

## **Guidance Notes for:**

### **Application for Planning Permission and Conservation Area Consent for Demolition in a Conservation Area**

*Town and Country Planning Act 1990;*

*Planning (Listed Buildings and Conservation Areas Act) 1990*

**(Please note that if you are only applying for planning permission for altering or extending a house, or constructing an outbuilding within its curtilage, there are shorter forms available for Householder planning applications)**

#### **1. Applicant Name and Address**

Please enter the Applicant Details, including full name and title. Please also enter the house/flat number and/or name (if applicable) and street name in the Street address field. The town, county, and full postcode should also be entered.

If the application is being submitted by an agent (i.e. someone who is acting on the applicant's behalf) all correspondence, including the decision letter, will be sent to him/her.

#### **2. Agent Name and Address**

Please enter the Agent Details, including full name and title. Please also enter the house/flat number and/or name (if applicable) and street name in the Street address field. The town, county, and full postcode should also be entered.

If the application is being submitted by an agent (i.e. someone who is acting on the applicant's behalf) all correspondence, including the decision letter, will be sent to him/her.

#### **3. Description of Proposed Works**

Please describe the proposal accurately and concisely, including the extent and degree of demolition.

Example:

- *Demolition of existing dwellings and erection of five, two-storey three bed houses*
- *Demolition of existing warehouse and redevelopment of the site to provide 25 x two bed flats*

#### **4. Site Address Details**

Please enter the full postal address of the site. Enter the house/flat number and / or name (if appropriate) and street name in the Street address field. The town, county, and full postcode should also be entered. If the application relates to open ground describe its location as clearly as possible (e.g. '*Land to rear of 12 to 18 High Street*' or provide a grid reference).

When you submit a location plan, it is recommended that this is at a scale of 1:1250 or 1:2500 (or larger), showing at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

The application site must 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 (access around a road junction or access, which should be free from obstruction), landscaping, car parking and open areas around buildings).

A blue line must be drawn on the plan around any other land owned by the applicant, close to or adjoining the application site.

All plans must be to a metric scale and any figured dimensions given in metres and a scale bar should be included.

## **5. Pre-application Advice**

The local authority may be able to offer (possibly for a fee) pre-application discussions before a formal application is submitted in order to guide applicants through the process. This can minimise delays later in processing the application.

Pre-application discussions can also help you and the planning authority identify areas of concern about your proposed development so that you can give consideration to amending your proposal before the application is submitted. The advice and guidance given to you at the pre-application stage is given in good faith. However, it does not guarantee or supply a definitive undertaking as to whether your proposal is likely to be acceptable.

If you have received pre-application advice from the planning service please indicate the reference/date of any correspondence or discussion and the name of the officer. If you do not know these details then please state '*Unknown*'.

This will assist the Council in dealing with your application as quickly as possible.

## **6. Pedestrian and Vehicular Access, Roads and Right of Way**

You must indicate on your form whether you propose any new highway(s) and show the location of these on your plans. Any public highway or footpath that crosses or adjoins the site or is affected must be shown clearly on the plans, including any proposals that may require a closure or diversion. Legal procedures for diversion or closures must be completed prior to works commencing on site.

Extinguishment of a footpath or bridleway can only be achieved where it can be shown that there is no longer a need for the right of way. In deciding this, an authority must take into account how much the route is likely to be used by the public before extinguishment and the effect of the extinguishment on the land over which the route passes.

If you are proposing to undertake any works that will affect the pavement or roadway then it is advisable to seek advice from the local highways authority.

## **7. Waste Storage and Collection**

Please identify what provision has been made for the storage of waste and recycling as part of the proposal, and demonstrate that these aid the collection of waste and recycling materials by the waste collection authority. The location of waste storage and recycling facilities should be clearly identified on the plans.

## **8. Neighbour and Community Consultation**

The Council will consult your neighbours in most circumstances and will display a site notice giving details of the application on or near the site. It is often better to tell your neighbours prior to submitting the application rather than letting the Council's official letter of notification bring the application to their attention for the first time. If your application is for a major development (10 houses or more, or a development of other 1,000 metres square in floorspace), the Council recommends consultation in line with the adopted Statement of Community Involvement (SCI), available on the Council's web site.

## **9. Council Employee / Member**

You must declare whether the applicant or agent is a member of the council's staff, an elected member of the Council or related to a member of staff or elected member of the Council.

## **10. Explanation for Proposed Demolition Work**

Please provide a reasoned justification for the proposed works. In order for the Council to assess an application for demolition properly, it may be necessary to supply additional information such as a structural survey or other analysis of the character or appearance of the area or building. If you need more information please contact your planning authority. Additional advice is contained in *Planning Policy Guidance Note 15 (PPG 15)*:

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicyguidance8>

Please note that in a conservation area you do not need consent to demolish a building which does not exceed 115 cubic metres or to take down any wall, gate or fence which is less than 1 metre high where abutting a highway, or less than 2 metres high elsewhere.

### 11. Materials

Please describe the materials you wish to use for walls, roofs, etc. including the type, colour and name of all materials to be used. You should try to use materials to blend with existing buildings.

Additional information may be provided in a design and access statement or planning supporting statement or shown on drawings and plans.

If the current site is vacant or is to be demolished then please indicate 'existing' materials as being not applicable.

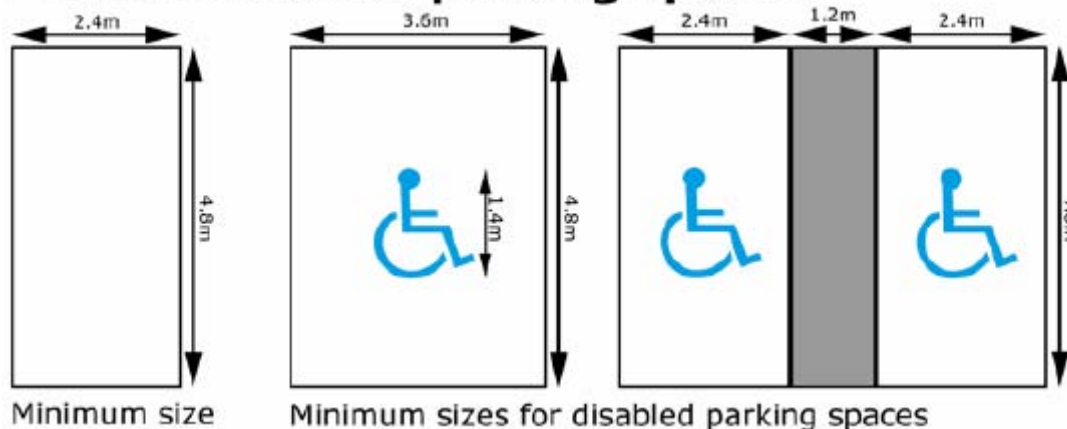
### 12. Vehicle Parking

Please specify the total number of existing parking spaces and the total number of proposed parking spaces (including spaces retained) by vehicle type. Please include garage spaces.

If no parking spaces are to be provided you should show on your plans or describe in a supporting statement where vehicles are to be parked.

The diagram below shows the minimum size of car parking spaces. However, further advice and guidance should be sought from your planning authority.

### Minimum size of parking spaces



### 13. Foul Sewage

All new buildings need separate connections to foul and storm water sewers. If you propose to connect to the existing drainage system please show the details of the existing system on the application drawing(s). Note that in most circumstances surface water is not permitted to be connected to the public sewers. The use of soakaways will require satisfactory percolation tests to have been undertaken.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will need to be provided. This will include a location plan, cross sections/elevations and specifications. Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

## 14. Assessment of Flood Risk

Owners have the primary responsibility for assessing the flood risk to and from their property. Site-specific Flood Risk Assessments (FRAs) are generally carried out by prospective developers for specific development proposals. The responsibilities of other stakeholders are given in Planning Policy Statement (PPS) 25 *Development and Flood Risk* paras. 22-32 and in Annex H of PPS25: <http://www.communities.gov.uk/publications/planningandbuilding/pps25floodrisk>

### Establishing the need for a Flood Risk Assessment

The requirement for a FRA together with the definitions of flood zones can be found in Table D.1 of PPS25. The Environment Agency Flood Map which shows the flood zones can be viewed at [www.environment-agency.gov.uk/subjects/flood/?lang=\\_e](http://www.environment-agency.gov.uk/subjects/flood/?lang=_e).

### Objectives

The objectives of an FRA are to establish:

- whether the proposed development is likely to be affected by current or future flooding from any source
- whether it will increase flood risk elsewhere
- whether the measures proposed to deal with these effects and risks are appropriate
- whether the development will be safe

### Scope

Once it is established whether an FRA is required the scope of the FRA should be agreed with the Local Planning Authority (LPA) and Environment Agency (EA) and any other relevant bodies. The FRA should always be proportionate to the degree of flood risk and the scale, nature and location of the proposed development. The scoping of the FRA should be done as early as possible in developing the planning application as avoiding or mitigating flood risk may require important design considerations which are generally easier and more cost-effective to incorporate when developing the proposal.

### Other sources of information

Where a Strategic Flood Risk Assessment (SFRA) has been completed by the LPA and used to formulate policy and allocate development using the sequential approach in the Local Development Document (LDD), FRAs should only need to focus on site-specific issues. The LDD policies should make it clear what issues need to be covered in the FRA. The Environment Agency also has Standing Advice which can assist in developing the scope, particularly for smaller developments, to be included in a FRA. The Standing Advice is available at:

<http://www.pipernetworking.com/floodrisk/>

### Content

Guidance on the content of a FRA is given in Annex E (Paras E8-E10) and in the Practice Guide companion to PPS25 which includes a template to assist in completing a FRA.

## 15. Biodiversity and Geological Conservation

Where a development proposal is likely to significantly affect features of biodiversity or geological conservation interest, it will be necessary to submit with the application sufficient information on what those effects are, in order for the local authority to determine it. The local planning authority may have produced a list of which features in their area will require such additional information. In some cases this additional information may be required based on a survey of affected species, habitats or geological features and an assessment of impacts. What is required will depend on the significance of the features and the scale and significance of the likely impacts, and what information the local authority already has. It will be advisable to discuss with the local planning authority what is required, and who may be competent to carry out any survey and assessment work required, prior to compiling the information and submitting the application.

It may be possible to obtain some of the necessary information via a search of ecological or geological data held by a local environmental records centre. *Planning for Biodiversity and Geological Conservation: A Good Practice Guide* (referenced below) also provides useful information about other possible sources of biodiversity data and ecological surveys.

It is possible that survey information can be collected only at certain times of the year and the applicant will need to take this into account in preparing an application and considering the timing for the development. Depending on the survey information which the local planning authority requires, the following factors may need to be considered:

- the numbers and range of habitats, species of flora and fauna and/or geological Features found on and where appropriate around the site;
- the potential development impacts likely to harm the biodiversity or geological Conservation features identified by the survey (both direct and indirect effects both during construction and afterwards). Including how:
  - alternatives designs or locations have been considered
  - adverse effects will be avoided wherever possible
  - unavoidable impacts will be mitigated or reduced
  - impacts that cannot be avoided or mitigated will be compensated

Further information on the legislative and national planning policy context for biodiversity and geological conservation can be found in the following documents:

PPS 9 - *Biodiversity & Geological Conservation* (2005); available at:

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement12>

ODPM Circular 06/2005 *Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within The Planning System*; available at:

<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

*Planning for Biodiversity and Geological Conservation: A Good Practice Guide* (2006); available at:

<http://www.communities.gov.uk/publications/planningandbuilding/planningbiodiversity>

The Institute of Ecology and Environmental Management have produced *Guidance on Survey Methodology*; available at:

<http://www.ieem.org.uk/Guidelines%20for%20Survey%20Methodology.htm>

This may provide useful information on possible survey methods.

## **16. Existing use**

When describing the current use of the site please also include any details of the part(s) of any listed building(s)/structure(s) being affected.

When answering whether the site is currently vacant, this means whether the site is currently not in active use.

### *Contamination*

Land affected by contamination covers all cases where the actual or suspected presence of substances in, on or under the land may cause risks to people, property, human activities or the environment. Sensitive uses include housing with gardens, schools, nurseries or allotments, and consideration should be given to whether the use could be particularly vulnerable to the presence of any contamination.

### *Assessment of contamination of the land*

The need to provide an adequate assessment of land contamination is outlined in *Planning Policy Statement 23: Planning and Pollution Control (PPS23)*:

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement6>

Advice for developers on the steps they should take to identify whether there is a risk of

contamination is contained in *Annex 2 to PPS23: Development on Land Affected by Contamination*:  
<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement8>

You should also consult your waste planning authority's website which should make clear what the statement should contain.

### **17. Trees and Hedges**

Paragraph 4.1.3 of '*BS 5837: 2005 Trees in relation to construction - Recommendations*' offers advice on how to identify trees on adjacent land that could influence the development.

Sections 4 to 7 of *BS 5837: 2005* contain detailed guidance on survey information and plans that should be provided. Using the methodology set out in the Standard should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

[PLEASE NOTE this is an application for planning permission. It is not an application or notification to remove or prune protected trees (i.e. trees which are included in a tree preservation order or located in a conservation area).

If you are granted full planning permission, you will not need to obtain separate consent for tree works which are required to implement the planning permission. However, works to protected trees which are not required to implement the planning permission must be the subject of a separate application or notification using the tree works form.]

### **18. Trade Effluent**

Please describe the type, quantities and means of disposal of any trade waste or effluent. If there is to be none please mark as 'NO'.

### **19. Residential Units (including Conversion)**

Please enter the total number of existing and proposed dwellings, that exist at present and the number which would exist after your development, by category and dwelling type.

The categories are classified as:

- Market housing – includes properties for sale where prices are set in the open market.
- Social rented – includes rented housing owned by local authorities and registered social landlords for which guideline target rents are determined through the national rent regime, set out in the '*Guide to Social Rent Reforms*' published in March 2001. Also includes rented housing owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or funded with grant from the Housing Corporation, as provided for in the *Housing Act 2004*.
- Intermediate – includes housing at prices or rents above those of social rent but below market prices or rents. This can include shared equity products (e.g. HomeBuy) and intermediate rent (i.e. rents above social-rented level but below market rents). Intermediate housing differs from low cost market housing (which Government does not consider to be affordable housing).
- Key worker – includes those groups eligible for the Housing Corporation funded Key Worker Living programme and others employed within the public sector (i.e. outside of this programme) identified by the Regional Housing Board for assistance.

The types of dwellings are classified as:

- i) Houses - a house is a dwelling that is not a flat and includes single storey bungalows.
- ii) Flats or maisonettes – includes separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is usually divided horizontally. Maisonettes are flats containing more than one storey.

- iii) Live-work units - accommodation that is specifically designed to enable both residential and business use.
- iv) Cluster flats/non-self contained - units with no separate or self contained living and sleeping accommodation within a larger building of which it forms a part.
- v) Sheltered housing - specifically designed housing in a group with services such as the support of a warden, communal facilities, alarm systems and laundry services. Also includes grouped housing schemes without the services of a warden and other communal facilities.
- vi) Bedsits/studios – refers to a bedroom/living room containing cooking facilities. In addition, it may also contain washing facilities or even a shower.

## **20. Non-Residential Floorspace**

### **Definitions:**

Gross internal floorspace is the internal area of the building, and should include circulation and service space such as lifts and floorspace devoted to corridors, toilets, storage, etc. It does not include any area external to the building(s).

Where more than one use class is proposed as part of any development, floorspace should be specified for each separate planning unit (by Use Class).

For proposed retail floorspace (Use Class A1) the amount of tradeable floor area of the total gross internal floorspace should also be provided. Tradeable floorspace is sales space which customers have access to (excluding areas such as storage).

For outline applications, please enter the maximum floorspace for each use for which you are applying.

All floorspace figures should be provided in square metres.

## **21. Employment**

Please give details of the total number of existing people (i.e. already employed on the site) and any additional staff to be employed (in both full-time and part-time employment) as a result of the proposal being implemented, and calculate the total full-time equivalent posts.

Full-time equivalent numbers can be defined as a statistic representing the number of full-time employees that could have been engaged if the reported number of hours worked by part-time employees had been worked by full-time employees. This is usually calculated by dividing the 'parttime hours paid' by the standard number of hours for full-time employees and then adding the resulting quotient to the number of full-time employees.

Proposed employment figures may be particularly relevant when applying for town centre and retail development and further information can be found in *Planning Policy Statement 6 'Planning for TownCentres'*:

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement11>

## **22. Hours of Opening**

Provide details of the proposed hours of opening for each non-residential use proposed on the site. (In sensitive areas, or where a use could cause nuisance to neighbours, it is likely that the Planning Authority would impose a condition restricting the hours of operation on your proposed development should approval be given.)

In the event that the hours of operation do not match the hours of opening please provide this information in a supporting statement attached to the application.

### 23. Site Area

The area contained within the boundary of the site to which the application relates will normally be shown edged in red on the plan accompanying the application, while other land in the same ownership but not being developed is normally identified separately with a blue line. Site area should be provided in hectares.

For some application types the fee is based on the site area, in which case an accurate answer to this question is particularly important.

### 24. Industrial or Commercial Processes and Machinery

- **Landfill** - in all cases this should include void space to be created by mineral extraction.
- **Energy from waste incineration** - where the incineration of waste will generate electricity and/or district heating (combined heat and power (CHP)); where there will be no energy utilisation from incineration use 'Other incineration' box
- **Other incineration** - where there will be no energy utilisation from the incineration of waste
- **Transfer stations** - where the main activity will be the bulking up of waste for treatment or disposal elsewhere; may include some sorting, baling, compaction for recycling, but where this is the main activity use material recycling/recovery facilities (MRFs)
- **Material recovery / recycling facilities** - where the main activity will be the receipt and sorting of waste for recycling and recovery; may include centralised MRFs, community MRFs and as well as small scale recycling bring banks
- **Any combined mechanical, biological and/or thermal treatment (MBT)** - where a single application proposes a mix of technologies to treat a single waste stream on one site; where a single technology is proposed use the most specific waste facility type
- **Other treatment** - where a more specific waste treatment type does not describe the proposed activity; examples may include separation technologies, vitrification, autoclaving, etc.
- **Storage of waste** - where the proposal is for medium to long-term storage of waste; where waste will move to recycling, recovery or disposal in the short-term use Transfer Stations or MRFs
- **Other waste management** - including the recovery of waste to land under an exemption from waste permitting
- **Other developments** - to include incidental development proposals on existing sites such as leachate treatment plants and weighbridges, where these don't add waste management capacity

### 25. Hazardous Substances

Please give details, including type and quantity of hazardous materials to be used or stored on site.

If your application involves the use or storage of hazardous materials above a certain quantity, Hazardous Substances Consent will be required. A list of these materials and the permitted quantities is set out in the *Planning (Hazardous Substances) Regulations 1992*:

[http://www.opsi.gov.uk/si/si1992/Uksi\\_19920656\\_en\\_3.htm](http://www.opsi.gov.uk/si/si1992/Uksi_19920656_en_3.htm)

## **26. Certificates**

If you are the sole owner of the land to which the application relates please complete **Certificate A**. (Owner means a person having a freehold or leasehold interest with at least seven years unexpired.) This Certificate is not appropriate unless you are the sole owner. **You must also complete the Agricultural Holdings Certificate at the bottom of question 26.**

If you are not the sole owner of the land or if any part of the development goes outside land in your ownership (even if only foundations), please complete **Certificate B** and serve notice on each of the owners, using Notice 1 in Appendix 2. **You must also complete the Agricultural Holdings Certificate at the bottom of question 26.**

If you do not know the names of all of the owners you will need to complete Certificate C and will require additional publicity in the form of a press notice. Please contact the Council for further details if this applies or if you cannot trace any of the owners.

**It is an offence knowingly or recklessly to complete a false or misleading certificate**

## **27. Planning Application Requirements**

Please use the checklist to ensure that the forms have been correctly completed and that all relevant information is submitted. Failure to complete the form correctly or to supply sufficiently detailed drawings or other relevant supporting information will result in your application being returned as invalid. Please note that Design and Access Statements are required for ALL planning applications except engineering or mining operations or changes of use; Further details of what to put in a Design and Access Statement are set out in the appendix below.

## **28. Declaration**

Please sign and date your application.

## **29. Applicant Contact Details**

Please provide contact information for the applicant.

## **30. Agent Contact Details**

Please provide contact information for the agent.

## **31. Site Visit**

Access to the site (i.e. where the works are proposed to take place) may be required by the case officer. Please provide contact details in the event that an appointment needs to be made. This will assist the Council in dealing with your application as quickly as possible.

## Appendix 1

### Design and Access Statements

The statement must include:

- An explanation of the design principles and concepts that have been applied to the following aspects of the development;
  - Amount (number of units or for non residential development, proposed floorspace)
  - Layout;
  - Scale;
  - Landscaping;
  - Appearance
1. Demonstration of the steps taken to appraise the context of the development (physical/social/economic/policy) and how the design of the development takes that context into account in relation to its proposed use and each of the aspects above;
  2. Explain the policy adopted as to access and how policies relating to access in relevant local development documents have been taken into account;
  3. State what consultation has been undertaken on issues relating to access to the development, and what account has been taken of the outcome of any such consultation;
  4. Explain:
    - how any specific issues which might affect access to the development have been addressed;
    - how prospective users will gain access to the development from the existing transport network;
    - why the main points of access to the site and the layout of access routes within it have been chosen;
    - how features which ensure access to the development will be maintained.

**Appearance** is defined as the aspects of a building which determine the visual impression it makes, including the external built form of the building, its architecture, materials, decoration, lighting, colour and texture. **Layout** is defined as the way in which a building is situated and orientated in relation to other buildings, routes and spaces.

Appendix 2

Notice of Planning Application to Owners  
**(Notice No. 1)**

Town and Country Planning Act 1990  
Notice under Section 65

Proposed development at:.....  
**(enter address or location of development)**

I give notice that .....  
**(enter applicant's name)**

Is applying to Kennet District Council for planning permission to:  
.....  
.....  
.....  
**(enter description of proposed development)**

If you wish to make representations about the application, you should make them in writing to Kennet District Council Planning Services, Browfort, Bath Road, Devizes SN10 2AT  
or e-mail: [dev.control@kennet.gov.uk](mailto:dev.control@kennet.gov.uk)

Any representations must be made by: .....  
**(enter date, giving a period of at least 20 days from the date on which this notice is served)**

Signed : .....  
On behalf of : .....  
Date : .....