacts of these uses.

For further advice please contact Hyndburn Environmental Health.

## **48. LIGHTING SCHEME INCLUDING A LIGHT POLLUTION ASSESSMENT**

Required for all planning applications which include new external lighting including:

- External floodlighting in the vicinity of residential property, a listed building, a conservation area or open countryside.
- Illuminated advertisements.
- Lighting for riding arenas, sports pitches and buildings.

The scheme provided should be prepared by a suitably qualified person/organisation and should include:

- Plans detailing the location of the lighting.
- Calculations – determining Glare, Intensity and Spill and recommendations to control these.
- Equipment design – must be identified & used to determine aim, glare and overspill.
- Measured luminance of the proposed scheme.
- Hours of illumination.
- Details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

For further advice please contact Hyndburn Environmental Health.

## **49. PHOTOGRAPHS AND PHOTOMONTAGES**

These can provide useful background information and can help to show large developments can be satisfactorily integrated within the street scene.

Photographs should be provided if:

- The proposal involves the demolition of an existing building
- The proposal affects a Conservation Area or Listed Building.
- The proposal would affect a heritage asset or its setting
- The application is for wind turbines.
- They are requested during pre-application discussions
- The proposal is for a building over 18m in height
- The proposal is for a building of any height which is substantially taller than the predominant height of surrounding buildings
- The proposal would make a significant impact on the skyline
- The proposal would have a significant impact on the townscape or landscape

## **50. AFFORDABLE HOUSING STATEMENT**

This is required for all housing schemes which require an element of affordable housing in accordance with policy.

Applicants are advised to contact the Council's Housing Regeneration Team to discuss type/tenure prior to the submission of a planning application. Details in respect of affordable type/number/tenure will be required to be submitted as part of Affordable Housing Statements.

The statement should demonstrate how the proposed tenure responds to local needs.

## **51. CRIME IMPACT STATEMENT (CIS)**

Required for:

- Residential schemes of 25 or more dwellings

- Other developments that may increase the risk of crime (e.g. Commercial units/offices, Multi-occupancy accommodation, Supermarkets, ATM's, Licensed premises)
- Wherever specified during pre-application discussions

As part of the Design and Access statement, or as a separate document, applicants will be required to demonstrate how the design of a proposal will seek to minimise the potential for crime.

A Crime Impact Statement (CIS) can help applicants adapt a development to avoid/reduce the adverse effects of crime and disorder, allow the Local Planning Authority to assess the scheme in this context and can help to allay public fears about a development that could be brought about by lack of information.

A CIS can be obtained from Lancashire Constabulary Designing Out Crime Officers by e-mailing a request to [ALO@lancashire.police.uk](mailto:ALO@lancashire.police.uk). More details are available at <https://www.lancashire.police.uk/help-advice/property-safety/designing-out-crime-secured-by-design/>.

## **52. COAL MINING RISK ASSESSMENT**

Required for:

- All EIA Development
- All development within a Development High Risk Area specified as exempt by The Coal Authority guidance (<https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments>).

This must be prepared by a suitably qualified person/organisation (i.e. chartered members of a relevant professional institution (Geological Society, Institute of Civil Engineers, Institution of Mining & Metallurgy, Royal Institute of Chartered Surveyors etc.)).

Further information, including the Coal Authority's interactive map viewer, can be obtained from <https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments>.

## **53. SUNLIGHT/DAYLIGHT ASSESSMENT**

Required for:

- Developments where there is an obvious potential for adverse impact on existing levels of sunlight/daylight for neighbouring properties.

This must be prepared by a suitably qualified person/organisation and be prepared in line with the methods described in the Building Research Establishment's (BRE) Site layout planning for daylight and sunlight: A guide to good practice" 2011.

#### **54. FINANCIAL VIABILITY ASSESSMENT**

Required for:

- Applications which would fail to provide the obligations, affordable housing or other contributions required by policy, or the necessary infrastructure provision (public open space, sport or leisure facilities/ education contributions, off-site highway improvements if required).

The application will be required to be supported by a financial viability assessment containing the following information:

- Value of the land
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units (in the case of affordable housing)
- Open market value of the dwellings/ value of the development
- Developer return
- Details of the proposed obligations/ specific elements of the scheme which are proposed to be included (i.e. Open Space).

Further information is available at: <https://www.gov.uk/guidance/viability>

In all cases applicants will be required to pay for the Council to employ a qualified consultant to appraise and assess the financial/viability report.

#### **55. PROOF OF MARKETING STATEMENT**

Required for:

- Applications proposing the re-use of 'adequate' or 'good' quality employment sites/premises for alternative uses.
- Applications proposing a change of use away from, or loss of, cultural or community facility.
- Proposals for the loss of a public house through demolition or change of use.

In accordance with Policy E2 of the Hyndburn Core Strategy and Policy DM1 of the Hyndburn Development Management DPD, applications for the re-use of 'adequate' or 'good' quality employment sites/premises will require convincing evidence of lack of demand or viability for employment re-use and employment redevelopment demonstrated through a marketing strategy normally of 18 month duration.

Alternative uses, in line with policy, will only be considered where there is no demand for the site or it is unviable to retain in employment use.

The Marketing Statement must be supported by evidence that the property/business has been marketed for business use by a property agent/surveyor at an appropriate price reflecting the current market or rental value. It must be targeted at an appropriate audience with suitable advertisement. It should include details of all expressions of interest/ offers made and any offers refused and the reasons for this.

Where it is claimed that the current use is not viable for employment purposes, the Marketing Statement must have considered the potential for refurbishment; redevelopment for new commercial uses; sub-division, amalgamation or selective demolition, in order to improve the format, layout and access arrangements.

Existing employment land or premises that are currently not in use are not redundant and will need to be marketed for employment use. Furthermore, a lesser financial return on investment relative to other development or re-use options (such as residential) is not sufficient to justify the site not continuing to be available for employment use.

In certain circumstances, policies DM7 and DM8 of the Hyndburn Development Management DPD require applicants to justify the loss of cultural or community facilities and public houses through the completion of an appropriate marketing

exercise or to demonstrate that continuation of the established use is no longer viable.

## **56. GREEN BELT ASSESSMENT**

### Required for applications for replacement buildings and extensions to a building in the Green Belt

The NPPF identifies exceptions where new buildings could be considered appropriate development in the Green Belt. This includes:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

To enable the Local Planning Authority to assess whether or not the replacement building is “materially larger”, applications for replacement buildings should include volume calculations of the existing building and proposed building.

To enable the Local Planning Authority to assess whether or not an extension would result in “disproportionate additions over and above the size of the original building”, applications for extensions should include volume calculations of the original building, the existing building (if the original building has been extended already) and the proposed building the subject of the application.

## **57. AGRICULTURAL STATEMENT**

### Required for applications for new agricultural and equestrian buildings, horticultural enterprises and agricultural /rural workers dwellings.

An Agricultural Statement will need to include the following information in respect of the existing and proposed site arrangements:

- Full details of all the land which forms part of the agricultural holding
- Full details of the business enterprise
- Full details of existing farm buildings and their uses
- Full details of the proposed development including why the proposal is reasonably required and designed for the purposes of agriculture and any future plans that are relevant

- Any further information deemed necessary.

In respect of agricultural workers dwellings this will be expected to include full details of the employees of the business and financial details directly linked to the proposed development to meet the requirements of Guidance Note 9 of the Hyndburn Development Management DPD.

The Local Planning Authority may require the assistance of a professional surveyor to assess the appropriateness and necessity for proposed agricultural and equestrian developments. Where such an assessment is deemed necessary, applicants are required to pay the cost of this in addition to the payment of the planning application fee.

## **58. TELECOMMUNICATIONS DEVELOPMENT**

Required for all applications for telecommunications equipment.

In addition to existing and proposed plans and elevations, applications should be accompanied by the following:

- A statement of compliance with ICNIRP guidelines
- Evidence of an assessment of alternative sites and/or mast sharing with justification for rejecting them
- An explanation as to why the installation is needed

## **59. DEMOLITION OF BUILDINGS (INCLUDING WITHIN CONSERVATION AREAS)**

For sites not within a Conservation Area an application is required to the planning authority to ascertain whether the authority requires prior approval of the method of demolition along with details of the proposed restoration of the site.

Such applications for prior approval shall be accompanied by:

- Details of the method of demolition
- Details of the proposed restoration of the site
- Confirmation from a suitably qualified Ecologist that the demolition will not adversely impact on any ecological assets or protected species

- Confirmation from an accredited archaeologist that the demolition will not adversely impact on any items of archaeological significance at / adjacent to the site.

For buildings/sites within a Conservation Area, full planning permission is required for relevant demolition. Such applications for planning permission shall be accompanied by:

- Floor Plans and Elevations of the building / structure to be demolished
- A structural survey
- An ecological survey and report (to include where necessary a bat & nesting bird survey)
- A tree survey / arboricultural impact assessment where trees exist on the site or are immediately adjacent to areas of work/demolition

## **60. SELF AND CUSTOM BUILD HOUSING PROFORMA**

Required for all applications for self and custom build housing.

For applications for self and custom build housing there will be a requirement for applicants to complete the Council's 'Proforma for schemes that are self-custom build'. This is available at [www.hyndburnbc.gov.uk](http://www.hyndburnbc.gov.uk).

When granting permission for self or custom building housing, the local planning authority will consider whether to secure the self or custom build nature of the dwelling(s) through the use of appropriate planning conditions or through a legal agreement. Further information is available in the '[Right to Build Task Force Custom and Self-Build Planning Guidance](#)'.

## **61. BATTERY ENERGY STORAGE SITE (BESS) COMPLIANCE STATEMENT**

Required for all applications for Battery Energy Storage Sites of 1 MWh or over.

All applications for Battery Energy Storage Sites should demonstrate how they have met the health and safety guidance for grid scale electrical energy storage systems published by the UK Government and the National Fire Chiefs Council (NFCC) guidance and recommendations.

Applicants should have early engagement with the local Fire and Rescue Service, Lancashire Fire and Rescue Service (LFRS), continuing throughout the

planning process. The Lancashire Fire and Rescue Service (LFRS) webpage [Battery Energy Storage Systems \(BESS\) | Lancashire Fire and Rescue Service \(lancfirerescue.org.uk\)](https://www.lancfirerescue.org.uk) contains links to the relevant documents from the NFCC and government.