

## National Statutory Requirements

### Application form

This is available on the Council's website and Planning Portal. The Government wishes to encourage applicants to submit applications electronically. However, applicants have the option of submitting paper versions.

### A location plan

This must be based on an up-to-date map at a scale of 1:1250 or 1:2500. Plans should show two named roads and surrounding buildings. The properties shown should be numbered or named so the location is clear.

The application site should be edged in red. It should include all land necessary to carry out the proposed development – for example, land required for access from a public highway, visibility splays, landscaping, car parking, any drainage infrastructure and open areas around buildings. A blue line may be drawn around other land owned by the applicant, close to or adjoining the site.

### Drawings

These should separately show the existing situation and proposed development. Demolitions may be indicated (for example, cross-hatched) on existing drawings.

It is strongly recommended that each drawing has a unique number and that any revisions are identified sequentially (e.g. Rev. A, B, C or 1, 2, 3).

A **site, layout, or block plan** is required in all cases, but other drawings may be necessary to describe the proposed development, such as **floor** and **roof plans** when either would be created, altered or lost, or **elevations** and **sections** when façades would be created or altered, or when ground levels would change.

Sections may be omitted for minor or householder development on relatively flat sites where levels are sufficiently evident from floor plans and elevations.

- **Site, layout or block plans** at a recognised scale preferably one of 1:200 or 1:500 should include:
  - a) the direction of North, the scale and a scale bar
  - b) the proposed development and retained buildings
  - c) written dimensions to the site boundaries

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- d) neighbouring buildings, roads and footpaths
  - e) access arrangements and public rights of way
  - f) all trees on, affecting or influenced by the site
  - g) the extent and type of any hard surfacing and
  - h) boundary treatments where these are proposed
- **Elevations** at a scale of 1:50 or 1:100 should include:
    - a) all sides of the proposal including blank or internal
    - b) labels showing the compass directions each faces
    - c) materials and finish of walls, doors and windows
    - d) relationship with adjoining building and openings
  - **Sections** at a scale of 1:50 or 1:100 should include:
    - a) cross-sections through all proposed buildings
    - b) labels relating to a section line shown on plans
    - c) changes in ground levels with a fixed datum
    - d) foundations, floor, windows and eaves levels
    - e) relationship of internal levels to adjoining land
    - f) relationship to neighbouring land and buildings
  - **Floor plans** at a scale of 1:50 or 1:100 should include:
    - a) details of existing buildings and demolished walls
    - b) all proposed walls, doors, windows and floor areas
    - c) labels showing to which storey the plan relates
    - d) relationship to neighbouring or abutting properties
  - **Roof plans** typically at a scale of 1:100 or 1:200 include:
    - a) the shape of existing and demolished roofs
    - b) all horizontal or sloping ridges and valleys
    - c) labels explaining unusual features or forms
    - d) details of all materials, vents and windows

### **Notice to owners or agricultural tenants**

This is available on the Council's website and on the Planning Portal. It must be completed accurately and served on anyone with a freehold or leasehold interest in the application site, the unexpired term of which is not less than seven years, or with an agricultural tenancy of the application site.

## **Ownership and agricultural holdings certificate**

This is available on the Council's website and on the Planning Portal. It is a legal requirement for all applications except for the approval of reserved matters.

## **The correct application fee**

Current application fees are set out on the Council's website and on the Planning Portal. The fee may be paid electronically, by cheque or in cash.

## **Biodiversity Net Gain Requirements**

Biodiversity Net Gain (BNG) is a process by which development or land management aims to leave the natural environment in a measurably better state than it was prior to the development or management action taking place.

Under the Environment Act 2021 and its associated Statutory Instruments (Regulations), from 12th February 2024 it will be mandatory for most major developments, and for smaller developments from 2nd April 2024, to achieve a minimum of 10% Net Gain. This is measured using a standardised metric calculation undertaken by a competent person and is based upon the onsite habitats present pre-development and those that are to be created or enhanced. Please use the [Statutory biodiversity metric tools and guides - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/statutory-biodiversity-metric-tools-and-guides).

### Minimum National Requirements

The minimum information required for validation is set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, and is summarised as follows:

- A statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition (including the reason why, if not subject to the condition);
- The pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date) including the completed metric calculation tool(s) used showing the calculations, the publication date and version of the biodiversity metric used to calculate that value;
- Where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
- A statement confirming whether the biodiversity value of the onsite habitat is lower on the date of application (or an earlier date) because of the carrying on of activities ('degradation') in which case the value is to be taken as immediately before the carrying on of the activities, and if degradation has taken place supporting evidence of this;

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- 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
- A plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or and earlier date), including any irreplaceable habitat.

### **Design and Access Statements**

These must accompany applications for development or works that are

- **'Major' development**
  - a) of dwellings where 10 or more are proposed
  - b) of dwellings on sites of 0.5 hectares or more if the number is unknown
  - c) of buildings where the floor space is 1,000 square metres or more
  - d) on a site having an area of 1 hectare or more

or

- **In a conservation area**
  - a) of one or more dwellings
  - b) of buildings where the floor space is 100 square metres or more

or for

- **Listed building consent**

and not

- **Excluded applications**
  - a) to remove or vary conditions
  - b) to replace extant permissions
  - c) for non-material amendments
  - d) for a material change of use
  - e) for TPO or advert consents
  - f) to discharge conditions

A Design and Access Statement must be proportionate to the complexity of the development and its content must explain the following:

- a) the design principles and concepts applied to the development

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- b) the site and context and how the design takes it into account
- c) the approach to access and how it takes account of policies on it
- d) the consultations undertaken on issues relating to access
- e) what account has been taken of the outcome of any such consultation
- f) how specific issues affecting access have been addressed

For listed building consent applications, it can be combined with the Heritage Statement to include an appraisal of the significance of the listed building, the particular features that justify designation and the setting of the listed building, together with an explanation of how the design takes these into account.

### **Fire Statements**

A Fire Statement must accompany applications for planning permission for the provision or development of, or within the curtilage of

- **Buildings**

- a) that are 18 metres or more in height or
- b) that contain seven or more storeys

- **Containing**

- a) two or more dwellings or
- b) educational accommodation

but is not required for applications for

- **Material changes of use**

- a) that would result in the building no longer containing such uses
- b) of land or buildings within the curtilage of such a building that would not result in the provision of a further such building

or for

- **Outline planning permission**
- **Removal or variation of conditions**

The Fire Statement must be on a form published by the Secretary of State (on the Government website); and include the particulars specified or referred to in that form, about the fire safety design principles, concepts and standards applied.

## **Environmental Statement**

Where development is likely to have significant environmental effects, the opinion of the Borough Council (a “Screening Opinion”) should be obtained as to whether Environmental Impact Assessment (EIA) is required. This is unlikely ever to apply to householder, minor commercial or other minor development.

If it is determined that EIA is required, its scope should be agreed and a report of the EIA submitted with the application in an Environmental Statement.

N.B. You should also refer to the local list of validation requirements. Advice can be obtained on 0115 917 7777 or at [pabc@broxtowe.gov.uk](mailto:pabc@broxtowe.gov.uk)

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