

Development Management Local Validation Information Requirements



Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

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- **Phone** – 01246 242424
- **Email** – enquiries@bolsover.gov.uk
- **BSL Video Call** – a three way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need wifi or mobile data to make the video call, or call into one of our Contact Centres.
- **Call with Relay UK** via textphone or app on 0800 500 888 – a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real time conversation with us by text.
- **Visiting one of our offices** at Clowne, Bolsover, Shirebrook and South Normanton.

The Local Planning Authority has chosen to adopt a Local Validation List to ensure, at the time of submission of a planning application, that it has all of the information necessary to be able to consider the merits of the proposal(s) in accordance with the relevant provisions of the development plan and other material considerations. This provides a degree of certainty to developers, assists with the consistency of decision making and helps prevent the refusal of applications on lack of information grounds. It also enables the Local Planning Authority to be able to determine planning applications in a timely manner and ensure good performance.

This document includes a list of information which is required in addition to the national validation requirements set out in the Town and Country Planning (Development Management Procedure) Order (2015), namely:

National Validation Requirements

1. Application Form

Applicants are encouraged to submit applications electronically using the '1APP' application form wherever possible via the Planning Portal. If submitted electronically paper copies are not required.

The District Council accepts the submission of a paper based applications. Although the statutory requirement is for one original and three additional copies of the completed Standard Application Form to be provided, the authority manage applications electronically and therefore only require one copy of the form, which will be uploaded to its online planning

2. Ownership Certificate

An ownership certificate must be completed. It contains details about the ownership of the application site and confirms that an appropriate notice has been served on any other owners (and agricultural tenants). The forms of notice are in Schedule 2 to the Town and Country Planning (Development Management Procedure (England) (Order) 2015.

This is included within the Standard Application Form.

3. Location Plan

A location plan should be based on an up-to-date map. The scale should typically be 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper. A location plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.

The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (e.g land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

4. Fee

Planning applications incur a fee except where exempt by legislation. The Planning Portal includes a fee calculator for applicants. The local planning authority is also able to advise applicants on specific cases.

5. Any other plans, drawings and information necessary to describe the development which is the subject of the application

Must be drawn to an identified scale and, in the case of plans, must show the direction of North. As a minimum this must include a block plan (to a scale of 1:500 or larger where appropriate) to identify the building or land to which the application relates and any access requirements.

6. Design and Access Statement

Required for:

- all Major Developments, and;
- development within a conservation area involving one or more dwelling or a building or buildings with a floor space of 100 square metres or more.

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.

A development's context refers to the particular characteristics of the application site and its wider setting. These will be specific to the circumstances of an individual application and a Design and Access Statement should be tailored accordingly.

Design and Access Statements must also explain the applicant's approach to access and how relevant Local Plan policies have been taken into account. They must detail any consultation undertaken in relation to access issues, and how the outcome of this consultation has informed the proposed development. Applicants must also explain how any specific issues which might affect access to the proposed development have been addressed.

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:

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

Unless the proposed works only affect the interior of the building, Design and Access Statements accompanying applications for listed building consent must also explain how issues relating to access to the building have been dealt with. They must explain the applicant's approach to access, including what alternative means of access have been considered, and how relevant Local Plan policies have been taken into account. Statements must also explain how the applicant's approach to access takes account of matters (a)-(c) above.

Design and Access Statements accompanying applications for listed building consent must provide information on any consultation undertaken, and how the outcome of this consultation has informed the proposed works. Statements must also explain how any specific issues which might affect access to the building have been addressed.

7. Access point for all outline applications

Under article 5(3) of the Development Management Procedure Order 2015, an application for outline planning permission must indicate the area or areas where access points to the development will be situated, even if access has been reserved.

8. Biodiversity Net Gain Information:

(Required for development where the applicant believes that planning permission if granted would be subject to the biodiversity gain condition)

- A completed biodiversity metric calculation tool or tools (as the case may be) showing the calculation of the biodiversity value of the onsite habitat on:
 - (aa) the date of the application, or
 - (bb) an earlier date proposed by the applicant, and
 - (cc) in either case, the date immediately before any activities of the type mentioned in paragraph 6 (carrying out of activities other than in accordance with planning permission on or after 30 January 2020) or 6A (implementation of a planning permission on or after the 25 August 2023) of Schedule 7A to the 1990 Act have been carried out on the land which have resulted in a lower biodiversity value;
 - the biodiversity value or values
 - the publication date of the biodiversity metric calculation tool or tools (as the case may be) used to calculate the values (if an earlier date is proposed by the applicant under paragraph (i)(bb), the reasons why that earlier date is proposed)
 - if any activities of the type mentioned in paragraph 6 or 6A of Schedule 7A to the 1990 Act have been carried out on the land—
 - (aa) a statement that such activities have been carried out,
 - (bb) confirmation of the date immediately before those activities were so carried out, and
 - (cc) any available supporting evidence for the date referred to in sub-paragraph (bb) and for the value referred to in paragraph (i)(cc).
 - a description of any irreplaceable habitat, corresponding to the descriptions in Table 1 or in column 1 of Table 2 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, that—
 - (aa) is on the land to which the application relates, and

- (bb)exists on the date referred to in paragraph);
- (vii)a plan showing the location, on the date referred to in paragraph (i)(aa) or (bb) (as applicable), of—
- (aa)the onsite habitat included in the calculations referred to in paragraph (i), and
- (bb)any irreplaceable habitat.

The information requirements were introduced by The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024. They amend the general requirements in the Development Management Procedure Order 2015.

9. Fire Statement

Multi-occupied residential buildings of 18 metres or more in height, or 7 or more storeys, must be accompanied by a Fire Statement completed by an expert

Information requirements were introduced by article 4 of the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021). Article 9A of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the 2015 Order”)

Whilst applicants are encouraged to discuss proposals in advance of the formal submission of a planning application to ensure that the appropriate information is provided with each application, the Local Planning Authority has prepared the following local list to assist applicants and reduce the likelihood of applications being refused on lack of information grounds.

The Local List has been prepared having regard to the statutory tests set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3) (c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, namely:

- 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.

Local List Requirements

1. Indicative Post Development Biodiversity Gain Plan

Where the applicant believes that planning permission if granted would be subject to the biodiversity gain condition and where it effects more than 5 units of habitat or habitat of medium – high distinctiveness, the following should be submitted:

- Fully completed metric, even if based on draft post-development plan and subject to change.
- Indicative Biodiversity Gain Plan, to include proposals for achieving at least 10% net gain. This shall specify what onsite gains are feasible and any requirement for offsite gains. It shall identify where legal agreements are necessary to secure onsite or offsite gains and summarise the future requirements for management and monitoring. The Indicative Gain Plan shall demonstrate consideration of the following of both the

mitigation hierarchy (avoid>mitigate>compensate) and the BNG hierarchy (onsite gains>offsite gains>statutory credits). The Indicative Gain Plan can be finalised via pre-commencement condition.

POLICY DRIVER:

This will be necessary for the LPA to be satisfied that a development can deliver a 10 % biodiversity gain, on or off-site or a combination of both.

This is supported by national planning policy which seeks to deliver net gains for biodiversity, the requirements of the Environment Act and Policies SS1 and SC9 of the Adopted Bolsover Local Plan (2020).

2. Bat Survey and Assessment

- Bat survey(s) should be undertaken if a development proposal is likely to negatively affect bats or their:
 - roost habitats
 - foraging habitats
 - commuting habitats

A survey is needed if one or more of the following applies:

- distribution and historical records suggest bats may be present – you can search the National Biodiversity Network Atlas by species and location
- the development site includes buildings or other built structures, underground structures or trees that provide roosting opportunities for bats
- the proposals include flood lighting of buildings or green space close to habitats that bats tend to use
- the proposals are close to water bodies, quarries or natural cliff faces
- it is a wind farm proposal close to a site designated for bats or close to habitats that bats use for commuting and foraging

The likelihood of bats roosting in buildings is increased if they meet the following criteria:

- has little or no disturbance from artificial lighting
- is close to woodland or water
- has uneven roof tiles and large roof timbers
- has cracks, crevices and small openings
- has a roof that warms in the sun with a large roof space for flying
- has hanging tiles or timber cladding on south-facing walls and has not been used for several years.

The above lists are not exhaustive and a professional ecologist should be contacted for advice on the type and number of surveys required, dependant on proposals.

POLICY DRIVER:

Bats: advice for making planning decisions note on the .gov.uk website.

Wildlife and Countryside Act 1981.

Policy SC9 of the Adopted Bolsover Local Plan (2020).

3. Extended Phase 1 Habitat Survey

A site survey by a suitably qualified ecologist is required for:

- Proposals affecting woodland, or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies
- Major proposals within 500m of a pond or Minor proposals within 250m of pond
- Proposals affecting or within 30m of rivers, streams, canals, lakes, or other aquatic habitats.
- Proposals affecting 'derelict' land (brownfield sites), allotments and railway land.
- Development on previously undeveloped (Greenfield) land (with the exception of domestic gardens and in some cases intensively farmed arable land (see proposals affecting trees and hedges above)
- Proposed development on, adjacent to or otherwise affecting internationally, nationally or locally designated biodiversity or geodiversity sites
- Proposed development affecting any buildings, structures, feature or locations where protected or priority species or habitats are known to be present.

A report should be submitted detailing:

- the habitats on site (UKHabs),
- the suitability of the site for protected species and the results of any further species surveys
- an assessment of the impact of the development
- details of the mitigation and compensation required.

Typically, the report would comprise an Ecological Impact Assessment (EclA). A Preliminary Ecological Appraisal (PEA) may be submitted, providing impacts are low and no further survey work is required.

POLICY DRIVER:

The local planning authority has a statutory duty to consider the conservation, protection and enhancement of biodiversity when determining a planning application. The presence of European Protected Species, UK Protected Species, internationally, nationally or locally designated sites and priority habitats and species on or adjacent to a development site are material considerations within the planning process.

The Conservation of Species and Habitats Regulations 2010 (as amended)

The Wildlife and Countryside Act 1981

The Protection of Badgers Act 1992

The Natural Environment and Rural Communities Act 2006

The Countryside and Rights of Way Act 2000

4. A Site Specific Flood Risk Assessment

For all Development in Flood Zones 2 and 3, involving residential development or introducing more vulnerable land uses

POLICY DRIVER:

This is advocated by national policy and Policy SC7 of the Adopted Bolsover Local Plan (2020).

5. Surface Water Drainage Strategy,

For all major development.

The strategy must incorporate sustainable urban drainage systems (SUDS), unless there is clear evidence that this would be inappropriate.

POLICY DRIVER:

This is advocated by national policy and Policy SC7 of the Adopted Bolsover Local Plan (2020).

6. Heritage Impact Assessment / Statement of Significance and Impact

Every application (relating to a designated and non-designated heritage asset)

The information should include details of the proposed works (item by item), significance of the historic fabric/area that will be affected and the impact of the proposed work(s) on the historic fabric/area.

Applicants should check the Local Development Plan; the main local and national records (including the relevant Historic Environment Record (HER); statutory and local lists; the National Monuments Record (NMR), the Heritage Gateway and other relevant sources of information that would provide an understanding of the history of the place (building/site), and the value the asset holds for society.

POLICY DRIVER:

National Planning Policy states that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Policies SC16, 18, 19 and 21 of the Adopted Bolsover Local Plan (2020).

7. Archaeology Assessment

Applications for major development; Applications for development known to be on or adjacent to a heritage asset of archaeological interest.

As a minimum an archaeological desk-based assessment should be submitted and where appropriate, the results of a suitable field evaluation that includes an assessment of the character, date, condition and extent of any archaeological remains present. The full Historic Environment Record must be consulted as part of the assessment process. Where necessary, the archaeological assessment should include satisfactory provision for further archaeological mitigation work, including the excavation, recording and interpretation of any remains, at an early stage of developing the scheme; usually before commencement of the

development. Attention is also drawn to Historic England’s Charter for Advisory Service (particularly to sections 11 and 12) as a clear statement of the information needed in order to provide informed advice. The Charter can be downloaded from Historic England’s website via the following link:

<https://historicengland.org.uk/services-skills/our-planning-services/charter/>

POLICY DRIVER:

National Policy and Policies SC16, 18, 19 and 21 of the Adopted Bolsover Local Plan (2020).

8. Structural Survey

The survey should be carried out by a competent building surveyor for all applications involving the change of use and conversion of buildings in the countryside and the demolition of listed structures or buildings in conservation areas.

POLICY DRIVER:

Policies SC5, SC16, 18, 19 and 21 of the Adopted Bolsover Local Plan (2020).

9. Land Contamination Assessment

Applications proposing built development on sites known or suspected to be contaminated (for example, which have been previously in use for industrial processes) will need to be accompanied by a “Phase 1” Desk Top Study.

POLICY DRIVER:

National Policy and Policy SC14 of the Adopted Bolsover Local Plan (2020)

10. Coal Mining Risk Assessment Report

All applications for development that involves ground excavations (excluding householder applications) in “Coal Mining Development High Risk Areas”

The Coal Mining Risk Assessment (CMRA) should follow the guidance and format of the advice in the NPPG and should

1. Contain site specific coal mining information (including past/present/future underground mining, shallow coal workings, mine entries (shafts or adits), mine gas, within an area which has a current license to extract coal, geographical features, any recorded surface hazards or within a former or present surface mining (old opencast) area)
2. Identify what risks these coal mining issues, including cumulative effects, pose to the proposed development
3. Identify how coal mining issues have influenced the proposed development and whether any other mitigation measures are required to manage those issues and/or whether any changes have been incorporated into the development.

N.B: Any development that involves intrusive activities which intersect, disturb or enter any coal seams, coal mining workings or mine entries will require the prior written permission of the Coal Authority.

POLICY DRIVER:

National Policy and Policy SC14 of the Adopted Bolsover Local Plan (2020)

11. Ground Conditions and Land Stability Report

All development within Zones 1 – 2 and dwellings or buildings of a similar size in Zones 3 – 4 of the Landslide Hazard Survey Main Report by Eastwood and Partners (September 1998).

POLICY DRIVER:

National Policy and Policy SC14 of the Adopted Bolsover Local Plan (2020)

12. Noise Impact Assessment

(To be carried out by suitably qualified acousticians). This should outline the existing noise environment, the potential noise sources from the development or the noise sources likely to affect the development, together with any mitigation measures.

Required for:

- Potentially noise generating developments (such as Pubs, clubs, industrial units) in the vicinity of existing noise sensitive developments (such as Housing)
- Noise sensitive uses in the vicinity of existing noise generating uses (such as major roads and railways)
- Mixed use applications proposing both noise generating and noise sensitive developments
- Commercial applications including extractor or cooling units in the vicinity of noise sensitive development.

POLICY DRIVER:

National Policy and Policy SC11 of the Adopted Bolsover Local Plan (2020)

13. Planning Obligations (Draft Heads of Terms)

Required for affordable housing, Green Space & Play Provision and potentially playing pitch, highway improvements, sustainable travel, education, library and health contributions (subject to the scale of development) for:

All applications for residential development of 25 units and more.

and:

Required for Quality of Green Space & Play Provision and potentially education, library and quality improvements to playing pitches for:

All applications for residential development of 10 units and more.

The information should include the matters for which planning obligations will be offered, and the scale of provision proposed. Reference should be made to the requirements of Policies II1 and LC2 of the Adopted Bolsover Local Plan and needs arising from the development.

Where obligations are offered which do not meet the requirements of the above policies applicants will be required to submit a detailed viability assessment to justify why their proposals cannot meet the requirements of policy.

POLICY DRIVER:

National Planning Policy and Policies II1 and LC2 of the Adopted Bolsover Local Plan (2020).

14. Transport Assessment

All applications that exceed the following adopted 6 C's Design Guidance Thresholds:

- Retail 800m²
- Offices and R&D > 1500m²
- Hotels > 75 Bedrooms
- Non-residential institutions > 500m²
- Financial & Professional Services > 1000m²
- General Industry > 2500m²
- Residential institutions > 30 Bedrooms
- Leisure > 500m²
- Cafes/Restaurants > 300m²
- Warehousing > 3000m²
- Dwellings > 50 dwellings
- Drinking establishments > 300m²
- Hot food takeaways > 250m²

POLICY DRIVER:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Manual for Streets
- Policies SS1 and ITCR10 of the Adopted Bolsover Local Plan (2020).

15. Climate Change Statement

For all major development.

The statement should set out the measures that the scheme will incorporate to help mitigate the effects of and adapt to climate change.

POLICY DRIVER:

National Planning Policy and Policy SS1 of the Adopted Bolsover Local Plan (2020).

16. Self and Custom Build Housing Statement

All developments comprising one or more self and custom build dwellings shall include a statement, which confirms that the development will meet the legal definition of Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016 and Levelling Up and Regeneration Act 2023), namely:

“self-build and custom housebuilding” means the building or completion by-

- a) individuals,
- b) associations of individuals, or
- c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.

(A2) But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person”

and agrees to conditions and planning obligations to secure such development where appropriate.

POLICY DRIVER:

National Planning Policy – para. 192. DMPO – BNG requirements.

17. Masterplan and Design Statement for all sites of 5ha or more or 150 dwellings or more.

The Design Statement should assess the development against the criteria contained within the National Design Guide.

POLICY DRIVER:

National Policy and Policy SC3 of the Local Plan for Bolsover (2020).

18. Sequential Test and Retail or Leisure Impact Assessment

Applications for retail and leisure development in edge-of-centre or out-of-centre locations which include:

- a) Over 200m² of net retail or leisure floorspace within 500m of local centres
- b) Over 280m² of net retail or leisure floorspace within 500 metres of the town centre boundaries, and
- c) Over 500m² of net retail and leisure floorspace across the remainder of the district.

The assessment should be prepared in accordance with national guidance and look at the availability of sites within the main town centres and other centres identified within the local plan. Only then should edge of centre and out of centre sites be considered. Details of the availability of other sites closer to a centre will be required together with reasons these sites were discounted. Evidence should be provided to show that there are no sequentially preferable sites.

POLICY DRIVER:

National Policy and Policy WC5 of the Local Plan for Bolsover (2020).

Please note that the above local list is not exhaustive and does not include the information requirements for development covered under The Town & Country Planning (Environmental Impact Assessment) Regulations, which may need to be accompanied by an Environmental Statement. The need for and scope of any Environmental Statement should be established at the screening and scoping stages of the EIA regime.

The Council will continue to be able to request further information during the determination process and the application could still be refused on the grounds of inadequate information even if it meets these validation criteria.

Applicants are strongly encouraged to engage in the pre-application advice service that is offered by the Council to discuss information requirements.