



Guidance and Validation Requirements for County Council Community Development (Regulation 3) Applications

Kent County Council

DRAFT

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Introduction

1. Kent County Council, as the County Planning Authority (CPA), has a statutory duty to determine three categories of development within Kent, those relating to:
 - mineral development (including the extraction, processing and restoration of quarry development for a wide range of minerals found in Kent. These include soft and sharp sand, silica sand, gravels, chalk, clay and ragstone;
 - waste management development undertaken wholly or mainly for the purpose of treating, storing, processing or disposing of waste; and
 - the County Council's own community development including schools, special needs housing, libraries, development in County Council Country Parks, and strategic highway and transport schemes. These developments are known as Regulation 3 applications.

The Purpose of this Document

2. This Guidance and Validation Note relates specifically to applications for County Council community development submitted under Regulation 3 of the Town and Country Planning General Regulations 1992. Separate advice is available for County Matter applications - minerals and waste management development.
3. The Council's aim is to determine planning applications as swiftly as possible and in accordance with Government's expectation on determination timescales. Decisions are made in accordance with the Development Plan and other material planning considerations. Poor quality, conflicting or missing information causes delays in the planning application process, or the possibility of an application being refused as a result of insufficient information to demonstrate a development is acceptable. This Validation Note sets out the National information requirements (the National List) and the Local information requirements (the Local List) that need to be submitted with a planning application, so that the application can be accepted as valid and progress to determination as swiftly as possible.
4. In addition to the validation requirements, this document will provide useful information for those preparing application documents.
5. The Validation Note seeks to:
 - assist applicants and agents in ensuring greater clarity and certainty about the type and extent of information (including the Local List requirements) required as part of their application;
 - ensure applications are valid and include all the relevant documentation so that Committee Members and planning officers have timely and relevant information to enable consideration of the application;
 - improve efficiency in the decision making process by reducing the need to request additional information from the applicant;
 - ensure greater consistency in registering and validating applications submitted to the County Planning Authority; and
 - provide improvement in the quality and consistency of the information available to the Planning Authority.

6. This Note explains what type of information will be required for certain types of applications considered by the County Planning Authority. If the information set out in the National List and Local List (as required) is not submitted with the application, then the application will not be accepted as valid and will not be progressed to a decision. **Applicants should also be aware that, following validation, further information, over and above that specified in this document, may be required to address matters raised during the consultation phase of the planning process. Such information will be requested on a case by case basis as necessary throughout the determination of the application.**
7. In addition to applications for planning permission, other consents may also be required (e.g. Building Regulations approval, Listed Building Consent, and Conservation Area Consent, from District/Borough Councils). The relevant District/Borough Council website should be referred to in preparing such applications.

National/Local Validation Requirements

8. The minimum validation requirements for planning applications are set out in the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(as amended\)](#) and further detailed by [Planning Practice Guidance](#).
9. The National Planning Policy Framework indicates that local planning authorities should publish a list of their information requirements for applications for planning permission. These are called Local Lists, and they are lists of the information required for different types of applications. Paragraph 44 of the [National Planning Policy Framework \(NPPF\) \(2023\)](#) makes it clear that planning authorities should only request supporting information that is relevant, necessary and material to the application and requires all planning authorities to review their validation checklists.
10. This document sets out the County Council's Local Information List (the Local List). The Local List is extensive, covering a wide range of information requirements. Not all of the reports/assessments will be required in every instance and the List sets out when an item is required.
11. Overall, the requirements for each planning application will depend on the nature and scale of the proposal and the characteristics of the surrounding environment and infrastructure. Pre-application advice can help determine the scope of the information required. If the applicant considers that it would be more appropriate for provision of one or more documents to be deferred and secured through a condition in the event of planning permission being granted (e.g. delaying a Construction Management Plan until a contractor has been appointed), this should be indicated in the planning application documentation. Officers will assess the suitability of this approach on a case by case basis.
12. There may be cases where the required supporting documents should cross refer to each other. This is encouraged, and consistency and clear referencing should be evident. For the avoidance of any doubt, it is important where a supporting report/assessment includes recommended actions or controls that the applicant confirms that any recommendations have/would be implemented as part of the

proposed development. This should be covered within a supporting statement (see section within the Local List below).

13. Alternatively, it may be helpful to incorporate some of the required information, where it does not warrant a separate report/assessment (e.g. Green Belt Statement, Heritage Statement) within the Planning Statement rather than as stand-alone documents. As indicated above the information supplied in support of an application should be proportionate to the nature of the development, the character of the surrounding environment and the potential for any resulting impacts from the development proposed on surrounding land uses.
14. In preparing the Local List, the advice, guidance, and requirements set out in national policy and guidance and the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) have been taken into account.

Validation Procedure/Invalid Applications

15. An application for planning permission submitted to the County Council will be checked against the National and Local Validation requirements. It will only be considered valid where it meets both the National Requirements for validation and the requirements of the Council's Local Validation List. **If relevant information or the correct fee is missing, the Council will not be able to validate the application and the planning process will not commence.** Applications will be validated as soon as practicable upon receipt. However, if an application is not considered to be valid by the County Council, the relevant case officer will inform you and explain what information is required for validation as soon as possible.
16. Pre-application discussions can be a useful way for an applicant and the authority to agree what information is required before an application is submitted. This can help avoid disputes over the information necessary to validate an application and reduce associated delays.

Exclusions

17. The 'local requirements' set out in this document do not apply to applications for submission of details pursuant to a planning condition or non-material amendments. This does not however negate the need for a planning submission or the requirements of the National Planning Policy Guidance for these types of applications. (<https://www.gov.uk/guidance/making-an-application>)

How to submit an application to Kent County Council

18. To submit an application for County Council community development (Regulation 3) you will need to submit the information set out in the National Validation Requirements, and accompanying relevant documents required by the Local List, to the County Planning Authority. This can be done online via the Planning Portal. This is our preferred approach for submission of applications. Alternatively, you can submit electronically by email via planning.applications@kent.gov.uk or by post as a hard copy. In the interests of efficiency, submission via the planning portal or via email is preferred.

19. Please keep each file below 10Mb and ensure all documents are in an unlocked format - i.e. not secured with a password. This enables the County Council to undertake any GDPR redaction required and split larger documents if necessary before publishing on our website.
20. Please note that use of download links from cloud storage/file sharing sites can be problematic due to the Council's IT security measures. It is recommended you contact us (via email or phone (see paragraph 23)) to check or test in advance of sending files in this way. We cannot acknowledge applications as received until we have successfully downloaded the accompanying documents.
21. In addition to an electronic version, at least one paper copy is required for planning applications that are accompanied by an Environmental Impact Assessment. Please note further requests for paper copies would be at the discretion of the County Planning Authority.
22. Application documents in hard copy format and cheques submitted by post should be sent to: Planning Applications Group, Kent County Council, Invicta House, County Hall, Maidstone, Kent, ME14 1XX.
23. Should you have any questions or require any information relating to the submission of an application please contact the County Planning Authority's Technical Support Team on 03000 413200 or via email at planning.applications@kent.gov.uk.
24. Where there is a need to submit information considered 'sensitive personal data' or 'special category data' under the General Data Protection Regulations (GDPR), this information should be submitted in a separate document without cross-referencing in documents that can be made public, and clearly marked as confidential. The definition of 'sensitive personal data' and 'special category data' can be found in the Information Commissioner's Office (ICO) Guide to the General Data Protection Regulation (GDPR) and will include for example personal circumstances and health information.
25. We welcome and encourage discussions before a developer submits a planning application. Please use the above contact details to arrange a pre-application discussion with a Planning Officer.
26. Kent County Council's Local List and Guidance will be regularly monitored for effectiveness and compliance with national policy and guidance and reviewed as necessary.

National Validation Requirements

A) National Validation Requirements - these are required for all Full and Outline Applications

1) Application Form and Ownership Certificates

- 1.1 A completed planning application form. If applying online via the Planning Portal, the Planning Portal have an online ('1APP') form to use for this purpose. Downloadable application forms can be found on the [County Councils website](#) and on the [Planning Portal](#).
- 1.2 An agricultural holding declaration is required whether or not the application site forms part of, or includes, an agricultural holding. This is included in the application form.
- 1.3 Land Ownership certificates are also included in the planning application form and the correct Certificate must be completed as follows:
 - **Certificate A:** the applicant is the sole owner, no agricultural tenants
 - **Certificate B:** the applicant is not the sole owner, or there are agricultural tenants, and the details of all owners/ tenants are known.
 - **Certificate C:** the applicant is not sole owner and does not know the name and address of all the owners and/ or agricultural tenants.
 - **Certificate D:** the applicant is not sole owners and does not know the name and address of any of the owners and/ or agricultural tenants
- 1.4 If Certificates B, C or D are required, a notice to owners of the application site (that are not the applicant) must be completed and served in accordance with [Article 13 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#). It is best practice to include a copy of any notice served with the application.
- 1.5 For the avoidance of doubt, an 'owner' is anyone with a freehold interest or leasehold interest in the land and/or property concerned with an unexpired term of not less than seven years. All agricultural tenants must be notified prior to the submission of the application.
- 1.6 Please ensure that forms are signed and dated (electronically as appropriate), with all relevant sections of the forms completed, and that any other accompanying documents specifically identified as being required by the form are included.

2) Application Fee

- 2.1 Planning application fees are set nationally by the Government and are detailed within the [Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) Regulations 2012, as amended](#). Fees are revised from time to time in accordance with legislation.

- 2.2 If you are using the Planning Portal to make your application online, please note that in addition to the planning application fee which is set by Government, an additional service charge may be applied by the Planning Portal and this service charge is retained by them.
- 2.3 Information about planning fees including a [fee guide](#) and [fee calculator](#) can be found on the Planning Portal website. No service charge is currently applied to planning applications made directly to the Kent County Council.
- 2.4 Since 2018 all applications submitted using the Planning Portal, except Regulation 3 applications, must be paid using the Planning Portal Financial Transaction Service (FTS). If you are submitting a Regulation 3 application and wish to pay by internal transfer, please contact our Technical Support Team on 03000 413200 or by email at planning.applications@kent.gov.uk for further details.
- 2.5 For applications submitted direct to us (by post or by email) payment of the application fee must be by:
- Internal Journal Transfer
 - BACS payment
 - Cheque payable to Kent County Council
- 2.4 Currently no cash or card payments can be accepted.

3) **Site Location Plan**

- 3.1 Such plans should use the latest available survey base and show 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. Large sites for road schemes, new schools, etc. should similarly have adequate off-site points of reference included.
- 3.2 The application site must be edged clearly with a **RED** line, including 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.
- 3.3 A **BLUE** line must be drawn around any other land owned by the applicant, which is close to or adjoining the application site. It is not usually necessary to show KCC owned highway land.
- 3.4 Plans must be drawn to an identified scale and must show the direction of north. Although not a requirement of legislation, the inclusion of a linear scale bar is also useful, particularly in the case of electronic submissions.

4) Other Plans

- 4.1 Plans, drawn to scale, to include, as appropriate to the development being applied for:
- block plan of the site (e.g., 1:50 or 1:100);
 - existing and proposed site layout (e.g., 1:50 or 1:100);
 - existing site and topographic surveys including features such as green infrastructure, site levels, contours, buildings, watercourses, public rights of way, overhead lines, and roads within and adjacent to the site;
 - proposed finished floor and site levels, contours and heights of the application site and adjacent land relating to OS datum (e.g., 1:50 or 1:100);
 - proposed finished floor and site levels should be shown in metres Above Ordnance Datum (mAOD), as this is useful for flood risk purposes;
 - existing and proposed floor plans (e.g. 1:50 or 1:100);
 - roof plans (e.g. 1:50 or 1:100);
 - elevation drawings;
 - section plans; and
 - detailed junction layouts showing the width of road, turning radii and visibility (e.g. 1:50 or 1:100).
- 4.2 All plans/drawings should:
- Show a north point (except on elevation plans);
 - Include an appropriate title and/or description;
 - Provide a drawing reference number and date, with correct revision number;
 - Be at an appropriate scale and include a scale bar and calibration scale;
 - Be printed on the correct sized paper according to the scale (if applicable); and
 - Show details of any measurements and dimensions of proposed structures.

5) Design and Access Statement

- 5.3 A Design and Access Statement will be required (as set out in [Article 9 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(as amended\)](#)), for the following development proposals:
- All major development applications. Major development, as referred to in this document, is defined under [Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(as amended\)](#). For County Council community developments the following are classified as major developments:
 - the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
 - development carried out on a site having an area of 1 hectare or more;
 - In a designated historic areas (Conservation Area and World Heritage Site) where:

- the extension of an existing building where the floorspace created exceeds 100 square metres.
- the erection of a building or buildings where the floorspace created exceeds 100 square metres.

6.3 A Design and Access Statement must:

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

7.3 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.

6) **Biodiversity Net Gain**

6.1 **Biodiversity net gain** is a national requirement under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain (BNG)' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains and requirements.

6.2 Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. BNG must be measured using Defra Biodiversity Metric. BNG can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits, with the habitats secured for at least 30 years.

6.3 From the 12 February 2024 all major planning applications will be subject to Biodiversity Net Gain (BNG). BNG will become mandatory for minor/small sites on 2 April 2024. There is currently an exemption for Section 73 applications, please see [Planning Policy Guidance – Biodiversity net Gain](#).

6.4 Where development would be subject to the general biodiversity gain condition, the application must be accompanied by minimum information set out in [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(as amended\)](#):

- confirmation that the applicant believes that planning permission, if granted, the development 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).

6.3 If this information has not been provided, the local planning authority will likely refuse to validate the application. Within the planning application form applicants will be asked to confirm whether this information accompanies the application. Where these details have been provided elsewhere in accompanying documents, applicants are encouraged to cross-reference to these rather than duplicate this information within the application form.

6.4 Please note that under the provisions the Environment Act 2021, every planning permission granted for the development of land in England shall be deemed to have been granted subject to the [following] condition: the development may not be begun unless a biodiversity gain plan has been submitted to the planning authority and the planning authority has approved the plan.

6.5 Applicants should be aware that local planning authorities may request further information relating to biodiversity net gain as part of the planning application. The nature of this information will vary depending on the type and scale of development, type of planning application, the onsite habitat impacted, and the extent of any significant onsite enhancements. In determining the application, the planning authority will need to consider, where relevant, whether the biodiversity gain condition is capable of being discharged successfully through the imposition of conditions and agreement of section 106 planning obligations to secure significant onsite biodiversity gains and registered offsite biodiversity

gains. As a minimum, further requirements are set out in the Local Requirements BNG section below (section 4.2).

7) **Environmental Impact Assessment (EIA)**

- 7.1 An Environmental Impact Assessment will be required for the following development proposals:
- For development of a type listed in [Schedule 1 of the Town & Country Planning \(EIA\) Regulations 2017 \(as amended\)](#) (please refer to Statutory Instrument 2017 No.571 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017) (the EIA Regulations).
 - For development of a type listed in [Schedule 2 of the EIA Regulations](#) for which the County Planning Authority has adopted a Screening Opinion or the Secretary of State has issued a Screening Direction stating that the proposal is 'EIA development' (i.e. is likely to have significant effects on the environment). A Screening Opinion can be undertaken prior to submission or as part of the validation process.
- 7.2 For all major development within or affecting a 'sensitive area' or for development that falls within Schedule 2 of the EIA Regulations, it is recommended that a 'Screening request' is made to the planning authority under Schedule 6 of the EIA Regulations, prior to preparing any application to establish whether an Environmental Impact Assessment is required. Where screening does not take place prior to an application being submitted, the planning authority is required to screen all applications as part of the planning assessment. If subsequently an application is found to be an EIA application requiring an environmental statement, the planning authority will write to the applicant to confirm that the submission of an environmental statement is required. Where this is the case, an application cannot be progressed until the environmental statement is received.
- 7.3 A 'sensitive area' is defined as a Site of Special Scientific Interest, Natura 2000 site, National Park, National Landscape (formerly known as Area of Outstanding Natural Beauty), World Heritage Site or a scheduled monument. Local environmental designations may also be relevant in certain cases.
- 7.4 Where a Screening Opinion has been adopted by the Planning Authority (or the Secretary of State has issued a Screening Direction) stating that a Schedule 2 development is not 'EIA development'; an Environmental Statement and associated Non-Technical Summary document is not required as part of the application.
- 7.5 For proposals that are 'EIA development', applicants should provide an Environmental Statement (ES) and a Non-Technical Summary (NTS). The ES should address the County Planning Authority's information requirements as specified in any adopted Scoping Opinion (which can be requested under [Regulation 15 of the EIA Regulations](#)). The ES must contain all the information specified in [Regulation 18\(3\) of the EIA Regulations](#) and as much of the information listed in [Schedule 4 of the EIA Regulations](#) as can be reasonably provided. A short summary and conclusion must be provided at the end of each

section or chapter and incorporated into the NTS. The ES should identify the likely significant environmental effects of the proposal and the measures that will be taken to avoid or mitigate those effects.

- 7.6 Further information about EIA can be found in the [National Planning Practice Guidance for EIA](#).
- 7.7 When an application accompanied by an ES is submitted, details will also need to be provided for the person(s) to whom the public can write to obtain a copy of the ES, and of the charge that will be made for provision of copies of the ES, including the cost of post and packing. Where appropriate a web-site address should also be provided where the ES can be viewed, and an address in the locality of the site of the proposed development should be identified at which the ES can be inspected by members of the public. A paper copy of the planning submission and ES should be provided.

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B) National Validation Requirements (other applications)

8) Details Pursuant Applications

8.1 This type of application/submission will be necessary where a condition(s) in a planning permission requires details of a specified aspect of the development to be approved by the Planning Authority. Often this will relate to details not fully described in the original application (for example details of materials to be used externally or a detailed landscaping scheme).

8.2 For all Details Pursuant applications, the following is required:

- The appropriate [fee](#);
- A completed [application form](#); and
- Details and plans required by the condition(s) (drawings should be in the format set out in paragraphs 4.1 & 4.2 above)

9) Section 73 Applications

9.1 Section 73 (S73) of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission. A S73 application can propose to vary the wording of a condition or to remove the condition.

9.2 For all Section 73 applications, the following is required:

- The appropriate [fee](#);
- Completed [application form](#) or sufficient information to enable the County Planning Authority to identify the previous grant of planning permission and the associated condition(s) which the applicant is seeking to vary;
- Appropriate ownership certificate and agricultural land declaration (see paragraphs 1.2 & 1.3 above);
- A site location plan and any other relevant drawings (drawings should be in the format set out in paragraphs 4.1 & 4.2 above);
- Where applicants are applying to vary the approved plans, they should clearly indicate the full extent of the proposed changes across the site;
- Supporting information required in relation to the changes sought. In most cases it will be appropriate to submit a supplementary statement to be read in conjunction with the documents that supported the original application (where appropriate, consideration should be given to including copies of the relevant original documents and the permission being varied); and
- Evidence to satisfy Biodiversity Net Gain requirements.

10) Non-Material Amendment Applications

10.1 A non-material amendment (NMA) may be applied to request a minor change to the planning permission. A NMA application cannot be used to make a material amendment to a planning permission.

10.2 For all non-material amendment applications, the following is required:

- The appropriate [fee](#);
- Completed [application form](#);
- Supporting information required in relation to the changes sought. In some cases it will be appropriate to submit a supplementary statement to be read in conjunction with the documents that supported the original application; and
- Where plans and drawings are provided, please ensure all plans/drawings show the changes proposed (drawings should be in the format set out in paragraphs 4.1 & 4.2 above)

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Local Validation Requirements

The following section comprises the County Council's Local Information List (The Local List) for the purposes of validating planning applications submitted to the County Council. To be valid and to commence the planning process, applications should be accompanied by the national requirements and the relevant local requirements as set out below.

1) Validation Checklist

- 1.1 The submission of a Validation Checklist to accompany the planning application documentation is required on major applications and complex proposals. The validation checklist is available on the County Council's website.

2) Planning Statement

- 2.1 Mandatory for all planning applications. The more complex the scheme the greater the detail required, so the content should be proportionate to the proposals. For major applications and complex proposals, a more detailed Planning Statement is required, potentially cross referencing the other supporting documentation submitted with the application to demonstrate compliance with planning policy and confirming that the mitigation measures recommended would be implemented.
- 2.2 Where relevant the planning statement should set out the context and justification for the development, including:
- A comprehensive site description setting out the physical features and topography of the site and its surroundings;
 - A summary of relevant planning history;
 - A description of any use, planning designations or physical constraints.
 - Identification of any international, national and local environmental and planning designations and physical constraints applicable to the application site and surrounding land (e.g., highway & access, water courses, local housing, Listed Buildings, Conservation Areas, National Landscapes (AONBs), Public Rights of Way, Ecological Designations, Flood Zone(s));
 - The need for the proposed development. In the case of a proposed school expansion, the application will require an educational need statement;
 - Fully describe the scope of the development and all the various activities and phases that comprise the proposed development;
 - Details of the site layout, existing and proposed buildings and, as a minimum, indicative details of the proposed materials to be used;
 - Details of boundary treatment;
 - For proposed development at a school, details of existing and proposed staff and pupil numbers;
 - How the proposal conforms to European, National, and Development Plan policy;

- Identification and discussion of National Planning Guidance, Development Plan policy, and any other material considerations applicable to the proposal, justifying why, in the applicants view, planning permission should be granted;
- A summary of any supporting and technical information submitted as part of the application, including confirmation that any recommendations have / would be implemented as part of the proposed development;
- An assessment of the cumulative effect of the proposal in combination with other existing or permitted development in the vicinity;
- Details of any pre- application consultations and community engagement, including how the findings / outcomes have been taken into account in the design of the development; and
- Any further supporting or background information not included on either the Application Form or in other accompanying documents.

2.3 *Legislative and Policy Drivers –*

- [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(as amended\)](#)
- [National Planning Policy Framework \(NPPF\)](#)
- *Relevant Local Plan Policies*

Guidance –

- [Planning Practice Guidance – Determining an application](#)

3) **Green Belt Statement**

3.1 Required for all new built development, change of use or extended use proposals located in the Metropolitan Green Belt.

3.2 The **Green Belt Statement** should include:

- A justification for the proposed development and its location in the Green Belt;
- Consideration as to whether the proposals should be considered appropriate or inappropriate development in the Green Belt;
- For inappropriate development, details of alternative sites outside the Green Belt that have been investigated and reasons for rejection;
- For inappropriate development, factors that (alone or in combination) amount to very special circumstances which clearly outweighs harm by reason of inappropriateness and any other harm to the Green Belt;
- How the proposed development has been designed and located to reduce the impact on the openness of the Green Belt; and
- For extensions to buildings or replacement buildings in the Green Belt, volume calculations (measured externally) of the existing building, the proposed extension/replacement building and any previous extensions to the building.

3.3 *Policy Drivers –*

- [National Planning Policy Framework \(NPPF\)](#) - *Protecting Green Belt land*
- *Relevant Local Plan Policies*

Guidance –

- [Planning Practice Guidance – Green Belt](#)

4) **Ecology**

4.1 **Biodiversity Appraisals, Assessments and/or Surveys**

4.1.1 Required for all applications for major development and for any development where there may be material effects on biodiversity and/or which have the potential to affect:

- Protected sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites, Sites of Special Scientific Interest (SSSI), Local Wildlife Sites and Local Nature Reserves)
- Development identified within SSSI Impact Risk Zone
- European and National Protected Species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife & Countryside Act 1981 (as amended) and the Protection of Badgers Act (1992)
- Within 100m of Priority Habitats and Species - Habitats of Principal Importance in England (Priority Habitats) and Species of Principal Importance in England (Priority Species), Ancient Woodland, Important Hedgerows or Veteran Trees
- Proposals affecting natural or semi-natural vegetation/habitat (e.g. woodland, hedgerows, ponds, and grassland)

4.1.2 In addition, all development proposals including works as set out below will trigger the need for a protected species survey:

- Proposed development which includes the modification, conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:
 - Permanent agricultural buildings
 - Buildings with wooden cladding or hanging tiles within 200m of woodland or water
 - Pre-1960 buildings within 200m of woodland or water
 - Pre-1919 buildings within 400m of woodland or water
 - Tunnels, mines, kilns, ice houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures- Bridges, aqueducts and viaducts
 - Lighting of Churches and listed buildings or flood lighting within 50 metres of woodland, water or hedgerows / lines of trees with an obvious connection to woodland or water
 - Works affecting woodland, or hedgerows / lines of trees with an obvious connection to woodland or water
 - Works that involve the felling or lopping of veteran trees, trees with obvious cracks, holes and cavities or trees with a diameter greater than 1m at chest height
 - Works affecting gravel pits, quarries, natural cliff faces, or rock outcrops with crevices or caves
 - Major proposals within 500 metres of the perimeter of a pond, or 200 metres of rivers, streams, canals, lakes or other aquatic habitats

- 4.1.3 A protected species survey, assessment and mitigation report will be required to accompany the application in the circumstances described above (paragraphs 4.1.1 & 4.1.2). Any survey(s) should meet the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines and the British Standard for Biodiversity. The work should be undertaken by competent person(s) with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines / methods where available. In all cases the documents should demonstrate that ecological mitigation hierarchy has been applied (Avoidance, Mitigation, Compensation, Enhancement).
- 4.1.4 A Preliminary Ecological Appraisal (PEA) is required unless the development does not affect the habitats set out in paragraphs 4.1.1 & 4.1.2 above. A Preliminary Ecological Appraisal (PEA) is therefore required in most instances. This should provide up-to-date information on habitats on the application site and links to other habitats, species present (or likely to be present), likely impacts, mitigation and enhancement opportunities. A PEA should also provide an assessment and demonstration of biodiversity net gain, on or offsite. For all but the most minor applications, the PEA should include the results of a search from the Kent and Medway Biological Records Centre. Unless there are exceptional circumstances, if an initial PEA is submitted with the application that confirms that further surveys for protected species are required, the application will not be valid unless the required survey is carried out in full, and a report of the findings are submitted with the application (see paragraphs 4.1.5 & 4.1.6 below).
- 4.1.5 Protected Species Surveys are needed if the site or surroundings may contain species, such as bats, badgers, reptiles or great crested newts, to establish their presence/absence, the population levels, likely impacts and scheme of mitigation and compensation. It is expected that surveys, data collection and analysis follow the guidance in BS 42020 - Biodiversity Code of practice for planning and development. Please note that each species has a relevant survey season (see guidance section in paragraph 4.1.8). Survey's must be carried out within the relevant season, otherwise it is likely that an application will need to be delayed until surveys can be completed in the next available season.
- 4.1.6 Ecological Impact Assessment (EclA) where the PEA identifies the need for habitat and species surveys, these need to be carried out and assessed in an EclA to establish their presence/absence, the population levels, likely impacts and scheme of mitigation and compensation. The EclA should follow the CIEEM Guidelines for Ecological Impact Assessment. Measures for mitigation, compensation and net gain should be set out in a Biodiversity Mitigation Plan in a way that enables them to be covered by condition.
- 4.1.7 For sites likely to impact on SAC, SPA or Ramsar sites a **Habitat Regulations Assessment** should be completed - see HRA section 4.3 below.

4.1.8 Legislative and Policy Drivers –

- [National Planning Policy Framework](#) - Conserving and enhancing the natural environment
- [Section 40 of the Natural Environment and Rural Communities Act \(2006\)](#)
- [Conservation of Habitats and Species Regulations \(2017\)](#)
- [Environment Act \(2021\)](#)
- [25 Year Environment Plan \(2018\)](#)
- *District / Borough Local Plan Policies on biodiversity*
- [Kent Nature Partnership Biodiversity Strategy 2020 to 2045](#)

Guidance –

- [Planning Practice Guidance - Natural Environment](#)
- [Planning Practice Guidance - Appropriate Assessment](#)
- [Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System.](#)
- [Natural England - Standing Advice on Protected Species and Development.](#)
- [Natural England - SSSI \(SAC, SPA and Ramsar\) Impact Risk Zones \(available via DEFRA's MAGIC website\)](#)
- [Biodiversity Action Plan \(UK BAP\)](#)
- [Guidance on Construction near protected areas and wildlife – NE & DEFRA](#)
- [Kent and Medway Biological Records Centre.](#)
- [Chartered Institute of Ecology and Environmental Management \(CIEEM\).](#)
- [Bat Conservation Trust - Bat Surveys for Professional Ecologists: Good Practice Guidelines](#)
- [BS42020: 2013 Biodiversity: Code of Practice for Planning and Development.](#)
- *Emerging policy on Biodiversity Net-Gain both at national and local level.*

4.2 Biodiversity Net Gain and draft Gain Plan

4.2.1 All development, unless able to demonstrate qualification for an exemption, will be required to provide the minimum national information requirements for Biodiversity Net Gain (BNG) (as set out in the national information requirements section above). For smaller development (where the building is less than 1,000m² or the site is less than 1 hectare), subject to existing on-site habitats having a low biodiversity value that do not include any priority habitats, protected sites or European protected species, the planning authority may be able to accept the minimum (national) information requirements in respect of BNG to validate an application and begin the planning assessment. Applicants should be aware that the planning authority is likely to require further information relating to biodiversity net gain as part of the planning application. The authority will need to consider whether the biodiversity gain condition is capable of being discharged successfully. Where this is unclear further supporting information will be necessary to enable an application to be determined. Applicants are encouraged to submit as much information as practicable as part of an application to address this statutory requirement.

4.2.2 For larger development (where the building is greater than 1,000m² or the site is greater than 1 hectare) or for development likely to require significant onsite, offsite gains or the use of biodiversity credits, a draft Biodiversity Gain Plan and (where relevant) draft heads of terms for a legal agreement securing the gains should be submitted with the application.

4.2.3 A draft Biodiversity Gain Plan should include the following matters:

- Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat. (Except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that.
- The pre-development biodiversity value of the onsite habitat, including:
 - the relevant date for purposes of calculating the pre-development biodiversity value of onsite habitats;
 - completed biodiversity metric calculation (pre-development);
 - pre-development plans showing the location of onsite habitat (including any irreplaceable habitat).
- The post-development biodiversity value of the onsite habitat, including:
 - completed biodiversity metric calculation for onsite;
 - post-development plans showing the location of onsite habitat;
- Landscape plan(s) / drawings demonstrating an accurate post-development habitat value.
- A description of arrangements for maintenance and monitoring of habitat enhancement (habitat enhancement must be maintained for at least 30 years after the development is completed). Draft habitat management and monitoring plan, which sets out the proposals for long term delivery and maintenance of habitats, to be secured through planning condition or planning obligation.
- Any registered off-site biodiversity gain allocated to the development and the biodiversity.
 - Where units are being purchased from a local biodiversity habitat bank, information on the existing scheme. The level of detail required will be dependent on the rarity / value of the habitat being replaced.
 - Where a completely new off-site habitat area is proposed, pre-development and post-development plans and metrics for the off-site provision along with relevant description of the arrangements and the implementation, maintenance, and monitoring of the site / habitat(s) for at least 30 years.
- Any biodiversity credits purchased for the development (only to be used when national requirements are demonstrated).

4.2.4 For any development involving significant onsite or any off-site habitat provision (unless conservation covenants are used), details of draft heads of terms for a legal agreement clearly setting out potential obligations required to secure the biodiversity gains, should permission be granted. These should include

implementation, management, maintenance, and monitoring of the habitat(s) for at least 30 years. **Please note that where a legal agreement is required it will need to be agreed and completed prior to the commencement of any development granted permission (alongside formal approval of the required Biodiversity Gain Plan).**

4.2.5 Government guidance confirms that no legal agreement is likely to be necessary for non-significant onsite BNG enhancements unless they contribute to locally important species or ecological networks. Non-significant enhancements are habitat enhancements whose loss will not significantly decrease the development's biodiversity value.

4.2.6 *Legislative and Policy Drivers –*

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- [Environment Act \(2021\)](#)
- *District/Borough Local Plan Policies on biodiversity net gain*

Guidance –

- [Planning Practice Guidance - Biodiversity Net Gain.](#)
- [DEFRA Guidance – Biodiversity net gain.](#)
- [DEFRA Guidance – Statutory biodiversity metric tools and guides.](#)
- [DEFRA Guidance – Creating a habitat management and monitoring plan for BNG](#)

4.3 Shadow Habitat Regulation Assessment (HRA)

4.3.1 A Shadow Habitat Regulations Assessment is required for any project that may affect the protected features of a Natura 2000 or 'Habitat Site' designated for its nature conservation interest (Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites). This includes land or watercourses located beyond the boundaries of a habitat site which support or has the potential to affect the populations for which the habitat site(s) was designated or classified (functionally linked habitat).

4.3.2 Natural England's Site of Special Scientific Interest (SSSI) Impact Risk Zones should be used as a guide to identify projects that need to be considered in accordance with the Habitat Regulations.

4.3.3 The following table identifies the screening distances from Habitat Sites associated with impact pathways. Development projects that will lead to the pathways and fall within these zones will require HRA screening and any application will need to address the potential impacts. The table does not preclude HRA being required in other circumstances.

Pathway	Screening Distance from a Habitat Site
Air Quality - Energy from Waste	10 km
Air Quality - Landfill Gas Flares	1 km
Air Quality - Biopathogens	1 km
Air Quality - Dust	500 m
Air Quality - Vehicle Exhaust Emissions	200 m
Water Quality and Flow	No standard distance (use source/pathway/receptor approach)
Disturbance (noise/visual)	1 km from a Habitat Site supporting disturbance sensitive species/populations
Coastal Squeeze	No standard distance - evaluate on a case-by-case basis

4.3.4 The integrity of a Habitat site will be adversely affected if a proposal could, for example:

- destroy, damage or significantly change all or part of a designated habitat;
- significantly disturb the population of a designated species, for example, its breeding birds or hibernating bats;
- harm the site's ecological connectivity with the wider landscape, for example, harm a woodland that helps to support the designated species from a nearby European site;
- harm the site's ecological function, or its ability to survive damage, and reduce its ability to support a designated species;
- change the site's physical environment, for example, by changing the chemical makeup of its soil, increasing the risk of pollution or changing the site's hydrology;
- restrict access to resources outside the site that are important to a designated species, for example, food sources or breeding grounds;
- prevent or disrupt restoration work, or the potential for future restoration, if it undermines the site's conservation objectives.

If there is a likely impact the assessment will need to rule out all reasonable scientific doubt that the proposal would not have an adverse effect on the integrity of the site before the proposal can proceed.

4.3.5 The 2019 Regulations require the applicant to provide sufficient information to enable the local planning authority to complete a Habitat Regulations Assessment, this is normally in the form of a Shadow Habitat Regulations Assessment.

4.3.6 **Stage 1 Screening**

This step is a simple assessment to screen if a proposal:

- is directly connected with or necessary for the conservation management of a European site;
- risks having a significant effect on a European site on its own or in combination with other proposals.

This will include consideration of the proposal's integral design features or characteristics, such as its layout, timing and location to inform the screening decision. These may mean that any risk to a European site is avoided and you do not need to do an appropriate assessment. At the screening stage, it is not lawful to consider any mitigation measures included by the applicant for the purpose of avoiding or minimising risk to a European site. These mitigation measures need to be considered at the appropriate assessment stage below.

4.3.7 **Stage 2 Appropriate Assessment**

An appropriate assessment informed by a Habitat Regulations Assessment prepared in support of the application is required where:

- there is a risk of a likely significant effect on a European site; or
- there is not enough evidence to rule out a risk.

The scope and content of an assessment will depend on the nature, location, duration and scale of the proposed plan or project and the interest features of the relevant site. An assessment should be proportionate and sufficient to support the task of the competent authority in determining whether the project will adversely affect the integrity of a Habitat Site.

An assessment must contain complete, precise, and definitive findings and conclusions to ensure that there is no reasonable scientific doubt as to the effects of the proposed plan or project. This includes considering the indirect effects on the designated features and conservation objectives, including the following principles:

- an assessment must catalogue the entirety of habitat types and species for which a site is protected;
- an assessment must identify and examine the implications of the proposed plan or project for the designated features present on that site, including for the typical species of designated habitats as well as the implications for habitat types and species present outside the boundaries of that site and functionally linked; insofar as those implications are liable to affect the conservation objectives of the site.

Where it cannot be concluded that there will be no adverse effects on a site's integrity, there is a need to consider potential mitigation. Mitigation measures are protective measures forming part of a project and are intended to avoid or reduce any direct adverse effects that may be caused by a plan or project, to

ensure that it does not have an adverse effect on the integrity of a habitats site(s). Any measures used to inform the decision about the effects on the integrity need to be sufficiently secured and likely to work in practice.

In the first instance effort should be made to avoid an adverse effect on site integrity altogether; however, if this is not possible impact reduction measures should be applied. For example, this may involve:

- switching to a less damaging method of construction;
- undertaking works at a less sensitive time of year (e.g. outside a breeding season);
- not proceeding with some parts of the plan or project;
- incorporating additional works into the plan or project to avoid or reduce its impact.

A proposal will pass the integrity test if an appropriate assessment can show that there is no reasonable scientific doubt that the proposal will not have an adverse effect on the integrity of the designated site(s).

4.3.8 **Stage 3: Derogations**

If the proposal fails the integrity test the development will be refused, unless it can pass 3 legal tests and be granted an exception, known as a 'derogation'. To decide if the proposal qualifies for a derogation, further information will be requested to address the 3 legal tests below:

- There are no feasible alternative solutions that would be less damaging or avoid damage to the site;
- The proposal needs to be carried out for imperative reasons of overriding public interest;
- The necessary compensatory measures can be secured.

4.3.9 *Legislative and Policy Drivers -*

- [*The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations \(2019\) \(the Habitat Regulations\).*](#)
- [*National Planning Policy Framework - Conserving and enhancing the natural environment.*](#)
- *District/Borough Local Plan Policies*

Guidance -

- [*Planning Practice Guidance - Habitats regulations assessments: protecting a European site.*](#)
- [*Planning Practice Guidance - Appropriate Assessment*](#)
- [*Natural England - SSSI \(SAC, SPA and Ramsar\) Impact Risk Zones \(available via DEFRA's MAGIC website\)*](#)
- [*Chartered Institute of Ecology and Environmental Management \(CIEEM\).*](#)

5) Landscape, Landscaping and Trees

5.1 Arboricultural Assessment/Tree Survey/Tree Constraints Plan

5.1.1 Required for any development proposal which is likely to affect trees or hedgerows within and adjacent to the development site, either directly by loss or damage, or indirectly by developing in close proximity to trees and therefore potentially reducing their lifespan/viability

- Where a proposal involves work that affects any trees or hedgerows within the application site, the position, species, spread and roots of trees should be shown accurately on a plan. The location of any trees within adjacent sites, including highway trees, which may be affected by the application should also be shown.
- Any trees which are to be felled or are otherwise affected by the proposed development should be identified.
- Information regarding which trees are to be retained and the means of protecting retained trees during construction works should be included.
- Development involving the loss of trees should include provision for suitable replacement/mitigation measures as part of a landscape or restoration plan (see below)
- For large scale proposals, or those on sites with significant tree coverage, it may be appropriate to submit a detailed tree survey and arboricultural report with the application. The report is generally required to assess the impacts on trees affected, their health, their value to local amenity and how tree loss / damage will be mitigated. Any survey prepared in support of an application would benefit from preparation by a suitably qualified and experienced arboriculturist.
- A Biodiversity Assessment is likely to be required where significant trees or important hedgerows are to be removed (see section 4.1 above).
- Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy is provided (see National Planning Policy Framework for further guidance).

5.1.1 Policy Drivers –

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- [National Planning Policy Framework](#) (*Achieving well-designed places*)
- *Local Development Plan Policies regarding landscape designations, landscaping and planting proposals.*

Guidance –

- [Planning Practice Guidance – Planning applications affecting trees and woodland.](#)
- [Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.](#)
- [Planning Practice Guidance – Ancient woodland, ancient trees and veteran trees: advice for making planning decisions.](#)

- *British Standard BS 5837:2012 - Trees in relation to design, demolition and construction.*

5.2 Landscaping Plan/Landscape Strategy

- 5.2.1 Required for all major planning applications and minor applications where landscape mitigation, compensation or restoration is required. Details should be proportionate to the size, nature and scale of the proposal. Where landscape planting/screening is integral to the development proposals (for example, as identified within a LVIA report – see section 5.4 below) then a detailed landscape strategy will also be required. In some cases, final landscaping details could be secured by planning condition. However, for more complex applications and those affecting sensitive locations (such as within the Green Belt or a designated National Landscape (formally Areas of Outstanding Natural Beauty)), full details are likely to be required before determination to demonstrate that the strategy is adequate to mitigate the landscape and visual impacts of the development proposed.
- 5.2.2 *Where proposals involve development close to or over the footprint of established trees the application will require a suitable assessment (proportionate to the potential level of impact). Please see Tree Survey (Arboricultural Assessment) section above. This should be prepared in tandem with any Landscaping Plan or Strategy.*
- 5.2.3 *Where the proposed Landscape Plan also forms part of any ecological mitigation proposed the Plan needs to support the biodiversity assessments, biodiversity net gain and any requirements under the Habitat Regulations (see sections above).*
- 5.2.4 A Landscaping Plan/Strategy should include:
- Details of any existing landscape features, trees and hedgerows on the site;
 - Details of any trees and hedgerows to be retained and measures for their protection during the period of works/construction;
 - Details of areas to be planted with native species of local provenance [with species such as Ash and Elm avoided where possible] and, as a minimum, a schedule of plants, noting species, plant or stock size, and proposed spacing, numbers or planting densities, notes on cultivation, protection and timing of planting;
 - Details of maintenance and management of the scheme; and
 - Details of hard landscaping (e.g. paving, fencing, retaining walls etc) including materials, colours etc.
- 5.2.5 A Landscape and Ecology Management Plan (LEMP) is likely be required for nature conservation-based restoration schemes. Where relevant it should include landscape/habitat restoration and enhancement and new landscape features to compensate for those lost to development.

5.2.6 Policy Drivers –

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment.*
- [National Planning Policy Framework](#) - *Achieving well-designed place)*
- *Local Development Plan Policies regarding landscape designations, landscaping and planting proposals.*

Guidance –

- [Planning Practice Guidance – Natural Environment](#)
- *Natural England and DEFRA Guidance on landscapes*
- [Kent Design Guide](#)
- [Kent Downs](#) or [High Weald](#) *National Landscape Management Plans.*
- [Landscape Institute Guidelines for Landscape and Visual Impact Assessment.](#)

5.3 Tree Protection Plan

5.3.1 Required when a development proposal would impact on existing tree(s), including their root protection area (RPA) and no compensation or restoration is proposed.

5.3.2 A Tree Protection Plan must show how existing trees, including their RPA, would be protected during construction activities, including the provision of protective fencing and ground protection.

5.4 National Landscapes (formally known as Areas of Outstanding Natural Beauty) and Landscape Visual Impact Assessments

5.4.1 Required for any proposal that due to its size, scale or location may have a significant visual impact on surrounding landscapes or townscapes having regard to public viewpoints and the sensitivity of the landscape – specifically the Kent Downs National Landscape (formally known as Area of Outstanding Natural Beauty (AONB)) and the High Weald National Landscape (formally known as AONB), and their setting.

5.4.2 In most cases a full Landscape and Visual Impact Assessment will be required. However a Landscape Visual Appraisal may be sufficient for minor development proposals. The appraisal for minor proposals could be achieved within a planning statement accompanied by photographs from identified public viewpoints, to provide an informal assessment

5.4.3 The Landscape Visual Impact Assessment (LVIA) should include:

- An assessment and evaluation of the landscape / townscape character and the potential impact the proposed development may have on landscape / townscape features;
- Details of visual receptors (e.g. PROWs, public open spaces / public vantage points, residential properties, other sensitive locations) should be included together with other important features and views;

- Details of relevant Landscape / Townscape Character Assessment undertaken;
- Photographs, visualisations, and photomontages to be provided as appropriate;
- Proposed mitigation measures (e.g. screening, landscaping, design); and
- Landscape/Townscape and Visual Impact Assessments should be carried out by an appropriate professional in accordance with best practice.

5.4.4 Policy Drivers –

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- [National Planning Policy Framework](#) - *Achieving well-designed places*
- *Local Development Plan Policies regarding landscape designations, and conserving and enhancing the natural environment.*

Guidance –

- [Kent Design Guide](#)
- [Kent Downs](#) or [High Weald](#) *National Landscapes Management Plans.*
- [Planning Practice Guidance – Natural Environment](#)
- *Natural England and DEFRA Guidance on landscapes*
- [Landscape Institute Guidelines for Landscape and Visual Impact Assessment.](#)

5.5 Agricultural land Classification Assessment

5.5.1 Required for applications proposing large-scale non-agricultural development impacting best and most versatile agricultural land (Grades 1, 2 & 3a).

5.5.2 The assessment should include details on:

- The agricultural classification and quality of existing agricultural land.
- The quality of any agricultural land lost and justification for its loss.

5.5.3 Depending on the nature and scale of the application, this information could reasonably be included as a separate statement or form a section within the Planning Statement.

5.5.4 Policy Drivers –

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- *Local Development Plan Policies.*

Guidance –

- [Natural England Guidance - Guide to assessing development proposals on agricultural land \(2021\).](#)

6) Heritage and Archaeology

6.1 Heritage Statement

- 6.1.1 Required for all planning applications where the development may affect heritage assets, either directly or indirectly. Heritage assets include Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Parks and Gardens, sites of archaeological interest, assets of local heritage interest, or sites on KCC's Historic Environment Record or known or likely to contain archaeological remains. *(Note that any works proposed to Listed Buildings also require Listed Building consent from the local District/ Borough Planning Authority. Works involving the demolition of buildings within a Conservation Area may also require Conservation Area consent from the District/ Borough Planning Authority).*
- 6.1.2 A Heritage Statement is required to describe the significance of the heritage assets affected. The statement should be proportionate to the scale of development, proximity to heritage assets and likely impact. It will need to;
- identify and describe any heritage assets within or in close proximity to the application site; consider any potential impact the development may have either directly on the heritage asset, or on its wider setting, and demonstrate how the potential impacts have been avoided or minimised in the final scheme design;
 - Assess the significance of the heritage asset, assess the impact on the heritage asset and set out a justification and mitigation statement for the impact of the proposal on the heritage asset;
 - be accompanied by photographic records showing the site context and features that may be affected by the proposal, preferably cross-referenced to application drawings; and
 - provide justification for the impact and make recommendations for mitigation or, if sufficient justification is provided, compensation for its loss, should some level of harm to heritage assets not be avoided.
- 6.1.3 At validation stage, the assessment may be desk-based. It should be noted that further investigative work could be required (e.g. geophysical survey; trial trenching) in order for any impact to be fully assessed prior to determination of the application, or where appropriate, potentially required by pre-commencement conditions.
- 6.1.4 *Legislative and Policy Drivers –*
- [National Planning Policy Framework](#) -*Conserving and enhancing the historic environment*
 - [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)
 - *Local Development Plan Policies on heritage assets (Conservation Areas, Listed Buildings, Ancient Monuments, Historic Parks and Gardens, historic landscapes, archaeological sites, etc.).*

Guidance –

- [Planning Practice Guidance](#) – *Historic Environment*

- [Historic England's 'Historic Environment Good Practice Advice in Planning'](#)
- *Early liaison with the County Archaeologist/Conservation Officer is advised to establish the archaeological/heritage implications, together with assistance from an appropriately qualified historic environment specialist.*
- [The Kent Historic Environment Record \(see the County Council's website for public access\)](#)

6.2 Archaeological Assessment

6.2.1 Required when a Heritage Statement or pre-application discussion with the County Planning Authority indicates that a Heritage Asset with an Archaeological Interest is likely to be present on site and/or affected by a development proposal. An asset of Archaeological Interest is considered to be a Scheduled Monument, a County Site of Archaeological Importance, an Area of High Archaeological Potential, or development application area exceeding 0.4 hectares in size, where it is reasonably considered that previously undocumented archaeological remains might survive.

6.2.2 An Archaeological Assessment should examine the nature and significance of the archaeological resources of the site, in comparison with the nature of the development proposal, and detail the likely implications for the future survival and management of the resource that arise. All archaeological sites are unique and therefore the County Council will address archaeological issues on a case-by-case basis. It is expected that applicants will supply sufficient information to allow appropriate archaeological consideration of the implications of proposed development in advance of the determination of any application.

- 6.2.3 *Legislative and Policy Drivers –*
- [National Planning Policy Framework](#) -*Conserving and enhancing the historic environment*
 - [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)
 - *Local Development Plan Policies on heritage assets (Conservation Areas, Listed Buildings, Ancient Monuments, Historic Parks and Gardens, historic landscapes, archaeological sites, etc.).*

Guidance –

- [Planning Practice Guidance – Historic Environment](#)
- [Historic England's 'Historic Environment Good Practice Advice in Planning'](#)
- *Early liaison with the County Archaeologist/Conservation Officer is advised to establish the archaeological/heritage implications, together with assistance from an appropriately qualified historic environment specialist.*
- [The Kent Historic Environment Record \(see the County Council's website for public access\)](#)

7) Highways and Public Rights of Way

7.1 Transport Statement

7.1.1 Required for applications for small scale developments that would impact upon traffic movements and minor school expansions.

7.1.2 A Transport Statement (TS) should include the following:

- information regarding the existing and proposed access arrangements, including the width of the access shown on a plan giving visibility splays;
- if an access is to be altered details should be given of the proposed width of the altered access and the method of construction;
- access into the site from several directions in order to increase accessibility and permeability should be investigated;
- details of existing and forecast modal split (car/cycle/walk/scooter) and how the trips would be spread during school dropping off/picking up periods; and
- details of existing and proposed parking for staff and visitors, and areas for the loading/unloading and manoeuvring of vehicles, particularly delivery vehicles and coaches.

7.1.3 *Policy Drivers*

- [National Planning Policy Framework](#) (*Promoting sustainable transport*),
- *Local Development Plan Policies relating to local amenity and highway safety*

Guidance –

- *Kent County Council Highways and Transportation*
- [Planning Practice Guidance](#): *Travel plans, transport assessments and statements in decision making.*

7.2 Transport Assessment

7.2.1 Required for applications for large school expansions, new schools and all major development proposals.

7.2.2 A Transport Assessment should include all of the information required to be submitted in a Transport Statement (see paragraph 7.1.2 above) in addition to the following:

- an illustration of accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site;
- a demonstration of existing/proposed catchment;
- a consideration of the impact of the proposal and any necessary mitigation to accommodate an increase in trips (e.g. junction improvements/footway widening/pedestrian crossings/parking restrictions); and
- details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. The level of parking provision proposed should be justified.

7.2.3 All submissions should include proposals to reduce the transportation impact of the development and adequate mitigation.

7.2.4 *Policy Drivers –*

- [National Planning Policy Framework](#) -Promoting sustainable transport
- *Local Development Plan Policies relating to local amenity and highway safety*

Guidance –

- *Kent County Council Highways and Transportation*
- [Planning Practice Guidance](#): *Travel plans, transport assessments and statements in decision making.*

7.3 Construction Management Plan

7.3.1 Required for all major planning applications, and for any application proposing significant new built development, construction period/setting out phase. For smaller scale development unlikely to involve significant construction phases this matter could be covered within the planning statement or by pre-commencement condition. Depending on the circumstances and the sensitivity of the surrounding land uses/environment, it may be possible to provide a commitment to address this matter by way of a condition if planning permission were to be granted, but the suitability of this approach would need to be considered as part of the determination process.

7.3.2 The Plan should include, amongst other relevant matters, initial details on:

- Construction access arrangements;
- Site compound and associated temporary development;
- Parking for site personnel, operatives, visitors and construction traffic (where relevant);
- Specifications for vehicle turning within the site;
- Area(s) for loading and unloading of plant and materials;
- Storage of plant and materials;
- Programme of works including measures for traffic management (including the avoidance of peak school times), vehicle routing, numbers of HGVs and design of delivery area;
- Hours of working;
- Provision of boundary hoarding / temporary boundary treatment;
- Measures for the suppression and control of dust and/or noise during construction;
- Wheel washing facilities (or where relevant measures to prevent mud and debris from construction reaching the highway); and
- Tree / habitat protection measures during construction.

7.3.3 *Policy Drivers –*

- [National Planning Policy Framework](#) - Promoting sustainable transport
- *Local Development Plan Policies relating to local amenity and highway safety*

7.4 Travel Plan

- 7.4.1 Required for all school development proposals resulting in an increase in pupil and/or staff numbers, including temporary and bulge permissions. For non-school development, where a development will create a significant amount of movement (by any mode of transport) a Travel Plan should be provided.
- 7.4.2 The Travel Plan must set out a strategy for managing and reducing the dependency on the private car, which shall include objectives and modal-splits targets, a programme of implementation and provision for monitoring, review and improvement.
- 7.4.3 In most cases, a School Travel Plan should be completed using the County Council's online Travel Plan system 'Jambusters', using the template and guidance available, and a copy submitted with the planning application.
- 7.4.4 *Policy Drivers –*
- [National Planning Policy Framework](#) - Promoting sustainable transport
 - Local Development Plan Policies relating to local amenity and highway safety

Guidance –

- Kent County Council School Travel Plan Team
- [Planning Practice Guidance](#): Travel plans, transport assessments and statements in decision making

7.5 Public Rights of Way Statement (including byways, bridleways and public footpaths)

- 7.5.1 Required for any application where the proposal has the potential to directly affect a Public Right of Way either by obstructing it or potentially causing inconvenience or other risk to its users.
- 7.5.2 The Statement should detail:
- How the development or proposal would affect the Public Right of Way network (including relevant plans and drawings);
 - How the development would incorporate/mitigate any rights of way on site;
 - Any requirements for diversion or stopping up of any part of the network with details of the timescales and period of closure;
 - Provision of acceptable alternative route(s) that is both safe and convenient for users, during operations and following restoration of the site; and
 - Where appropriate, opportunities to improve the right of way network, including improved access into and within the countryside.
- 7.5.3 *Please note that changes or temporary closure of the public footpath, including any disturbance of the surface of the right of way, or obstruction of its use,*

either during or following any approved development requires a separate permission from the local Highway Authority. Please contact Kent Public Rights of Way and Access Service to discuss this requirement.

7.5.4 Policy Drivers –

- [National Planning Policy Framework](#) - Open space and recreation
- Local Development Plan Policies.

Guidance –

- [Planning Practice Guidance](#) - Open space, sport and recreation facilities, public rights of way and local green spaces
- Kent County Council Public Rights of Way and Access Service

8) **Drainage, Flooding and Land Contamination**

8.1 **Flood Risk Assessment (FRA)**

8.1.1 A Flood Risk Assessment is required for any development:

- in flood zone 2 or 3 including minor development and change of use;
- of more than 1 hectare (ha) in site area in flood zone 1;
- of less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs);
- in an area within flood zone 1 which has critical drainage problems or where the Environment Agency, Internal Drainage Body or other relevant bodies have indicated there may be a drainage problem;
- Any significant extensions or increases in areas of hard surfacing within the floodplain or adjacent to a main river.

8.1.2 The Environment Agency's standing advice should be followed for minor development or proposals involving a change of use, including in relation to the Flood risk vulnerability classification (Annex 3 of National Planning Policy Framework).

8.1.3 Find out what flood zone a development is in [here](#).

8.1.4 A site-specific flood risk assessment should be carried out to assess the flood risk to and from a development site. The assessment should demonstrate how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its use. The flood risk assessment does not need to be carried out in a specific format and should be proportionate to the scale, nature and location of the development and the level of risk.

8.1.5 The assessment should include (as appropriate):

- A location plan showing street names, any rivers, streams, ponds, wetlands, other bodies of water or areas at risk of surface water flooding and other geographical features;
- Site plan showing the existing site, the development proposal and structures which could affect water flow or flood storage capacity;
- Survey showing the existing site levels (Above ordnance datum) and the levels of the proposed development;
- A cross section of the site showing finished floor or road levels and any other levels that inform the flood risk (e.g., existing raised banks and flood defence walls);
- Whether a proposed development is likely to be affected by current or future flooding from any source;
- An assessment of surface water runoff from the site and whether the development will increase flood risk elsewhere;
- How these flood risks will be managed now and over the lifetime of the development;
- Details of the proposed drainage system and management of surface water runoff;
- Whether the measures proposed to deal with these effects and risks are appropriate;
- Consideration of climate change;
- Opportunities to reduce the probability and consequences of flooding;
- Mitigation measures and emergency evacuation procedures necessary.
- Whether the development type is appropriate for the proposed location given the level of risk and the Flood risk vulnerability classification;
- Details demonstrating that the sequential test has been applied - demonstrating that development is located in an area with the lowest risk of flooding given the sites available;
- Details demonstrating the development passes the Exception Test (i.e., the development would provide wider sustainability benefits to the community that outweigh the 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).

8.1.6 *Legislative and Policy Drivers –*

- [*National Planning Policy Framework - Meeting the challenge of climate change, flooding and coastal change*](#)
- *Local Development Plan Policies regarding Flood Risk/Drainage.*
- [*Flood and Water Management Act 2010.*](#)

Guidance –

- [*Planning Practice Guidance: Flood Risk and Coastal Change*](#)
- [*Environment Agency guidance on River maintenance, flooding and coastal erosion*](#)

8.2 Sustainable Drainage Systems (SuDS)/Surface Water Drainage Assessment

- 8.2.1 Required for all major planning applications and any minor applications that propose an alteration to the existing drainage arrangements and/or interruption to natural drainage (unless there is clear evidence that requiring it would be inappropriate). A surface water drainage assessment should be carried out to demonstrate that the development makes use of SuDS and will not create an increased risk of flooding from surface water to the development site and the surrounding area. For minor applications a proportionate assessment of the surface water requirements should be undertaken and any opportunity for the inclusion of SuDS reviewed.
- 8.2.2 An assessment (taking into account different factors including the layout of the site, the topography and geology) demonstrating how any surface water generated from the development will be controlled as near to its source as possible should be submitted. A drainage strategy (including FRA where applicable, proposed drainage layout and calculations) shall be submitted to demonstrate that the development does not flood or increase flooding downstream.
- 8.2.3 Sustainable drainage for the site shall be proposed in accordance with SuDS surface water management hierarchy of prevention, reduction, source control, site control and regional control (the accepted hierarchy of surface water discharge options is infiltration, then attenuation and discharge to: watercourse, surface water sewer, other sewer). Evidence shall be provided to demonstrate that the most sustainable strategy is proposed taking into account flood risk, site layout, topography, geology, etc.
- 8.2.4 Where the intention is to incorporate infiltration SUDS, their feasibility shall be demonstrated through approved intrusive geotechnical surveys to establish infiltration rates, ground water levels and ground contamination. Should actual infiltration rates (via intrusive tests) not be readily available (reason to be stated in drainage strategy), desktop study demonstrating evidence of likely ground conditions (from British Geological Survey or other sources) of the site could be used. In such instance, an alternative strategy shall also be submitted to demonstrate how the site would drain if infiltration is not feasible or acceptable.
- 8.2.5 Should it be proposed to dispose of surface water into a watercourse, surface water sewer, highway drain or another drainage system, the application should be accompanied by evidence that the runoff rates are being restricted to greenfield values and the system has adequate capacity downstream and is in a suitable state to accept the water. Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved.
- 8.2.6 Scale plans of the drainage arrangements will need to be provided.

8.2.7 *Legislative Policy Drivers –*

- [National Planning Policy Framework](#) - Meeting the challenge of climate change, flooding and coastal change
- [Water Environment Regulations \(2017\)](#)
- *Local Development Plan Policies regarding Flood Risk/Drainage.*

Guidance –

- [Planning Practice Guidance](#) - Water supply, wastewater and water quality.
- [Planning Practice Guidance](#) - Flood Risk and Coastal Change.
- *The Environment Agency.*
- *Kent County Council as the Lead Local Flood Authority.*
- *Local wastewater providers – Southern Water / Thames Water*

8.3 Wastewater and Water Supply Report

8.3.1 Required for all major applications where there would be a net increase in water and waste water demand to serve the development.

8.3.2 Water supply and sewerage/wastewater infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure. Calculations of the mains water consumption and sewage demand for the development proposed, and confirmation as to whether any upgrades are needed, are therefore required for proposals that meet the criteria set out in paragraph 8.3.1.

8.3.3 *Policy Drivers –*

- [National Planning Policy Framework](#)- conserving and enhancing the natural environment
- *Local Development Plan Policies*

Guidance –

- [Planning Practice Guidance](#): Water supply, wastewater and water quality

8.4 Contaminated Land Investigation/Assessment

8.4.1 Required for any major application where the proposal:

- is on a land overlying a Groundwater Source Protection Zone for drinking water.
- is on, or adjacent to, potentially contaminated land.
- is on land where contamination of soil, groundwater, or from hazardous soil or gas is known or suspected, on or in the vicinity of the site, based on present or previous uses of the site or its surroundings.
- is on land that has been designated 'contaminated' by the Borough/ District Council.

- is on land with a potential risk from naturally occurring hazards in the ground such as arsenic, radon and methane /carbon dioxide.
- would disturb land and could result in likely effects of pollution on health, living conditions or the natural environment, including by polluting surface water or groundwater, or the migration of ground gas.

8.4.2 If there is a reason to believe contamination could be an issue, applicants should provide a proportionate site investigation (a risk assessment) prepared by a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors'), so that these risks can be assessed and satisfactorily reduced to an acceptable level.

8.4.3 The risk assessment should identify the potential sources, pathways, and receptors ('pollutant/ contaminant linkages') and evaluate the risks. This information will enable the planning authority to determine whether more detailed investigation is required, or whether any proposed remediation is satisfactory. Unless this initial assessment clearly demonstrates that the risk from contamination can be satisfactorily reduced to an acceptable level, further site investigations, risk assessments and a plan demonstrating suitable mitigation measures is likely to be needed before the application can be determined.

8.4.4 *Legislative and Policy Drivers -*

- [National Planning Policy Framework](#) (Conserving and enhancing the natural environment), and Local Development Plan Policies.
- [Environment Protection Act \(1990\): Part 2A Contaminated Land Statutory Guidance](#)
- [Water Environment Regulations \(2017\)](#)
- *Local Development Plan Policies on ground contamination*

Guidance –

- [Planning Practice Guidance – Land affected by contamination.](#)
- [Environment Agency - Land Contamination: Technical Guidance.](#)
- [Environment Agency: Groundwater Protection Guides.](#)
- *British Standard BS10175:2011+A2:2017 Code of Practice for the Investigation of potentially contaminated sites.*
- *BS 5930:2015 + A1:2020 Code of practice for ground investigations*

9) Other Environmental Impacts

9.1 Noise Impact Assessment

9.1.1 Required when a proposed development is in close proximity to existing major noise source e.g. motorways or trunk road, airports, industrial activities etc, and/or where the development itself is likely to generate significant noise levels e.g. outdoors sports facilities. The Assessment should be undertaken by competent person(s) with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather

conditions and using nationally recognised survey guidelines/methods where available.

9.1.2 A Noise Assessment should generally include:

- baseline data relating to existing noise levels including frequency analysis;
- Identification of representative and free field sensitive receptors and measuring points and how these are appropriate (considering not only the distance, but topography etc.);
- a description of the likely noise emissions during construction and when operational (during different phases, if applicable), and an assessment of effects on the area affected;
- how the design minimises and/or mitigates noise to avoid significant adverse impacts on health and quality of life;
- where cumulative effects are possible, scenarios should be developed to determine the likely cumulative impact;
- an assessment of the impact of any residual increase in noise on the surrounding area, in particular protected areas of tranquillity such as National Landscapes (formally AONBs);
- identification of whether the noise will have an impact on wildlife, with particular consideration to be given to the potential effect of noisy development on noise-sensitive ecological receptors and international, national and locally designated sites for importance for biodiversity; and
- a noise monitoring and mitigation/management scheme

9.1.3 *Policy Drivers –*

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- [Noise Policy Statement for England](#)
- *Local Plan Policies on noise and amenity impacts.*

Guidance –

- [Planning Practice Guidance –Noise.](#)

9.2 Air Quality Assessment

9.2.1 Required for all planning applications that would generate significant levels of air quality emissions, development proposed in or adjacent to an Air Quality Management Area, any development proposals which would generate odours, and where Borough or District Local Plan Policies stipulate specific thresholds. The Assessment should be undertaken by competent person(s) with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available.

9.2.2 The Air Quality Assessment must focus on the issues specific to that proposal, for example, dust, odour, traffic, bio-aerosols and other potential pollutants. For each issue the following should be included:

- a description of baseline conditions;
- relevant air quality considerations;
- the scale and nature of the emissions the development could generate;
- the assessment methodology and any requirements around verification of modelling air quality;
- activities or operations that could generate dust/odour/fumes etc.;
- sensitive locations and receptors;
- the basis for assessing impact and determining the significance of an impact;
- construction phase impact;
- measures that could deliver improved air quality;
- details of any mitigation; and
- monitoring arrangements.

9.2.3 Policy Drivers –

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- *Local Plan Policies on air pollution, health and amenity impact.*

Guidance –

- [Planning Practice Guidance –Air Quality](#)

9.3 Lighting Assessment

9.3.1 Required for all developments proposing significant external lighting, including temporary construction and security lighting, streetlighting, and floodlighting of pitches/games areas. The Assessment should be undertaken by competent person(s) with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available.

9.3.2 The assessment shall provide full details of any external lighting including details of:

- The number, type, location and height of any lighting including those on columns and/or buildings;
- An assessment of the baseline light levels, including an indication of lighting zone classification (as defined by the Institution of Lighting Engineers - Guidance Notes for the Reduction of Obtrusive Light);
- The intensity of the installation (in Lux levels) and spill patterns shown on a scaled plan;
- An assessment of the impact of lighting from all relevant viewpoints.
- The proposed hours of use;
- Potential for impacts on ecological features;
- Proposed mitigation measures; and
- Measures for unforeseen impacts and monitoring;

9.3.3 Policy Drivers –

- [National Planning Policy Framework](#) - *Conserving and enhancing the natural environment*
- *Local Plan Policies on lighting and pollution impacts*

Guidance –

- [Planning Practice Guidance – Light Pollution](#)
- [Bat Conversation Trust - Guidance on bats and lighting](#)
- [The Institution of Lighting Professionals - Guidance Note GN01/21 The Reduction of Obtrusive Light](#)
- [Sport England Artificial Lighting Guidance](#)

9.4 Daylight/Sunlight Assessment

9.4.1 Required for any application where there is potential for adverse impacts on current levels of daylight/sunlight enjoyed by adjoining properties or buildings including associated gardens or amenity space.

9.4.2 The assessment should include:

- Details of existing and expected levels of daylight, sunlight and overshadowing on neighbouring properties;
- Details of the measures to be taken to mitigate against the expected impact of the proposed development.

9.4.3 Policy Drivers –

- [National Planning Policy Framework](#) - *Achieving well-designed places*
- *Local Development Plan Policies relating to design and local amenity.*

10) Development on Playing Field

10.1 Any developments on school sites where the proposal would be located on part of the playing field or on an existing playing pitch should be accompanied by a statement setting out the impact of the proposal on playing field, a plan to show the existing and proposed playing pitch layout including hard and soft play, and an assessment against the five exceptions tests set out in Sport England's Playing Field Policy and Guidance document (see guidance below).

10.2 Policy Drivers –

- [National Planning Policy Framework](#) - *Promoting Healthy and Safe Communities*
- *Local Development Plan Policies relating to open space and recreation.*

Guidance –

- [Planning Practice Guidance: Open space, sport and recreation facilities, public rights of way and local green spaces](#)
- [Sport England Policies](#)

11) Sustainable Design/Carbon Neutral Statement

- 11.1 Required for all major planning applications, and where Borough or District Local Plan Policies stipulate specific thresholds. This is likely to include any new permanent accommodation on a school site
- 11.2 A statement setting out how sustainable forms of design & construction have been incorporated into the new development and any proposed renewable energy technologies (including electric vehicle charging spaces if additional car parking is proposed) shall be submitted. With regard to carbon emissions, the statement must state the carbon emissions associated with each stage of the development's lifecycle. It must demonstrate how the design of the proposal has minimised its lifecycle carbon emissions during its construction, operation, maintenance requirements and end of life (decommissioning/restoration),
- 11.3 This Statement will require consideration of the following:

Construction Phase-

- choice of materials to minimise embodied carbon over the lifecycle of the development (considering ongoing maintenance requirements), to include those emissions associated with the materials' manufacture, distribution and use on site;
- need to minimise energy consumption, maximise energy efficiency and use renewable energy;
- need to minimise water consumption;
- the need to avoid damaging carbon stores; and
- the opportunity for landscaping onsite or habitat restoration/creation elsewhere to offset carbon emissions associated with construction activities.

Operation and Maintenance Phase -

- need of the development to minimise energy consumption, maximise energy efficiency and use renewable energy. This shall include how landform, layout, orientation, massing, landscaping and planting have been used to make use of solar gain, natural ventilation and local cooling, and how highways schemes have been designed to maximise vehicle efficiency and encourage sustainable travel modes;
- explain how Local Plan policies on local energy requirements will be met;
- minimisation of water consumption and use of grey water and rainwater harvesting; and
- the opportunity for landscaping onsite or habitat restoration/creation elsewhere to offset annual carbon emissions associated with the development's operation.

End of Life Phase

- choice of materials to enable their straightforward and likely reuse or recycling;
- the opportunity for the deployment of renewable energy; and
- the opportunity for landscaping onsite to absorb carbon.

11.1 *Policy Drivers -*

- [National Planning Policy Framework](#) - Meeting the challenge of climate change, flooding and coastal change
- *Local Development Plan Policies regarding sustainable design and construction.*

Guidance –

- [Planning Practice Guidance: Climate Change](#)
- [Planning Practice Guidance: Renewable and low carbon energy](#)
- [Kent County Councils Environment Strategy and New Zero Targets](#)

12) Community Engagement

- 12.1 The National Planning Policy Framework encourages pre-application discussions and states that 'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties'.
- 12.2 The County Planning Authority encourages developers to enter into pre-application discussions with the Council to establish the information that will be required, and to identify key issues and policies associated with any potential application.
- 12.3 Developers are encouraged to inform the community of their plans to ensure that communication is established at an early stage in the process. Applicants are advised to submit details of the engagement carried out as well as any comments/feedback made by members of the public. Applicants are advised to demonstrate how they have addressed any comments raised at the pre-application stage.