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# Major applications

## The development team approach for processing major planning applications

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September 2006



INVESTOR IN PEOPLE



**Rochford District  
Council**

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# **The Development Team Approach**

Welcome to our guide to making major planning applications. We want to ensure that all relevant parts of the Council work together to ensure that your application is dealt with as quickly and efficiently as possible. This guide sets out the level of service we aim to deliver on major applications and the help we require from you to enable us to achieve that goal.

The Development Team Approach offers applicants a coordinated and speedy approach to obtaining all the necessary approvals, and for the Council will assist in achieving its goal of sustainable development whilst maintaining the historic and landscape character of the District.

## **Introduction**

The Government requires authorities to determine 60% of major applications within 13 weeks. This timescale includes the time taken to complete legal agreements and unilateral undertakings, as the date of decision is taken to be when a decision letter is despatched. Major applications are defined as:

- Applications for at least 10 new residential units.
- Residential sites of 0.5 hectares or more.
- The creation of or change of use of 1,000 sq m or more of non residential gross floor space; and
- Non-residential sites of over 1 hectare.

The District Council receives on average 50 such major planning applications per year. With this level of demand for the Council's services there is a significant challenge to

dealing with proposals for major development in a timely fashion.

## **Keeping on Target**

Some major planning applications take a long time to determine for a variety of reasons, some of which are beyond the control of the Council, including:

- Other essential legal agreements or consents may not be in place.
- The applicants may have decided to make major alterations to the scheme after submission.
- The applicant or agent may not have provided additional or reacted to modifications in a timely manner when requested.

Following the advice in this guide will greatly increase our ability to deliver the service described and getting a decision out to you within our target time.

## **Pre-Application Consultation**

Effective pre-application consultation is essential if applications for development are to be determined within the time scales expected by central government.

Pre application talks are considered to be of vital importance to all parties involved in major applications for the following reasons:

- They are essential to good communications and understanding of each other's requirements.

- The objective will be to resolve the main issues, understand how our policies apply to you development agree scope of information/supporting material needed and a timetable for its submission.
- Understand points of issue from other interested specialists at an early stage e.g. listed buildings, transportation, trees landscape, ecology, archaeology, schools placements etc.
- The need for a Section 106 Obligation will be clarified and a draft should be agreed at this stage. This is essential as the appropriate agreement has to be signed within the target period for the determination of the application.
- Assisting in the preparation of proposals for formal submission which if you follow our advice, should be handled more quickly and be more likely to result in a positive outcome.
- Possibly reducing the time your professional advisors spend in working up the proposals and therefore saving the applicants money.
- Early indication of those proposals that are completely unacceptable, so saving you the cost of pursuing a formal application.

It should be borne in mind that whilst pre-application discussions should in most instances ensure a smooth path for applications through the planning system, there can be no guarantees given. The consultative nature of the application process means that issues and concerns will inevitably emerge that were not foreseen or issues which take on new significance when responses from consultees are known.

## **Potential issues**

Before coming to pre-application talks with the Council you can help us and yourselves by taking time out to consider the potential issues that may be involved.

Below are broad subject areas that may assist; the list is not exhaustive but covers the most common issues that need to be considered in a pre-application consultation:

### **Policy**

- Is the development consistent with the aims of the Development Plan? If not what is the justification for the proposed uses?
- Is the development consistent with National guidelines and policy advice? If not then justify why it would be acceptable to develop contrary to the advice?

### **Amenity**

- Is there any residential accommodation or other sensitive land use such as a school or hospital near the site?
- Is the proposal likely to have an effect on nearby residents? (issues to consider including sunlight, daylight, privacy, noise disturbance, air quality, etc.)?
- If the proposal is for residential development or another sensitive land use, is there an adjoining land use that will have an unacceptable impact on the amenity of the proposed development (industrial units, workshops, etc.)?

## **Food and Drink Premises**

- What type of use is proposed (e.g. bar, café, restaurant, takeaway etc.) What opening hours are proposed? How many covers will there be? How will the ventilation of kitchens and public areas be achieved?

## **Design and Sustainability**

- An initial assessment should be submitted indicating an appreciation of the context within which the development proposal is coming forward, showing an appropriate built form, historic development and street pattern, and relating the context to the proposed scale, massing architecture and materials of any new buildings, constructions and opportunities, views into or out of the site, accessibility or permeability. Sketch illustrations of proposed elevations in the context of adjoining buildings, should be provided indicating initial architectural approach and palette of materials.
- Details should be provided of the likely environmental effects of the proposed development together with a scheme for achieving sustainable development.
- Proposals for recycling and refuse facilities should be submitted.

## **Listed Buildings**

- If a historic building is involved you should assess how the works would affect the architectural or historic interest of the building. Guidance is given in PPG15 Planning and the Historic Environment.

- In the case of schemes involving alterations to a listed building, existing and proposed drawings should be provided at an early stage which indicate the extent of the retained and removed fabric.

## **Conservation Areas**

- For developments in a conservation area you should indicate how the new development would fit in with its historic setting and how it would affect the character and appearance of the area.
- In the case of proposed demolition of an existing unlisted building in a conservation area, whether the appropriate PPG15 tests have been satisfied.
- In areas of potential archaeological interest an initial assessment must be made of the potential implications of the proposed development.

## **Servicing, Access and Parking**

- Indication as to how the site is to be serviced/accessed.
- Show details of the existing and proposed parking with justification as to how the level of provision complies with the Local Plan. If below standard you must explain why this is not going to be a problem.
- Describe the measures, which are being considered to encourage access by public transport and facilities for cyclists and pedestrians.
- Describe how access and facilities are being provided for those with disabilities.

- Indicate the likely impact of the development on transport infrastructure and whether any measures will be required to mitigate the impact.
- Indicate whether any part of an existing highway or Public Right of Way would have to be stopped up or diverted to implement the development.

### **Legal Agreements/Obligations**

- Identify issues that may need to be subject to legal agreement and give time scale for completion.

### **Affordable Housing**

- Give details of the number of affordable housing units to be provided, including the mix of units, size and tenure and whether contributions are to be made for off site provision.
- Justification must be given if it is the intention not to comply with the Local Plan standards.

### **Protected Species**

- Consider whether any protected species will be affected by the proposals and consider the need for surveys and mitigation measures.

## **Major Application Validation Checklist**

This checklist sets out the information that is required when sending us a major application:

- 6 sets of the completed application forms, signed and dated.
- 1 Article 7 Certificate (Agricultural Holdings), signed and dated.

- 1 set of completed signed and dated Ownership certificate (A, B, C, D).
- 6 sets of the location plan (Ordnance Survey based) at a scale of 1:1250 or 1:2500 or larger or at an appropriate scale to show at least two main roads and surrounding buildings and should show the direction of North. The application site should be edged clearly with a red line and a blue line must be drawn around any other land owned by the applicant.
- The correct fee must be paid.
- 6 copies of the block plan of the site to a scale not less than 1:500.
- 6 copies of the existing and proposed elevations to a scale of not less than 1:100.
- 6 copies of existing and proposed sections and finished floor levels at a scale of not less than 1:100.
- 6 copies of existing and proposed floor plans of not less than 1:100.
- 6 copies of a site survey plan to a scale of not less than 1:200 showing existing features of the site e.g. Walls, trees, buildings and other structures.
- 6 copies of a site survey plan at a scale of not less than 1:200 showing proposed features e.g. landscaping.

In addition to the above information that must be submitted with your application the following information may also be required:

- Transport assessment.
- Draft travel Plan.
- Environmental Statement.
- Retail Assessment.
- Design and Access Statements.
- Supporting Planning Statement.
- Regeneration Assessment.
- Air Quality Assessment.
- Sustainability Appraisal.
- Noise Impact Assessment.
- Sound Insulation Assessment.
- Energy Statement.
- Nature Conservation and Ecological Assessment.
- Historical and Archaeological Assessments.
- Listed Building and Conservation Area Appraisal.
- Flood Impact Assessment.
- Assessment for the treatment of foul sewage.
- Utilities statement.
- Access Statement.
- Affordable Housing Statement.
- Ventilation/extraction and refuse disposal details.
- Structural Survey.

- Tree Survey.
- Lighting Assessment/ Details of Lighting Scheme.
- Sunlight/Daylight Assessments.
- Where it is known that Planning Gain will be an expectation of the application enclose a copy of the draft unilateral undertaking to cover the matters concerned.

## **Content of Supporting Information**

Supporting information will vary from simple written statements to technical reports. Applicants are requested to keep the content directly relevant to the issues of planning concern. There is no merit in over elaborate reports. A non-technical summary may be required to help members of the public.

Applicants submitting a paper rather than an online planning application are requested to provide a copy of the supporting information on a CD. This will speed up the processing of the application and may help reduce the number of extra copies required for consultation purposes. They will be published along with the application on the Councils website.

### **Affordable Housing Statement**

To include information regarding the type, number and size and tenure of affordable housing units in the scheme.

### **Air Quality Assessment**

To indicate the change in air quality resulting from the proposed development and outlining appropriate mitigation measures.

## **Design and Access Statements**

Applicants for planning permission should demonstrate how they have taken account of urban design issues in their development proposals and that they have had regard to the appropriate plan policies and supplementary planning guidance as required in Planning Policy Statement No1.

The Design and Access statements must:

### **Design**

- explain the design principles and concepts that have been applied to the following aspects of the development:
  - amount – no. of residential units or floor space for other development;
  - layout – the buildings, routes and open spaces and their relationships;
  - scale – height, width and length of buildings;
  - landscaping; and
  - appearance – the visual impression and built form of the development;
- demonstrate the steps taken to appraise the context of the development (i.e. the physical, social, economic and policy) and how the design of the development takes this context into account in relation to its proposed use and each of the aspects listed above;

## Access

Access statements need to include vehicular and transport links (vehicles, cycles and pedestrian), why access points and routes have been chosen and how the site responds to road layout and public transport provision. Inclusive access – how everyone can get to and move about the place on equal terms regardless of age, disability, ethnicity or social grouping.

- explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- state what, if any, consultation has been undertaken on issues relating to access to the development, and what account has been taken of the outcome;
- explain:
  - how any specific issues which might affect access to the development have been addressed;
  - how prospective users of the development will be able to gain access to the development from the existing transport network;
  - why the main points of access to the site and layout of access routes within the site have been chosen; and
  - how features, which ensure access to the development, will be maintained.

## **Energy Assessments**

To include the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards.

## **Environmental Impact Assessment**

Environmental Impact Assessments are required for very large, complex and potentially intrusive developments that are likely to have significant environmental effects and meet the Government's Schedule 1 and Schedule 2 criteria.

Guidance on this issue can be found within the Essex Planning Officers' Association booklet 'The Essex Guide to Environment Impact Assessment'.

## **Flood Impact Assessment**

The Environment Agency has notified us of large areas with the District that are at risk from flooding. Much of the area is protected by existing flood defences, but may be at risk should these defences fail. Within these areas all significant built development and some changes of use may need a Flood Risk Assessment to establish the impact of the development on the flood plain and the level of risk to occupiers and users of the land. If your site falls within a defined flood plain we recommend that you contact the Environment Agency as soon as possible to discuss whether or not a flood risk assessment is required. We can tell you if your site lies in the floodplain or you can check the Environment Agency's website; details can be found in the contacts section.

## **Historical and Archaeological Assessment**

To include plans showing historic features that may exist and an assessment of archaeological impact as appropriate.

## **Lighting Assessment**

To include details of the number, type, location and intensity of any lighting installation proposed and a light pollution assessment

## **Listed Building and Conservation Area Appraisal**

To include a schedule of works to the Listed Buildings and an assessment of the impact of the development or the setting of a Listed Building or adjacent Listed Buildings, including the impact on the character and appearance of the Conservation area as appropriate.

## **Noise Impact Report**

To indicate noise impact and mitigation measures for development where noise is an issue.

## **Protected Species Survey**

Where there is the possibility that a site may contain protected species, such as bats, badgers or great crested newts we will expect the application to be accompanied by a survey to establish their presence or absence. Where species are known to exist the application should contain details of the proposed works to mitigate any harm that may be caused.

## **Retail Assessment**

To include the need for the development, why it is an appropriate scale, that there are no sites within or close to

the town centre for the development, there are no unacceptable impacts on the existing town centre and the location is accessible.

### **Sunlight/Daylight Assessment**

Assessment of any potential adverse impact upon current levels of sunlight/daylight enjoyed properties and buildings.

### **Supporting Planning Statement**

To include how the development accords with Development Plan Policies and supplementary planning guidance.

### **Sustainability Appraisal**

To include details of the elements of the scheme that address sustainable development issues including for positive environmental, social and economic implications.

### **Transport Assessment/Travel Plan**

A transport Assessment normally has three elements:

- An assessment of travel characteristics.
- Measures that could influence travel to the development.
- A description of the transport impact of the development and how this will be mitigated.

It should illustrate accessibility to the site by all modes of travel and likely percentage split of journeys. It should also give details of proposals to improve access by public transport, walking and cycling, to reduce the need for parking associated with the development and to mitigate any transport impact. The assessment should also consider the possible impact on safety, congestion and local community (e.g. overflow parking).

You should discuss the scope of your Transport Assessment as soon as possible with representatives from Essex County Council Highways Section. As well as describing measures that will be taken to influence travel to the development as part of the transport assessment, heads of terms of a Travel Plan will usually be required.

### **Tree Survey**

An arboriculturalist with experience in the protection of trees on development sites should carry out the survey/report in accordance with BS 5837 2005.

### **Utilities Statement**

To include how the application connects to existing utility infrastructure systems

### **Valid Applications**

Central government expects local planning authorities to determine 60% of major applications, including the completion of associated legal agreements, within 13 weeks of the date of validation. The targeting of applications for a decision within this deadline will limit the opportunity to negotiate and make changes to the submitted scheme.

The circumstances where developments can be modified following submission and validation are limited to those amendments which are concerned with matters of detail so that the proposal is not changed to one that is materially different. Following validation it will not be possible to submit fresh drawings or modifications that alter fundamentally the nature and description of the proposed development. If this is desired then the submission of a fresh application will be necessary and the appropriate application forms will need to be completed.

In cases where a major application has been made valid but the scheme requires significant revisions in order to make it acceptable or where pre-application advice to overcome problems with the scheme has been ignored by the applicant, the application will be determined un-amended.

## **Typical Timetable for Major Applications**

Publication of this typical timetable for major application in Rochford is designed to help applicants work with the Planning And Transportation service to secure planning decisions as soon as possible and to provide a clear structure for the handling of such applications. Developers need to bear these requirements in mind when preparing Major applications or when commissioning architects and planning consultants to act on their behalf.

The Planning and Transportation Service will determine Major Planning Application decisions within 13 weeks, unless there are exceptional circumstances.

The Government and Rochford District Council regard pre-application phase of the application process as a vital stage in the delivery of a modern planning service and reasonable approach to dealing with major schemes. Applicants who fail to devote sufficient time and effort to it run a much greater risk of an early refusal of planning permission.

Inadequate attention to the pre-application phase will almost inevitably lead to the refusal of planning permission, because insufficient time is then available for the Council to agree acceptable proposals, to engage local communities properly, and to assess and determine the applications within the 13-week target. Please bear this in mind. The Planning and Transportation service welcomes applicants who want to develop in genuine partnership with the Council and local communities, and will do everything possible to assist you.

## Contact List

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Environment Agency <b><a href="http://www.environment-agency.gov">www.environment-agency.gov</a></b>  The following link will highlight the areas at risk of flooding with the District.  <b><a href="http://192.168.100.1/rochforddcintranet/main.asp?page=3038uk">http://192.168.100.1/rochforddcintranet/main.asp?page=3038uk</a></b>	



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