



VALIDATION REQUIREMENTS FOR THE SUBMISSION OF PLANNING APPLICATIONS

Effective from Monday 6th February 2023

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1 THE SCOPE AND AIM OF THIS DOCUMENT

- 1.1 The aim of this document is to set out what information will be required to submit a valid planning application and to enable Kirklees Council, the Local Planning Authority (LPA), to provide an efficient and effective registration and validation service. It has been produced in accordance with guidance at Paragraph 44 of the National Planning Policy Framework (NPPF), which advises that Local Planning Authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years. It also confirms that local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
- 1.2 The document is intended to benefit all customers of the Local Planning Authority by:
- Increasing the awareness of the types of information required to ensure an application is validated
 - Promoting the use of pre-application discussions and advice, which will provide further guidance on validation requirements
 - Speeding up the registration process
 - Ensuring consistency in the approach taken by Kirklees Council
 - Increasing the use of electronic delivery
 - Minimising the need for additional information being requested during the planning process
 - Avoiding delays during the planning process
 - Enabling Kirklees Council to provide applicants with certainty as to the information required.

Information about the pre-application advice service Kirklees Council provide can be found at [Pre-Application Advice](#)

- 1.3 FAILURE TO PROVIDE THIS INFORMATION WITHIN THE RELEVANT TIMESCALES OR THE PROVISION OF INSUFFICIENT INFORMATION MAY RESULT IN DELAYS, NON-DETERMINATION OR REFUSAL OF YOUR APPLICATION.**

2 THE VALIDATION PROCESS

- 2.1 On average Kirklees Council's Validation Service takes 10 working days to validate and check a planning application when sufficient information has been provided.
- 2.2 Information required can be split into two categories:
- **National Requirements:** As required by [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) (DMPO) and the [Town and Country Planning \(Listed Building and Conservation Areas\) Regulations 1990](#) and
 - **Local Requirements** (set by the Local Planning Authority), which are also set out in this document.

- 2.3 The DMPO (2015) defines which category your planning application falls into e.g. major, minor or a householder application. Please refer to the glossary at [APPENDIX 1](#) for definitions.

3 MISSING INFORMATION

- 3.1 If information required by the national and local lists is not provided, a notification will be sent to the agent (or applicant if there is no agent) giving 7 days to submit the outstanding information. If this information is not provided within 7 days, a further notification will be sent giving an additional 3 days. Unless an extension to this time period is agreed, if information is still missing after that time, the application will be closed, a refund of the planning fee will be arranged and any submitted information will be disposed of. The information will not be returned, and the application will need to be resubmitted in full. As set out in Section 8.1 below, should the applicant disagree with the LPA requirements for a specific application, informal discussions between the applicant and Case Officer should initially take place in order to resolve issues.

4 INFORMATION REQUIRED AND HOW TO SUBMIT IT

- 4.1 This document sets out the validation requirements for all types of planning application. The information required for the processing of the following types of application are detailed separately and are also set out in statutory documents to which applicants should refer:
- Applications to modify or discharge a planning obligation
 - Application for approval of details reserved by condition (Discharge of condition)
 - Hedgerow Removal Notice application
 - Notification for Demolition
 - Permission in Principle (PiP) and Technical Details Consent (TDC)
 - Prior Notifications/Approvals
 - Application for removal or variation of a condition following grant of planning permission (S73 or S73a)
 - Non-material amendment (NMA) (S96)
 - Wind Energy applications
- 4.2 Applications can be submitted electronically via email, via the Planning Portal or by post. Most are submitted electronically via the [Planning Portal](#) or they can be emailed direct to planning.portal@kirklees.gov.uk Where the application is submitted electronically, no paper copies are required at submission. The council do accept application submissions on CD, DVD and Drop Box but unfortunately, it is unable to accept submissions in any other electronic format e.g. USB devices.
- 4.3 When submitting a hard copy application by post, one copy is required.
- 4.4 When submitting via the Planning Portal it is beneficial to upload any drawings with full and detailed titles and drawing numbers. This will help to speed up the processing of the application. Please note there is a charge for submitting most application types via the planning portal.

- 4.5 Checklists have been provided in [APPENDIX 2](#) to help ensure that all the relevant information has been provided in order to validate the application. Please submit a completed copy of the checklist with your application.

5 THE DEVELOPMENT PLAN AND PLANNING GUIDANCE

- 5.1 The Development Plan in Kirklees currently includes the Kirklees Local Plan and, in applicable areas, the Holme Valley Neighbourhood Development Plan¹. Details of further emerging Neighbourhood Plans can be found at: [Neighbourhood planning | Kirklees Council](#)
- 5.2 A range of Supplementary Planning Documents (SPD) have been adopted by the council². These apply a 'comply or justify' approach. If proposals are not in accordance with such guidance, it is beneficial to the decision making process if applicants submit such justification as part of the initial planning application submission.
- 5.3 References to the National Planning Policy Framework (NPPF) relate to the July 2021 Framework. Applicants will need to refer to the most up to date NPPF at the time of their application.

6 DATA PROTECTION AND PRIVACY

- 6.1 Where there is a need to submit information considered 'personal data' or 'sensitive personal 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 it should be marked as confidential.
- 6.2 The definition of 'personal data' and 'Sensitive Personal Data' can be found on page 8 of the Information Commissioner's Office (ICO) [Guide to the General Data Protection Regulation \(GDPR\)](#). It will include, for example, personal circumstances and health information.
- 6.3 You should also be aware that Kirklees Council is a data controller under the data protection legislation as we collect and process personal information about you in order to provide planning services and meet our statutory obligations. The council's [privacy notice for Development Management](#) explains:
- Why the council ask for your personal information
 - How that information will be used
 - How you can access your records

¹ Kirklees Development Plan (www.kirklees.gov.uk/localplan)

² <https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx>

7 PLANNING FEES

- 7.1 A fee calculator is available on the Planning Portal [website](#)
- 7.2 If submitting via the Planning Portal, applicants/agents can pay by credit or debit card online direct to the Planning Portal.
- 7.3 If submitting electronically to the council via email, a reply will be sent with the relevant planning reference number. The email will also set out how to pay the planning fee by credit card. It is also possible to pay by BACS quoting the reference number that has been issued. **Please note no cash or cheque payments are accepted.**
- 7.4 Applications can be submitted electronically to planning.portal@kirklees.gov.uk

8 DISPUTES

- 8.1 Should the applicant disagree with the LPA requirements for a specific application, informal discussions between the applicant and Case Officer should take place in order to resolve issues.
- 8.2 In the event that issues cannot be resolved and the applicant considers that the information requested does not meet the 'statutory tests', the applicant should send the LPA a notice under Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. See also Section 62 (4A) of the Town and Country Planning Act and Article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 8.3 The 'statutory tests' require that information should be:
 - Reasonable having regard, in particular, to the nature and scale of the proposed development and
 - About a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 8.4 On receipt of the Notice, the LPA will respond with either a Validation Notice stating the information is no longer required or a Non-Validation Notice stating the information is still required to process the application.
- 8.5 The timescales for this process depend on the type of application as follows:
 - 16 weeks – applications subject to an Environmental Impact Assessment (EIA)
 - 13 weeks – applications for major development
 - 8 weeks – applications for all other development types
- 8.6 Further information can be found in the [Planning Practice Guidance: Making an Application](#)

9 NATIONAL REQUIREMENTS

This information is required for validation by [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) (DMPO), the [Town and Country Planning \(Listed Building and Conservation Areas\) Regulations 1990](#) and National Planning Policy Guidance.

Section A: List of National Requirements

- Table 1:
 - Application Form
 - Ownership Certificates
 - Planning Fee
 - Design and Access Statement
 - Outline Planning Applications where access is reserved: Indicative Access Details
 - Fire Statement
 - Wind Turbines Statement of Community Involvement

- Table 2:
 - Plans Required (as appropriate)

- Table 3:
 - Environmental Impact Assessment (EIA) / Environmental Statement (ES)
 - Flood Risk Assessment (FRA)
 - Flood Risk Sequential and Exception Test Evidence

Table 1 Section A: List of National Requirements

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
Application form	ALL types of application	All sections of the application form must be answered. The declaration must be signed and dated.	Planning Portal https://www.planningportal.co.uk Download forms for electronic submission/printable versions: Planning application forms
Ownership Certificates	ALL types of application, except advertisement consent applications	Certificate A, B, C or D must be completed stating the ownership of the property. It is an offence, knowingly or recklessly, to complete a false or misleading certificate.	Link to ownership notices (Kirklees Council website) https://www.planningportal.co.uk/
Planning Fee	ALL applications unless specific exemptions from payment apply ³	The appropriate fee must be paid.	Planning Portal Fee Calculator
Design and Access Statement (DAS)	<p>i. All applications for major development, including applications for approval of reserved matters if the original outline permission did not have a statement submitted with it</p> <p>ii. Development within a Conservation Area (CA) for:</p> <p>a) One or more dwelling</p> <p>b) Building(s) where floorspace is 100m² or more</p>	<p>For all applications where a DAS is required, it must:</p> <p>(a) Explain the design principles and concepts that have been applied to the development</p> <p>(b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account, to include the particular characteristics of the application site and its wider setting</p> <p>(c) Explain the approach to access, and how policies relating to access in relevant local development documents have been taken into account</p> <p>(d) State what, if any, consultation has been undertaken on issues relating to access to the</p>	<p>Planning Portal guidance on a Design and Access Statement: https://www.planningportal.co.uk/faq/51/what-is-a-design-and-access-statement</p> <p>Planning Practice Guidance: https://www.gov.uk/guidance/making-an-application</p>

³ The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
	<p>iii. Listed Building Consent applications.</p> <p><u>Excluded:</u> Applications for engineering/mining/waste /change of use.</p>	<p>development and what account has been taken of the outcome of any such consultation</p> <p>(e) Explain how any specific issues which might affect access to the development have been addressed.</p>	
Indicative Access Details	Outline planning applications where access is a Reserved Matter	The submission must provide details of the area or areas where access points to the development proposed will be situated.	Town and Country Planning (Development Management Procedure) Order (England) 2015 - Article 5(3) (DMPO)
Fire Statement	<p>For applications involving ‘relevant buildings’ defined as:</p> <ul style="list-style-type: none"> • Buildings that contain two or more dwellings (including flats) or educational accommodation <u>and</u> • Meet the height condition of 18m or more in height, or 7 or more storeys. <p>Unless an exemption applies (please refer to the Fire safety and high rise residential buildings NPPG [June 2021] for specific guidance)</p>	<p>Fire statements must be submitted on a form published by the Secretary of State (or a form to similar effect) and contain the particulars specified or referred to in the form, which includes the following information (not an exhaustive list):</p> <ol style="list-style-type: none"> The principles, concepts and approach relating to fire safety that have been applied to each building in the development The site layout Emergency vehicle access and water supplies for firefighting purposes What, if any, consultation has been undertaken on issues relating to the fire safety of the development and what account has been taken of this How any policies relating to fire safety in relevant local development documents have been taken into account 	<p>Fire safety and high-rise residential buildings (from 1 August 2021) - GOV.UK (www.gov.uk)</p>

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
<p>Wind Turbines Statement of Community Involvement</p>	<p>For applications involving 2 or more wind turbines or where the hub height of any turbine exceeds 15 metres in height. Exception: Section 73 applications</p>	<p>For this type of application, a person must carry out pre-application consultation with the community/affected persons/neighbours.</p> <p>In summary, a prospective applicant for planning permission must:</p> <ul style="list-style-type: none"> i. Publicise the proposal in such a way as the applicant reasonably considers is likely to bring it to the attention of a majority of the people who live at, or otherwise occupy, premises in the vicinity of the land ii. Set out how persons may contact them regarding the proposal. The applicant must give sufficient information about the proposed timetable to ensure that people wishing to comment on the proposed development may do so in good time iii. If they decide to go ahead with making an application for planning permission, have regard to any responses received when finalising the application to be submitted iv. When submitting their application explain how the local community has been consulted, what comments have been received, and how account has been taken of those comments. <p>These are minimum requirements. It is in the prospective applicant's interest to conduct pre-application consultation to an appropriate standard.</p>	<p>Section 61W of the 1990 Town and Country Planning Act DMPO Part 2, Paragraphs (3) and (4)</p>

Table 2 Plans required (as appropriate)

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
Location Plan	ALL applications (except applications for approval of details reserved by condition and Section 73 applications)	<p>A location plan must be provided as follows:</p> <ul style="list-style-type: none"> • Provided at a metric scale (preferably 1:1250 or 1:2500) and ideally scaled to fit onto A4 or A3 • Provided on an up-to-date map • Show the site area edged in red. This should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings) • Plans should show at least two named roads (where relevant) and surrounding buildings. • The properties shown should be numbered or named to ensure that the exact location of the application site is clear • A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site • Indicate a north point 	<p>Planning Portal guidance on where to buy a planning map: https://www.planningportal.co.uk/homepage/4/buy_a_planning_map</p>
Site Layout Plan or Block Plan	ALL applications	<p>A site layout or block plan must be provided as follows:</p> <ul style="list-style-type: none"> • Plans provided for both existing and proposed • Provided at a metric scale (1:200 or 1:500) and ideally scaled to fit onto A4 or A3 • Provided on an up-to-date map • Indicate a north point • Show the proposed development in relation to site boundaries, other existing buildings on the site, adjoining properties and the immediate area. This includes named roads and public rights of way (PROW) (if the PROW will influence or will be affected by the proposed development) • Show the position of trees 	

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
		<ul style="list-style-type: none"> • Show changes in levels, boundary treatment, vehicular/pedestrian access and parking. • House names and road names should be labelled. • If the site area is edged in red this must match the location plan provided. • If connecting to existing drainage system, this should be indicated. • The proposed locations and sizes of refuse storage and collection areas. 	
Existing and Proposed Elevations	ALL applications proposing new buildings or alterations to the exterior of an existing building	<ul style="list-style-type: none"> • Provided at a metric scale usually 1:50 or 1:100 • Must show all existing and proposed elevations including any blank elevations (unless visibility is completely obscured e.g. attached to another building) • Must match relevant existing/proposed floor plans • Be clearly labelled e.g. north, west etc. or north point indicated. The council will not accept descriptions such as front, back side etc. unless this is provided in addition to the direction • Where a proposed elevation adjoins/is in close proximity to another building, the relationship between the two should be shown. 	
Existing and Proposed Floorplans	ALL applications proposing new buildings, extensions or change of use.	<ul style="list-style-type: none"> • Existing floor plans • Proposed floor plans 	
Streetscene Plan	ALL applications that would result in a proposal that would increase the height of a building adjacent to an existing building or for the erection of new buildings.	To ensure that the council has sufficient information to understand what is proposed, the existing and proposed development should be shown. It should be annotated with the overall proposed building height (AOD) of the application site and neighbouring properties	

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
Roof Plans	ALL applications involving the construction of new buildings and ALL householder applications for extensions to existing dwellings.	<ul style="list-style-type: none"> Plan should be provided at a metric scale usually 1:50 or 1:100 	
Existing and Proposed Site Levels	ALL applications involving new buildings or floor space and any application that involve groundworks and /or engineering operations e.g. access tracks, hard surfaced areas, re-grading of land where there are any changes in level across the site or a change to ground level and it would add to the understanding of the proposal.	<ul style="list-style-type: none"> This information can be shown on the existing and proposed site layout plan or block plan. Please include off site levels of land and buildings immediately adjoining the site where feasible. Include Finished Floor Levels (FFL) relative to a fixed and identifiable datum point (preferably Ordnance datum) which is identified on the plan. The datum point must not be taken from any structures which are to be demolished or can be moved. 	
Existing and Proposed Sections	<ul style="list-style-type: none"> i. ALL MAJOR development ii. Any proposals where cut and fill operations are proposed iii. Proposals on sloping or uneven land or sites where immediately adjoining land is on a different level 	<ul style="list-style-type: none"> Identify FFLs and ridge levels of buildings Identify existing and proposed site levels Show sections through the land and indicate clearly on the site plan where the sections have been taken Show existing and proposed development in relation to land/properties adjoining the site including street scene sections front and back. Provide a plan showing the points between which the cross section has been taken. 	
Demolition plans (1:500)	Where demolition is proposed to part, the whole or a number of buildings on site.	<ul style="list-style-type: none"> Identify the buildings/part of building to be demolished (preferably identified in a different colour for clarity). 	

General requirements for plans

TYPE OF INFORMATION	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE?
Plans - General Requirements	<p>Where plans are submitted, they must meet the following requirements:</p> <ul style="list-style-type: none"> • Be drawn to an identified standard metric scale • Linear scale bar shown • Submitted in an A3 or A4 format or set to be printable in A3 or A4 format depending on the scale of the development • An acceptable quality that is clear and legible • Plans submitted electronically must be uploaded in the orientation and at the scale indicated on the plan • Named and titled in a logical manner, reflecting their content • Each plan numbered. If not, Kirklees Council will add numbers as necessary • State 'indicative' where appropriate surveys have not been completed e.g. street scenes or details not being agreed as part of the application • Where outline permission is sought, any indicative plans should be submitted on a separate plan to any plans to be approved. • Elevations labelled North, South etc. • 'Do not scale' should be removed and replaced with 'Do not scale for construction purposes' if necessary. • Provide a legible road name(s) where relevant. 	See checklist in Appendix 2

Table 3 Other National Requirements determined through other legislation/guidance

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
Environmental Impact Assessment (EIA) / Environmental Statement (ES)	<p>All applications requiring an EIA as determined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the '2017 Regulations')</p> <p>National Planning Practice Guidance (Environmental Impact Assessment)</p>	<p>The requirement for an EIA and content of an ES is subject to the following stages:</p> <ol style="list-style-type: none"> 1. Screening – determining whether a project falls within the remit of the 2017 Regulations 2. Scoping – determining the extent of issues to be considered in the assessment and reported in the ES following advice from the council (scoping opinion) 3. Preparing the ES – this must include at least the information reasonably required to assess the likely significant environmental effects of the development listed in regulation 18(3) and comply with regulation 18(4) of the 2017 Regulations. 	<p>National Guidance on EIA (NPPG)</p>
Flood Risk Assessment (FRA)	<p>As defined within the NPPG:</p> <p>Most developments within a flood zone including:</p> <ul style="list-style-type: none"> • All developments of more than 1ha in Flood Zone 1 • All developments in flood zone 2 or 3, including minor development and change of use. • Less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (here they could be affected by sources of 	<p>The objectives of a site-specific FRA are to establish:</p> <ul style="list-style-type: none"> • Whether a proposed development is likely to be affected by current or future flooding from any source • Whether the measures proposed to deal with these effects and risks are appropriate • The evidence for the LPA to apply (if necessary) the Sequential Test (see below) • Whether the development will be safe and pass the Exception Test (if applicable, see below). <p>It should follow the guidance on how to do a flood risk assessment within the Government's National Planning Practice Guidance. Where applicable, a site layout plan showing the extent of flood zones adds clarity for all parties.</p>	<p>Calder Catchment Strategic Flood Risk Assessment (SFRA)</p> <p>Guidance on Flood Risk Assessments</p> <p>National Planning Practice Guidance (NPPG)</p>

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p>flooding other than rivers, for example surface water drains, reservoirs)</p> <ul style="list-style-type: none"> On an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency 	<p>The Environment Agency’s standing advice should be followed for:</p> <ul style="list-style-type: none"> A minor extension (household extensions or non-domestic extensions less than 250 square metres) in flood zone 2 or 3 ‘more vulnerable’ in flood zone 2 (except for landfill or waste facility sites, caravan or camping sites) ‘less vulnerable’ in flood zone 2 (except for agriculture and forestry, waste treatment, mineral processing, and water and sewage treatment) ‘water compatible’ in flood zone 2 Involving a change of use into one of the vulnerable categories or into the water compatible category. 	
<p>Flood Risk Sequential and Exception Test Evidence</p> <p>As defined by the NPPG: FRA: the sequential test for applicants</p>	<p><u>Sequential Test</u></p> <ol style="list-style-type: none"> All applications (except minor and changes of use) within flood zones 2, 3a, 3ai and 3b <u>unless</u> one has already been carried out for the same use as part of a site allocation in the Kirklees Local Plan. A change of use to caravan, camping chalet, mobile home or park home site require sequential test 	<p><u>Sequential Test</u></p> <p>The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. It should broadly include the following:</p> <ul style="list-style-type: none"> Information about your proposed site - the name and location of the site that is proposed for development and an explanation of why you chose that specific site. Information about alternative sites within an area to be agreed with the council, typically through a formal pre-application process. 	<p>Calder Catchment Strategic Flood Risk Assessment (SFRA)</p> <p>See following links to NPPG for information about sequential tests and exception tests:</p> <p>Sequential and Exception Test Guidance</p> <p>Planning Practice Guidance: Flood Risk Assessment: the sequential test for applicants</p> <p><u>Following a successful Sequential Test, the information below should be considered:</u></p>

TYPE OF INFORMATION	WHEN IT IS REQUIRED	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p><u>Exception Test</u> This is only applied following application of the Sequential Test for the following:</p> <ul style="list-style-type: none"> i. Highly vulnerable development in Flood Zone 2 ii. Essential infrastructure and more vulnerable development in Flood Zone 3a iii. Essential infrastructure in Flood Zone 3b 	<p><u>Exception Test</u> The exception test shows how flood risk on the proposed site will be managed.</p> <p>It needs to show that the sustainability benefits of the development to the community outweigh the flood risk.</p> <p>It also needs to demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users and that it won't increase flood risk elsewhere. It should refer to your flood risk assessment and the council's strategic flood risk assessment.</p>	<ul style="list-style-type: none"> • NPPF Annex 3 – Flood risk vulnerability classification • NPPG Table 3 – Flood risk vulnerability and flood zone 'compatibility' <p>As well as the planning applications process, some works may also require an Environmental Permit from the Environment Agency</p>

10 LOCAL LIST REQUIREMENTS

The Local Planning Authority (LPA) will only require information considered to:

- Be reasonable having regard to the nature and scale of the development; and
- Relate to matters that it is reasonable to think will be a material consideration in the determination of the application.

THE LIST MAKES REFERENCE TO POLICIES WITHIN THE KIRKLEES LOCAL PLAN (FEBRUARY 2019) (KLP) AS WELL AS RELEVANT SUPPLEMENTARY PLANNING DOCUMENTS AND CABINET ADOPTED GUIDANCE. IN THE APPLICABLE AREA, APPLICANTS SHOULD ALSO REFER TO THE HOLME VALLEY NEIGHBOURHOOD DEVELOPMENT PLAN AS WELL AS OTHER NEIGHBOURHOOD DEVELOPMENT PLANS WHICH ARE MADE (BROUGHT INTO FORCE).

Section A: List of Local information Requirements (alphabetical order)

- Table 4:
 - Affordable Housing Provision
 - Affordable Housing Financial Viability Assessment
 - Agricultural/Forestry (Rural) Workers Dwelling Justification Statement
 - Agricultural/Forestry Building Justification Statement
 - Air Quality Impact Assessment
 - Biodiversity Net Gain
 - Climate Change Statement
 - Coal Mining Risk Assessment
 - Community Facilities and Services: Evidence/Statement to justify loss
 - Crime Prevention Statement
 - Drainage details
 - Drainage Strategy (Surface Water)
 - Ecological Surveys and Reports
 - Foul Drainage Assessment
 - Habitat Regulations Assessment – Info to support screening and/or Appropriate Assessment
 - Health Impact Assessment
 - Heritage Statement or Heritage Impact Assessment
 - Land Contamination Assessment
 - Landfill Statement
 - Lighting Assessment
 - Main Town Centre Uses – Sequential Test
 - Main Town Centre Uses – Impact Assessment
 - Noise Impact Assessment

- Open Space/Sport and Recreation Building and Land Assessment
- Planning Statement and Summary of Application
- Priority Employment Areas: Statement to support loss to a non-employment use
- Schedule of Residential Accommodation
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Sunlight / Daylight Assessments
- Transport Assessment/Transport Statement
- Travel Plan
- Tree (Arboricultural) survey and reports in accordance with BS 5837
- Ventilation/Extraction Details
- Viability Appraisal
- Water Bodies Assessment
- Wind Microclimate Assessment

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Table 4 Section A: List of Local information Requirements

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
Affordable Housing Provision	ALL applications for more than 10 dwellings (and smaller developments where a masterplanned approach is applicable to multiple sites)	KLP Policy LP11 Interim Affordable Housing Policy 2020	Information setting out the proposed quantity of affordable housing provision. At the full / reserved matters stage, a plan detailing the affordable housing provision to include the following: i. A layout plan to identify the location of the affordable housing units and tenure ii. A schedule setting out the tenure, number of bedrooms per house by plot number, house type, number of storeys and the Gross Internal Area ⁴ of each house/house type proposed.	Interim Affordable Housing Policy 2020 (Kirklees Council) Affordable Housing and Housing Mix SPD (emerging) Kirklees Local Plan Also see 'Schedule of residential accommodation' in this list relating to housing mix
Affordable Housing Financial Viability Assessment	ALL applications for more than 10 dwellings (and smaller developments where a masterplanned approach is applicable to multiple sites) where the scheme cannot meet KLP Policy LP11	KLP Policy LP11 Kirklees Affordable Housing guidance NPPF Chapter 5 NPPG: Viability	A Viability Assessment would be required in the event that the proposed affordable housing provision is not policy compliant.	Interim Affordable Housing Policy 2020 (Kirklees Council) Affordable Housing and Housing Mix SPD (emerging) Kirklees Viability Guidance Note 2020 Guidance on the information required for a Viability Assessment. Kirklees Local Plan

⁴ The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs.

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Agricultural/ Forestry (Rural) Workers Dwelling Justification Statement	Any application involving the creation of an Agricultural/ Forestry (Rural) Workers Dwelling in the Green Belt	KLP Policy LP55 NPPF Para 80 NPPG: Housing Needs for different groups – rural housing	A statement setting out the essential need for the proposal, having regard to guidance within the NPPG section ' <i>Rural Housing - How can the need for isolated homes in the countryside for essential rural workers be assessed?</i> '	Kirklees Local Plan NPPG Housing Needs of Different Groups
Agricultural/ Forestry Building Justification Statement	All applications for new agricultural or forestry buildings in the Green Belt.	KLP Policy LP54 NPPF Section 13	Evidence to demonstrate that the building is genuinely required in connection with an agricultural or forestry enterprise, including: <ul style="list-style-type: none"> ○ The type of agriculture carried on and the amount and type of any livestock ○ The overall size of the holding including its tenure ○ Floorspace and proposed content of the building ○ Whether any building on the holding has recently been sold or converted to another use. 	Kirklees Local Plan
Air Quality Impact Assessment (AQIA) (including Monetary Damage Cost Assessments)	Development that is within or adjacent to an Air Quality Management Area (AQMA) Development of C1, C2, C3, C4 (residential) & F1 (learning and non-residential institution) within 20m	KLP Policy LP51 NPPF Section 15 Para 186 NPPG	An Air Quality Impact Assessment should demonstrate that the proposed development will not impact existing air quality or subject sensitive receptors to harmful concentrations of air pollutants. Where a development has been classified as 'major', in accordance with the West Yorkshire Low Emissions Strategy (WYLES) Planning Guidance Document, a monetary damage cost assessment must	Kirklees Local Plan Air Quality NPPG West Yorkshire Low Emissions Strategy 2016-2021 (Dec 2016) Air Quality and Emissions Technical Planning Guidance (West Yorkshire Low Emissions Group) (Nov 2014)

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	<p>of a road with 10,000 Annual Average Daily Traffic (AADT)</p> <p>Development defined as Major development in accordance with the West Yorkshire Low Emission Strategy (WYLES) Planning Guidance Document</p> <p>Industrial development where emissions could affect the surrounding neighbourhood</p> <p>Significant new car parking of 100 or more spaces outside an AQMA or 50 or more spaces inside an AQMA</p> <p>Biomass boilers or biomass fuelled plant</p> <p>Construction sites that would generate large HGV flows (>200 movements per day)</p>		<p>be carried out, which should also include proposed mitigation measures. The monetary value of the mitigation measures should be reflective of predicted damage cost. Where this cannot be achieved, a section 106 agreement may be required for the council to deliver schemes to offset the damages from the development</p> <p>Assessments need to be proportionate to the nature and scale of the development proposed as defined in the WYLES Planning Guidance Document, taking into account existing air quality conditions.</p>	<p>Map Road traffic statistics - Road traffic statistics (dft.gov.uk)</p>

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	over a period of a year or more			
<p>Biodiversity Net Gain Statement</p>	<p>All applications must demonstrate a biodiversity net gain where opportunities exist e.g. habitat boxes for householder applications and ecological design strategies for minor applications.</p> <p>For <u>minor</u> applications, this will be considered during the lifetime of an application therefore a BNG Statement is not required at validation stage.</p> <p>All <u>major</u> applications and sites located within the Kirklees Wildlife Habitat Network (excluding householder applications) will be required to demonstrate a net gain of 10% using a metric, as detailed in</p>	<p>KLP Policy LP30</p> <p>NPPF: Section 15 Paragraphs 179, 180 and 182</p> <p>NPPG: Natural Environment</p> <p>The Environment Act</p> <p>Circular 06/2005 – Biodiversity and Geological Conservation</p>	<p>Major applications and those over 0.5ha should include demonstration of a Biodiversity Net Gain of 10% based upon the biodiversity value calculated using the most up to date Biodiversity Metric developed by Natural England. These details can be provided as a separate document, as part of a Planning Statement or within an ecological report. The Biodiversity Net Gain element of the application should be prepared by a suitably experienced ecologist.</p> <p>All proposals should maximise opportunities to enhance and restore biodiversity particularly by adding to, or linking, features or habitats used by protected species/species of principal importance. This should be in addition to a BNG calculation for major applications and include measures such as the installation of bat and bird boxes, habitat piles and refuges or hibernaculum.</p>	<p>Kirklees Local Plan</p> <p>Natural England Biodiversity Metric guidance</p> <p>National Planning Guidance on the Natural Environment (NPPG)</p> <p>Kirklees Biodiversity Net Gain Technical Advice Note (2021)</p>

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	the Kirklees Biodiversity Net Gain Technical Advice Note (2021) .			
Climate Change Statement	<p>ALL applications (including householder applications)</p> <p>The amount of information in the statement should be proportionate to the scale of the proposal.</p>	<p>KLP Policies: LP23, LP26, LP27, LP28, LP30, LP31, LP33, LP35, LP42, LP43, LP47, LP51 and LP52</p> <p>NPPF Section 14 Para 153</p>	<p>The Climate Change Statement should respond to the council’s declaration of a Climate Change Emergency. It should demonstrate how the development contributes towards the transition to a low carbon economy.</p> <p>Detailed guidance is set out on the council’s website. The statement should at least include:</p> <ul style="list-style-type: none"> • How a layout has been designed to minimise the consumption of energy e.g. orientation, connection to sustainable forms of transport, use of renewable/low carbon energy sources. • How a building is designed to reduce energy consumption e.g. orientation, solar gain, insulation, renewable energy, waste minimisation, water management (including climate adaptation and resilience) and sustainable sourcing of materials. 	<p>Kirklees Local Plan</p> <p>Kirklees Climate Emergency</p> <p>Climate Change: The Planning Response and Guidance Note for Developers (June 2021) and template</p> <p>WYCA Sustainable Drainage Guidance (SuDS) 2020</p>
Coal Mining Risk Assessment	All non-householder applications within the ‘Development High Risk Areas’ as defined by the Coal Authority,	KLP Policy LP53 NPPF Section 17	Content of the Coal Mining Risk Assessment should be based on the guidance provided in National Planning Practice Guidance ‘ content of a coal mining risk assessment ’.	Kirklees Local Plan See linked guidance documents for the Coal Risk Areas Map and exemptions .

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	unless on the 'exemption list'	NPPG: Land Stability/ Land Affected by Contamination		
Community Facilities and Services: Evidence/ Statement to justify loss	All applications where the proposal involves the loss of land or premises presently or last in community use. This includes uses which are associated with statutory undertakers. These are bodies that have been given statutory powers in relation to functions that are of a 'public character'. For example, the Post Office, Civil Aviation Authority, utilities suppliers, sewerage. Note: Sport and Leisure facilities are dealt with under the KLP policy LP50 Sport and physical activity.	KLP Policy LP48	A supporting statement to address at least one of the criteria (a) to (d) set out in Policy LP48 of the Kirklees Local Plan with reference to the appropriate paragraphs 17.17 to 17.20.	Kirklees Local Plan
Crime Prevention Statement	<ul style="list-style-type: none"> • All major applications • All external cash machines • All applications for new hotels, 	KLP Policy LP24 NPPF Section 8 Paragraph 92b NPPF Section 12	A demonstration that the development has been designed and would be built to minimise the risk of crime and maximise safety for the community.	Kirklees Local Plan NPPF Healthy and Safe Communities National Design Guide

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	<p>schools, health care facilities, community centres, places of worship and day nurseries over 150m²</p> <ul style="list-style-type: none"> • All applications for new or extensions to recreation or leisure facilities • All late night pubs/bars/nightclubs/takeaways/restaurants and areas of outdoor seating • Car parks where more than 50 parking spaces are created • Development involving the creation of critical significant infrastructure e.g. water, gas, electricity • Transport infrastructure e.g. tram/bus/coach/train stations 	<p>Paragraph 130</p> <p>NPPG ‘Supporting Safe Communities’</p> <p>National Design Guide (Oct 2019)</p> <p>Section M3 – Parking – Paragraph 86.</p> <p>Section P2 – Public Spaces – Paragraphs 104 and 105.</p> <p>Section H1 – Homes & Buildings – Paragraphs 124, 128 and 131.</p> <p>Crime and Disorder Act 1998, Section 17</p> <p>NPPF Section 8</p>	<p>The LPA expects all proposals to follow the FIVE evidence based principles of Crime Prevention through Environmental Design (CPTED)1 & 2:</p> <ul style="list-style-type: none"> • Surveillance • Movement control • Management and maintenance • Defensible space • Physical security <p>Physical security measures to be implemented shall seek to achieve the ‘Secured by Design’ accreditation (as assessed by West Yorkshire Police) where appropriate in accordance with a range of planning considerations which will be considered during the assessment of the planning application.</p> <p>The Crime Prevention Statement could be a separate document or form part of the Design and Access Statement where applicable. The information will include the above five CPTED principles and set out the crime prevention measures proposed.</p> <p>In the interest of Crime Prevention, the Crime Prevention Statement should include details of the proposed provision of street lighting for un-adopted roads and ‘Private Drives’.</p>	<p>Crime Prevention through Environmental Design</p> <p>Secured by Design</p> <p>https://www.securedbydesign.com/images/PCPI_LIGHTING_GUIDE_web.pdf</p>

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Drainage details	For proposals not requiring a Drainage Strategy (such as applications for less than 5 dwellings), details of the proposed drainage solution are still required (excluding householder applications). Drainage details are however required for hard surfacing of domestic gardens where these require planning permission.	KLP Policies: LP27 / LP28 / LP34	<p>Information to demonstrate compliance with Kirklees Local Plan policies LP28 (Drainage) and LP34 (Conserving and enhancing the water environment) including drainage solutions explored as part of the surface water hierarchy.</p> <p>For hard surfacing of an existing domestic garden, where planning permission is required, information will be required about the proposed surfacing materials and the drainage methods.</p>	<p>Kirklees Local Plan</p> <p>https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance</p>
Drainage Strategy (Surface Water)	<p>A Drainage Strategy is required for ALL major applications as well as:</p> <ul style="list-style-type: none"> • applications for 5 or more dwellings • commercial extensions of 500m² or greater • commercial new builds of 500m² or greater • all applications (excluding householders) in flood zones 2 or 3, 	KLP Policies: LP27 / LP28 / LP34	<p>The Drainage Strategy should set out how surface water will be dealt with, showing details on a plan. The details should be proportionate to the scale of the development. The details should include:</p> <ul style="list-style-type: none"> • Detailed site layout at an identified scale. • Topographical survey of the site. • Plans, drawings and specification of SuDS proposed. This should include details of hard construction, soft landscaping and planting. • Calculations of discharge and run-off rates, water storage capacity of the proposals, and demonstration that 	<p>Kirklees Local Plan</p> <p>West Yorkshire Combined Authority Sustainable Urban Drainage Guide: https://www.westyorks-ca.gov.uk/media/5397/lcr-suds-guidance-final-february-2020-1.pdf</p>

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	<p>the 1 in 100 year surface water flood area or containing a watercourse or culvert.</p>		<p>they meet the requirements of the site.</p> <ul style="list-style-type: none"> • Details of any offsite works required, together with necessary consents • Management and maintenance plan for all SuDS. • Geotechnical ground investigation reports to support infiltration/SUDS type schemes. • Flood routes maps with contour drawings. • Justification report to determine why other preferred options on the drainage hierarchy have been excluded. • Details of temporary drainage provision through the construction period. For sites near watercourses this should include setting out the approach to be used to prevent contamination reaching the watercourse. <p>Developers should seek opportunities for sustainable drainage systems within application sites, in preference to connections to watercourses or sewers, to reduce flood risk. These should be incorporated within the layout and form of the development.</p>	

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<p>Ecological Surveys and Reports (in accordance with British Standard BS 42020:2013)</p>	<p>ALL APPLICATIONS AFFECTING A DESIGNATED SITE, PRIORITY HABITAT OR PROTECTED SPECIES including all proposals within, adjacent to, or likely to have an impact on a European site, Local Wildlife Site and/or the Kirklees Wildlife Habitat Network.</p> <p><u>Preliminary Ecological Appraisal</u> Householder applications where there may be impacts on designated sites, priority habitat, protected species or sites within or adjacent to Local Wildlife Sites and/or the Wildlife Habitat Network.</p> <p><u>Ecological Survey Report</u> Householder applications with a reasonable likelihood of affecting a single protected species (e.g.</p>	<p>KLP Policy LP30</p> <p>NPPF Section 15: Paras 179 and 182</p> <p>NPPG: Natural Environment</p> <p>The Conservation of Habitats and Species Regulations 2017 (as amended)</p> <p>Circular 06/2005</p>	<p><u>Householder:</u> Preliminary Ecological Appraisal or Ecological Survey Report for proposals with a reasonable likelihood of affecting protected species (e.g. Great Crested Newts, bats, birds, badgers).</p> <p>A Preliminary Ecological Appraisal is a baseline study to inform the likely significance of ecological impacts from the proposed development. It should be undertaken by a suitably qualified ecologist and it will help inform whether further ecological surveys are required to assess the ecological impacts. The importance of ecological features within the Preliminary Ecological Appraisal should be described on a geographic scale.</p> <p>An Ecological Survey is a survey for habitats and species. It should at least:</p> <ul style="list-style-type: none"> • Identify the presence of important habitats or species • Inform an evaluation of the nature conservation value of the site, to facilitate an assessment of the significance of the impacts of the development for biodiversity • Help identify opportunities to enhance the biodiversity of the site. 	<p>Kirklees Local Plan</p> <p>Biodiversity Net Gain Technical Note June 2021</p> <p>Biodiversity in Planning Web-based planning tool, including a Wildlife Assessment Check that offers householders and small to medium scale developers a simple check to see whether a potential development requires ecological advice.</p> <p>Guidelines for Ecological Impact Assessment.pdf Prepared by the Chartered Institute of Ecology and Environmental Management (September 2018)</p> <p>National Planning Guidance on the Natural Environment (NPPG)</p> <p>Guidelines for Ecological Report Writing Produced by the Chartered Institute of Ecology and Environmental Management (2nd edition December 2017)</p> <p>West Yorkshire Joint Services guidance for developments - ecological validation</p> <p>Minimum Standards for Bat Surveys in West Yorkshire: https://www.wyjs.org.uk/media/1367/150</p>

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	<p>Great Crested Newts, bats, birds, badgers).</p> <p><u>Ecological Impact Assessment (EclA)</u> All other minor applications and all major applications.</p> <p>NB Many ecological assessments are seasonally constrained, as detailed within Appendix 5.</p>		<p>Ecological Surveys usually remain valid for a period of two years.</p> <p><u>All other major and minor applications:</u> An EclA uses information from the Preliminary Ecological Appraisal and any other ecological surveys to quantify and evaluate the potential impacts of development-related or other proposed actions on habitats, species and ecosystems. The EclA should include a characterisation of the impacts to important ecological features and identify any significant ecological effects resulting from these impacts, which should be described using a geographic scale.</p>	<p>603-minimum-standards-for-bat-surveys-version-5-draft-lp.pdf</p>
<p>Foul Drainage Assessment</p>	<p>ALL applications which propose to incorporate a non-mains foul drainage system.</p>	<p>KLP Policy LP27 NPPF Section 14 and Para 167 NPPG: Water supply, wastewater and water quality</p>	<p>All new buildings need separate connections to foul and storm/surface water sewers. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on a drawing(s). In most circumstances surface water is not permitted to be connected to the public foul sewers.</p> <p>Where connection to the mains sewer is not practical, the foul/non-mains drainage assessment (FDA) should demonstrate why the development cannot connect to the public mains sewer system and that the alternative means of</p>	<p>Kirklees Local Plan Foul drainage assessment form Water supply wastewater and water-quality guidance NPPG Guidance</p> <p>For further information see the Environment Agency’s publication: Guidance on the permeable surfacing of front gardens.</p> <p>As well as the planning applications process, details of Environment Agency</p>

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			<p>disposal are satisfactory. As a minimum the Environment Agency's FDA assessment form should be submitted.</p> <p>If the proposed development results in any changes/replacement to the existing system or the creation of a new system, plans of the new foul drainage arrangements will also need to be provided.</p> <p>If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.</p> <p>An application should indicate how the development will treat foul water and any subsequent discharge of the treated effluent including the pipework from the treatment system and to the point of discharge (e.g. field soakaway or surface water body).</p>	<p>Environmental Permit requirements are set out here</p>
<p>Habitat Regulations Assessment Information to support screening and/or Appropriate Assessment</p>	<p>Any application within or adjacent to, or with the potential to impact any of the following European sites:</p>	<p>KLP Policy LP30</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	<p>It is the responsibility of the LPA, as competent authority, to screen applications for 'likely significant effects' on any European site and to undertake an 'appropriate assessment' if likely significant effects are identified.</p>	<p>Kirklees Local Plan</p> <p>Appropriate Assessment: Guidance on the use of Habitat Regulations Assessment (NPPG Guidance)</p> <p>Habitat Regulations Assessments in West Yorkshire</p>

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	<ul style="list-style-type: none"> • Peak District Moors (South Pennine Moors Phase 1) Special Protection Area • South Pennine Moors Phase 2 Special Protection Area • South Pennine Moors Special Area of Conservation • Denby Grange Colliery Ponds Special Area of Conservation 		<p>The nature of the information needed to support this screening or assessment is determined by the LPA on a case-by-case basis. The screening process can be informed with reference to Natural England’s SSSI Impact Risk Zones, also available through the MAGIC interactive map, which indicates when Natural England should be consulted. Screening or appropriate assessment may be undertaken for proposals that do not otherwise exceed the triggers within the SSSI Impact Risk Zones tool where the LPA considers this necessary.</p> <p>Where there is concern, a request for pre-application advice should specifically seek clarification</p>	
<p>Health Impact Assessment (Rapid HIA)</p>	<p>Any MAJOR application comprising:</p> <p>(i) 50 dwellings and above.</p> <p>(ii) A floor space of over 1,000m²</p> <p>AND if the proposed development is in a ward which has been identified to have one or more of the five</p>	<p>KLP Policy LP47</p> <p>NPPF Section 8</p> <p>NPPG: Promoting healthy and safe communities</p>	<p>Health Impact Assessment (HIA) is a structured process that uses evidence, data and intelligence from a range of sources to assess the public health consequences of proposals.</p> <p>The aim of a HIA is to identify the potential health impacts of the proposal based on evidence. It is also to recommend measures to enhance positive impacts and mitigate adverse impacts.</p>	<p>Kirklees Local Plan</p> <p>Kirklees Council Rapid Health Impact Assessment (HIA) for Spatial Planning Guidance Note</p>

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	<p>public health indicators (higher than the Kirklees average), where the land use planning could have an influence (see Table 1): https://www.kirklees.gov.uk/beta/planning-policy/pdf/examination/background-papers/BP23_Local_Plan_Methodology_Statement_Part_2.pdf</p> <p>AND/OR</p> <p>The proposed development is in a ward within Kirklees that has been ranked one of the five most deprived by the Index of Multiple Deprivation (IMD) (see Table 2): https://www.kirklees.gov.uk/beta/planning-policy/pdf/examination/background-papers/BP23_Local_Plan_Methodology_Statement_Part_2.pdf</p>		<p>HIAs promote sustainable developments that support the creation of strong, vibrant and healthy communities, by:</p> <ul style="list-style-type: none"> • Demonstrating that health impacts have been properly considered when preparing, evaluating and determining development proposals. • Ensuring developments contribute to the creation of a strong, healthy and just society. • Helping applicants to demonstrate that they have worked closely with those directly affected by their proposals to evolve designs that take account of the views of the community. • Identifying and highlighting any beneficial impacts on health and wellbeing of a particular development scheme. • Identifying and taking action to minimise any negative impacts on health and wellbeing of a particular development scheme. 	

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Heritage Statement or Heritage Impact Assessment (as appropriate)	<p>ALL applications affecting a heritage asset including:</p> <ul style="list-style-type: none"> • Development within or affecting the setting of a Conservation Area (CA) • Listed Building Consent applications • Planning applications affecting a Listed Building or its curtilage or setting • Applications for relevant demolition in a CA • Applications affecting nationally and locally designated parks/gardens or their setting 	<p>KLP Policy LP35</p> <p>NPPF: Chapter 16: Conserving and Enhancing the Historic Environment</p>	<p>For proposal affecting a Conservation Area or Listed Building, the content of a Statement/Assessment should meet the requirements of Paragraph 189 of the NPPF (2019) and demonstrate that the Heritage Asset has been assessed and understood using best practice methods. This must include an assessment of the significance of its archaeological, architectural, artistic or historic importance and the contribution of its setting to that significance, together with an assessment of the impact of the proposal on that significance.</p> <p>Refer to Appendix 3 for further information, including for applications related to or impacting on the setting of designated heritage assets, for applications for relevant demolition in a conservation area and for applications affecting non-designated heritage assets.</p>	<p>See accompanying Guidance Note on the council's website. https://www.kirklees.gov.uk/beta/trees-listing-and-conservation/heritage-statements.aspx</p> <p>West Yorkshire Historic Environment Record https://www.wyjs.org.uk/archaeology-advisory/ Email: wyher@wyjs.org.uk Telephone number: 0113 535 0157 Address: West Yorkshire Archaeology Advisory Service, Nepshaw Lane South, Morley, Leeds, LS27 7JQ</p> <p>Historic England Historic Environment Good Practice Advice in Planning</p> <p>Managing Significance in Decision-Taking in the Historic Environment https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/</p> <p>The Setting of Heritage Assets https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</p>

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	<ul style="list-style-type: none"> • Applications affecting non-designated heritage assets • Applications affecting a scheduled monument 			
<p>Land Contamination Assessment</p>	<p>A Phase 1 Contaminated Land Report (and possibly also a Phase 2 report and Remediation Strategy) will be required before determining the application if the site is considered to be very likely to be highly contaminated and that satisfactory remediation may not be possible to prevent risks to sensitive end users, mainly on-site but could also include risks to receptors off-site from migrating contamination.</p>	<p>KLP Policy LP53</p> <p>NPPF Section 15 Paragraph 183</p> <p>NPPG</p>	<p>Contaminated land report should be completed by a suitable competent person.</p> <p>A Phase 1 Report needs to be relevant to the proposed development and should at least include:</p> <ul style="list-style-type: none"> • Historical research from available maps, plans, records, current activities on the site and those adjoining and any likely sources of contamination • Identification of potential receptors that could be affected • Determination of the site’s environmental setting i.e. location, geology, hydrogeology, proximity to open/closed landfill sites, etc • Site walkover to identify any local features that might not be picked up 	<p>Kirklees Council Guidance for Development on Land affected by Contamination: https://www.kirklees.gov.uk/beta/planning-applications/pdf/development-land-contamination.pdf</p> <p>https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</p> <p>BS10175:2011+A2:2017 “Investigation of potentially contaminated sites. Code of practice”</p> <p>Land Contamination Risk Management (LCRM): How to assess and manage the risks from land contamination. https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm (October 2020)</p>

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	<p>This would be mainly for applications that would result in sensitive or vulnerable end users e.g. residential, schools, Nurseries, allotments, play areas, hospitals, including ground and surface waters being introduced to and/or affected by a location that is known or suspected to be contaminated to an extent that it could adversely affect the proposal and/or create new pollutant linkages. E.G. where the site:</p> <ul style="list-style-type: none"> • Has previous manufacturing or industrial activity • Chemical or fuel storage • Treatment or disposal of waste • Within 250 m of a former or current landfill site • Where it is suspected the land 		<p>on maps and to check for visual or olfactory evidence of contamination</p> <ul style="list-style-type: none"> • From the gathered information an initial conceptual model of the site to establish whether or not there are potentially unacceptable risks and recommendations on whether further investigation or action is necessary <p>A Phase 2 assessment will be guided by the Phase 1 report and will require physical on site investigation. If unacceptable risks are confirmed, the contaminated land will need to be remediated in accordance with an approved Remediation Strategy and the results validated and submitted as a Validation Report(s).</p>	

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	may be contaminated due to its uses now or in the past.			
Landfill Statement	Where landfill forms part of the proposed development.	KLP Policy LP52 National Planning Policy for Waste NPPF Chapters 15 and 17 NPPG: Minerals, Waste and Land Stability	Applicants should provide sufficient information to enable the waste planning authority to fulfil its requirements under the Landfill (England and Wales) Regulations 2002. This information may be provided as part of an Environmental Statement.	Kirklees Local Plan Planning Practice Guidance on Waste
Lighting Assessment	<p>ALL applications involving exterior lighting where it would be likely to materially affect local amenity, dark landscape, road safety or nature conservation.</p> <p>ALL applications for Sports pitches, car parks and major new buildings.</p> <p>Applications for advertisement consent where the adverts are to be</p>	KLP Policy LP52 NPPF Section 15 para 185c	<p>A Lighting Assessment to include the following:</p> <p>The proposed level of maintained average horizontal illuminance for the site with reference to guidance documents to demonstrate that the levels of illuminance are appropriate for the intended use.</p> <p>The predicted vertical illuminance that will be caused by lighting when measured at the windows of nearby properties to demonstrate that it will not be excessive.</p> <p>The specification of the luminaires, including their number and location, column height, the type and rating of the lamps, the design of lamp housing and</p>	<p>For issues specifically relating to the effect of lighting on bats see the Bat Conservation Trust guidelines ‘Bats and Lighting in the UK’</p> <p>An overview of issues relating to light pollution can be found in the Institution of Lighting Professional’s (I.L.P.) ‘Guidance Notes for the reduction of obtrusive light’ (GN01:2011) https://www.theilp.org.uk/documents/obtrusive-light/</p> <p>Further guidance, with a particular emphasis on floodlighting relating to sports development can be found in British Standard BS EN 12193: 2018 - Light and lighting - Sports lighting and Sport England’s Artificial Sports Lighting: Design</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	illuminated, including Digital Advertisement Display Panels		<p>proposals to minimise or eliminate glare from the use of the lighting installation, to include a light spill plan.</p> <p>The proposed hours of operation of the lighting</p> <p>For external Illuminated adverts:</p> <ul style="list-style-type: none"> • The type and location of any luminaires and information (manufacturer specification) to demonstrate that these will not cause glare at nearby light sensitive premises or to drivers on nearby highways and nearby pedestrians (the level of information should be proportionate to the scale of the proposals). • The dimensions of each advertisement that is to be illuminated • The level of luminance (in cd/m²) of the advertisement • The times of day when the illumination will be operated. <p>For digital advertisement display panels, how the luminance will differ for times of daylight and times of darkness.</p>	<p>Guidance Note (Nov 2012) and Outdoor Sports Lighting Briefing Note (2010). Two sources available to purchase are Society of Light and Lighting document LG04 Lighting Guide: Sports</p> <p>Other guidance for lighting of other areas can be found in BS 5489-1: 2020 Code of Practice for the Design of Road Lighting - Part 1: Lighting of Roads Public and Amenity Areas</p> <p>Further guidance regarding illuminated advertisements can be found in Professional Lighting Guide (PLG) 05 - The Brightness of Illuminated Advertisements by The Institution of Lighting Professionals (2014) at: https://theilp.org.uk/publication/plg05-the-brightness-of-illuminated-advertisements/</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
Main Town Centre Uses - Sequential Test⁵	All proposals for main town centre uses, which are located outside of the defined centre boundaries, excluding offices and small scale proposals of 150m ² and under in Green Belt.	KLP Policy LP13 NPPF, Chapter 7 Ensuring the vitality of town centres paragraphs 86, 87, 88, 90 and 91 NPPG, Town centres and retail	The sequential test guides main town centre uses towards town centre locations first. Then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). Paragraph 9.12 in the Local Plan provides guidance on the evidence that an applicant is expected to provide. This is in addition to the guidance set out at paragraph 011 of the NPPG.	National Planning Guidance on Town Centres and Retail (NPPG) Kirklees Local Plan
Main Town Centre Uses - Impact Assessment	All retail, leisure and office developments not located within a defined centre where: <ul style="list-style-type: none"> • The floorspace is greater than 500m² gross or • The proposal is within 800 metres of the boundary of a Town Centre or District Centre and 	KLP Policy LP13 NPPF, Chapter 7 Ensuring the vitality of town centres paragraphs 89 and 90 NPPG, Town centres and retail	The purpose of the test is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality/viability and investment. For guidance on its content, refer to paragraphs 014 to 018 of the NPPG. The scope and content of the impact assessment shall be agreed with the council and shall be reflective of the scale, role and function of the proposal.	National Planning Guidance on Town Centres and Retail (NPPG) Kirklees Local Plan

⁵ For the definition of a main town centre use please refer to Appendix 1: Definitions

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p>is greater than 300m² gross or</p> <ul style="list-style-type: none"> The proposal is within 800 metres of the boundary of a Local Centre and is greater than 200 m² gross. 			
<p>Noise Impact Assessment</p>	<p>ALL applications involving noise sensitive development (such as residential, hospitals and schools) adjacent to major roads or other transportation or industrial/commercial noise sources.</p> <p>Developments which contain noise sources, whether internally or externally, which may have an impact upon existing “noise sensitive” use</p> <p>Residential development in town centres.</p>	<p>KLP Policy LP52, NPPF 15 para 185a NPPG: Noise</p>	<p>The requirement for a noise assessment must be determined on a site by site basis taking account of the specifics of the proposals and the character of the area.</p> <p>The requirement for an assessment should be identified at pre-planning application stage at which time, where deemed necessary, the scope of the report and assessment of any impacts can be determined.</p> <p>All noise assessments should be carried out by a suitably competent person.</p>	<p>NPPG: Noise</p> <p>Noise Policy Statement for England (March 2010)</p> <p>British Standard BS4142:</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
<p>Open Space/Sport and Recreation Building and Land Assessment</p>	<p>All applications seeking to develop open spaces including sports and recreational buildings and playing fields</p> <p>All applications which would result in the loss of Urban Green Space (as identified on the Kirklees Local Plan Policies Map)</p> <p>All applications for 11+ new dwellings</p> <p>All applications for residential where the cumulative total number of dwellings (including adjacent sites of residential use either existing or proposed) equates to 11+ dwellings</p>	<p>KLP Policies: LP5, LP24, LP32, LP50, LP61, LP63,</p> <p>NPPF paras 98-103, 119, 126-136, 153-174-182</p> <p>NPPG: Open space, sports and recreation facilities</p>	<p>The application should include a plan and/or table showing the following:</p> <ul style="list-style-type: none"> • Measured areas and identification of all greenspace typologies and landscape features including Amenity Greenspace, Parks and Recreation Grounds, Natural and Semi Natural Greenspace, Allotments, Children and Young People’s Provision (LAP, LEAP, NEAP, MUGA) and Outdoor Sports • Where the application relates to playing field land, please also check the Sport England policy and guidance on planning applications affecting playing fields checklist 	<p>Kirklees Local Plan</p> <p>Open Space SPD (June 2021)</p> <p>Kirklees Open Space Study</p> <p>Kirklees Playing Pitch Strategy</p> <p>New playing fields planning guidance Sport England</p>
<p>Planning Statement</p>	<p>All MAJOR applications</p>	<p>All relevant policies and guidance</p>	<p>The Planning Statement should provide an overview of the proposal and a clear description of its key impacts.</p> <p>A summary (no more than 20 pages) is required only where the supporting information exceeds 100 pages.</p>	<p>Kirklees Local Plan</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
			<p>Planning Policy text does not need to be repeated verbatim in the Planning Statement</p>	
<p>Priority Employment Areas Statement to support loss to a non-employment use</p>	<p>Proposals involving the conversion or change of use of sites and premises in use, or last used, for employment within Priority Employment Areas (as identified on the Policies Map of the Kirklees Local Plan).</p>	<p>KLP Policy LP8 NPPF Chapter 6 Paragraphs 81 and 82</p>	<p>A statement that provides the following:</p> <ul style="list-style-type: none"> a) Demonstration that the site or premises are no longer capable of employment use b) The availability of business/industrial sites of equivalent quality in the area c) That the proposed use is compatible with neighbouring uses and where applicable, would not prejudice the continued use of neighbouring land for employment. d) It should also be demonstrated that the site has been marketed as a potential site for business and industry and why the building(s) do not fulfil the standards required by modern commercial uses. The period of marketing would need to be agreed by the council and will be reflective of the significance of the employment asset. 	<p>Kirklees Local Plan</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
Schedule of residential accommodation	ALL applications for new residential development (including conversions and change of use)	KLP Policy LP11/ Policy LP24	<p>A schedule setting out the tenure, number of bedrooms per house by plot number, house type, number of storeys and the Gross Internal Area⁶ of each house/house type proposed.</p> <p>This should also identify whether any of the dwellings fall within the definition of Custom and Self-Build.</p>	<p>Kirklees Local Plan</p> <p>Housebuilder Design Guide SPD (2021)</p> <p>https://www.gov.uk/guidance/self-build-and-custom-housebuilding</p> <p>Technical Housing Standards - Nationally Described Space Standard Statutory Guidance</p> <p>Also see 'Affordable Housing Provision' in this list</p>
Site Waste Management Plan	<p>Non-householder applications involving the demolition/ excavation of material from the site.</p> <p>Major residential and commercial applications involving the provision of refuse storage facilities.</p> <p>Other applications that will have an</p>	KLP Policies LP24 and LP43	A plan or statement showing appropriate arrangements and/or space for the storage and collection of recycling and refuse.	<p>Kirklees Local Plan</p> <p>Waste Management Design Guide for New Developments (kirklees.gov.uk)</p>

⁶ The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs.

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p>impact on the generation of waste, for example conversion to flats, changes of use to bars, restaurants, takeaway food outlets.</p>			
<p>Statement of Community Involvement</p>	<p>MAJOR planning applications where community consultation has taken place prior to the submission of a planning application. This will usually be appropriate where:</p> <ul style="list-style-type: none"> • the proposals are likely to have a significant impact on the environment or on the local community; and/or • the development is likely to attract significant local interest 	<p>Kirklees Development Management Charter 2015</p>	<p>A statement detailing pre-application consultation methods, a summary of responses and how these have been taken into consideration.</p>	<p>Kirklees Development Management Charter</p>
<p>Structural Survey</p>	<p>Applications for the conversion / re-use of buildings in the Green Belt to demonstrate that they are of</p>	<p>KLP Policies: LP35, LP36, LP44, LP46, LP53, LP60</p>	<p>The report should be prepared by a Chartered Structural Engineer with expertise in the type of work involved and should, amongst other things, justify the extent and nature of any proposed</p>	<p>Kirklees Local Plan</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p>permanent and substantial construction</p> <p>Developments on land known or suspected to be potentially unstable</p> <p>Proposals for free standing retaining structures e.g. gabion baskets</p> <p>Proposals for the excavation of land that would affect site stability</p> <p>Applications for listed building consent and relevant demolition in a conservation area which involve structural alterations to building/structure.</p>	<p>National Planning Policy for Waste NPPF (Section 15 & 17)</p> <p>NPPG (Minerals, Waste & Land stability)</p>	<p>structural work and/or the need for demolition.</p> <p>In the case of applications for the conversion/re-use of buildings, it will need to demonstrate that they are structurally sound and capable of being developed without the need for substantial demolition and reconstruction.</p>	
Sunlight/Daylight Assessments	When a proposed residential development, because of its proximity to either existing buildings or other proposed buildings	KLP Policy LP24 NPPF: Sections 11 Para 125c	The assessment should be carried out in accordance with the British Research Establishment document Site Layout Planning for Daylight and Sunlight – A guide to Good Practice.	Kirklees Local Plan Kirklees Housebuilder Design Guide SPD (June 2021)

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p>within the development, is likely to receive low levels of sunlight and/or daylight to habitable rooms or when the scale and form of a development is likely to result in significant shadowing impacts upon neighbouring properties or land.</p>		<p>Daylight, vertical sky component, sunlight availability, average daylight factor and shadow studies should be undertaken and assessed against the criteria set out in the BRE document.</p>	
<p>Transport Assessment (TA) or Transport Statement (TS)</p>	<p>TA: ALL major development which would have significant transport implications.</p> <p>TS: Any Major development which would have less than significant transport implications.</p>	<p>KLP Policy LP21</p> <p>NPPF: Chapter 9 Para 113</p> <p>NPPG: Travel Plans, Transport Assessments and Statements</p>	<p>Transport Assessments/Statements are ways of assessing the potential transport impacts of developments (and they may propose mitigation measures to promote sustainable development).</p> <p>Refer to Government guidance (see right) on Travel Plans, Transport Assessments and Transport Statements for advice on their content.</p> <p>Consideration should be given to committed schemes, nearby allocations and cumulative impacts.</p>	<p>Kirklees Local Plan</p> <p>Kirklees Highways Design Guide SPD</p> <p>Government guidance on Travel Plans, Transport Assessments and Transport Statements</p>
<p>Travel Plan</p>	<p>Required for the following:</p> <p>i. All residential planning applications of 50+ dwellings, or the</p>	<p>LP20 – Sustainable Travel</p> <p>NPPF: Chapter 9 Para 113</p> <p>NPPG: Travel Plans, Transport</p>	<p>Travel Plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable</p>	<p>Kirklees Local Plan</p> <p>Government guidance on Travel Plans, Transport Assessment and Transport Statements</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<p>site area is over 0.5 hectares</p> <p>ii. Major non-residential applications where the floor space to be built is over 1,000m² or the site area is 1 hectare or above</p> <p>iii. Proposals that are likely to have significant amounts of transport movement on a case-by-case basis.</p>	<p>Assessments and Statements</p> <p>Highways Design Guide SPD</p>	<p>travel (such as promoting walking and cycling).</p> <p>Refer to Government guidance (see right) on Travel Plans, Transport Assessments and Transport Statements for advice on their content.</p>	
<p>Tree (Arboricultural) Survey</p>	<ul style="list-style-type: none"> Where there are trees, protected by either Tree Preservation Order or Conservation Area status, within the application site, or on land adjacent to it that could influence or be affected by the development. 	<p>KLP Policies: LP24, LP33</p> <p>NPPF Chapter 15 Paragraphs 174. 179 and 180</p> <p>NPPG: Biodiversity, 'Trees and woodland'</p>	<p>Detailed application:</p> <ul style="list-style-type: none"> Tree Survey Arboricultural Impact Assessment, with tree constraints plan Arboricultural Method Statement, with tree protection plan Details of existing and proposed levels <p>Outline application:</p> <ul style="list-style-type: none"> Tree Survey Arboricultural Impact Assessment, with tree constraints plan 	<p>Kirklees Local Plan</p> <p>Kirklees Council Guidance on Trees</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<ul style="list-style-type: none"> Any proposal involving development within 2m of the canopy spread of a tree (including street trees). 		<ul style="list-style-type: none"> Details of existing and proposed levels <p>Outline with some matters reserved:</p> <ul style="list-style-type: none"> As for Detailed above, where the reserved matters to be considered may affect trees <p>Where householder applications affect trees, it may be appropriate to provide a lesser level of information. This will be judged on a case by case basis. Clarification can be sought through the pre-application service.</p>	
Ventilation and/or Extraction Details	<p>For all applications for Use Class E(b) sale of food and drink for consumption of the premises and public houses, wine bars, or drinking establishments (sui-generic)</p> <p>For applications within Use Classes E(g) or other classes where ventilation extract systems are required.</p>		<p>The information will need to clearly demonstrate that the proposed ventilation system will be sufficient to effectively control the likely odours that will come from the development so that they do not cause a loss of amenity and that the noise from operation of the equipment is also effectively controlled so that it does not cause a loss of amenity.</p>	<p>Kirklees Local Plan</p> <p>Guidance on the Assessment of Odour for Planning by Institute of Air Quality management (version 1.1 July 2018)</p> <p>Control of Odour and Noise from Commercial Kitchen Exhaust Systems by EMAQ 2018 (An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs).</p>
Viability Appraisal	<p>All development proposals which would generate the</p>	<p>KLP Policies: LP4: Infrastructure</p>	<p>The council expect the viability assessment to follow the guidance on viability published in the NPPG, alongside</p>	<p>Kirklees Local Plan</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
<p>Please Note: In accordance with the revised NPPF 2019 and accompanying guidance (2019), viability assessments will now be made publicly available other than in exceptional circumstances for reasons of commercial sensitivity. Even in these cases, an executive summary should still be made publicly available with the commercially sensitive information aggregated as part of total costs.</p>	<p>requirement for contributions (as set out in the policy drivers) to be secured through planning obligation where the applicant wishes to demonstrate that the proposed development will be unviable in a particular set(s) of circumstances</p>	<p>LP11: Affordable housing LP5: Master-planning LP19: Strategic transport infrastructure (para 10.59) LP23: Core walking and cycling route LP49: Educational and health care needs LP63: New open space.</p> <p>NPPF Paragraphs 58, 124, 195 and 197 (specific to heritage assets)</p> <p>NPPG Viability</p>	<p>the Framework and the council’s Viability Guidance Note.</p> <p>It must be prepared by a suitably qualified person, such as a RICS surveyor.</p> <p>A Viability Assessment in the event of a proposed provision that is not policy compliant is to be submitted in accordance with the guidance on viability published in the NPPG, alongside the Framework</p>	<p>Kirklees Viability Guidance Note (June 2020)</p> <p>NPPG: Viability</p> <p>Also see ‘Affordable Housing Financial Viability Assessment’ within this list</p>
<p>Water Bodies Assessment: Water Area affected by development (including Mill</p>	<p>Applications to develop sites containing a water body with capacity between 500 – 25,000m³</p>	<p>KLP Policies: LP29, LP27, LP34 NPPF Sections 14, 15 and 16</p>	<p>A statement to provide evidence that the scheme retains the area of water and includes an effective future management plan.</p> <p>Where relevant, evidence to demonstrate that the development will</p>	<p>Kirklees Local Plan</p> <p>Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.</p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
<p>Ponds and private reservoirs)</p>	<p>Applications to develop sites with extant mill pond (whether on site or remote from site)</p> <p>Applications that may have an adverse impact on an existing private water supply</p> <p>Applications that are to be served by a new or existing private water supply.</p>	<p>NPPG Water Quality and Flood Risk</p>	<p>not have an adverse impact on an existing private drinking water supply or its collection ground.</p> <p>For new developments that require a water supply, but do not have access to a mains supply, evidence to demonstrate that the development can be provided with a wholesome drinking water supply that can provide a sufficient quantity of water for the development.</p>	
<p>Water quality / Water Framework Directive assessment</p>	<p>All planning applications that would:</p> <ul style="list-style-type: none"> • involve physical modifications to a waterbody: and /or • indirectly affect waterbodies. <p>This includes works that would:</p> <ul style="list-style-type: none"> • lead to deterioration of a waterbody; • prevent future improvement of a waterbody 	<p>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</p> <p>Local Plan LP28, LP34</p> <p>National Planning Practice Guidance</p>	<p>Applicant should consider the impacts on water bodies in a three stage approach:</p> <ul style="list-style-type: none"> • Screening; • Scoping; and • Impact assessment. <p>Within this, applicants should consider the following:</p> <ul style="list-style-type: none"> • The impact the activity may have on the immediate water body and any linked water bodies, and • whether the activity complies with the river basin management plan (RBMP). • This should consider: <ul style="list-style-type: none"> ○ All activities that will be carried out; 	<p>Kirklees Local Plan</p> <p>Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.</p> <p>National Guidance: <u>Water Framework Directive assessment</u></p>

INFORMATION REQUIRED	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
			<ul style="list-style-type: none"> ○ Construction, operation and decommissioning; and ○ The water body the activity is in and all water bodies that could be affected. <p>Depending on what is found at each stage, you may need to undertake all stages. Where it is likely that a proposal would have a significant adverse impact on water quality then an impact assessment will be required.</p>	
Wind Microclimate Assessment	When the scale of the development proposed would result in micro-climatic conditions that could result in wind levels affecting pedestrian and vehicle movement outside of the building.	KLP Policy LP24	Wind tunnel modelling will be required to assess the impact that new development will have on a local wind environment and any consequential effects on pedestrian comfort and safety using the Lawson criteria for comfort and safety.	Kirklees Local Plan https://www.bregroup.com/publications/wind-microclimate-and-pedestrian-comfort/

11 VALIDATION REQUIREMENTS FOR OTHER TYPES OF APPLICATION

- Table 5 sets out details relating to:
 - Applications to modify or discharge a planning obligation
 - Application for approval of details reserved by condition (Discharge of Condition)
 - Hedgerow Removal Notice application
 - Notification for Demolition
 - Permission in Principle
 - Prior notification applications
 - Removal or variation of a condition following grant of planning permission (S73 or s73a application)
 - Non-material amendment application (NMA)
 - Wind Energy Applications

Table 5 Validation Requirements for other types of application

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
Application to Modify or Discharge a Planning Obligation	For any proposed modification to an agreed Planning Obligation		Completed application form and certificates Reasons for applying for the modification or discharge of the Obligation. Site Plan identifying the land to which the obligation relates at 1:1250 Evidence of ownership of the land (in the form of an up to date copy of the Land Registry Register of Title and Title Plan)	Sections 106A and 106B of the Town and Country Planning Act 1990

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
			Evidence that the application is being made after the expiry of the 'relevant period' ⁷	
Application for approval of details reserved by condition (Discharge of Condition)	Following the grant of planning permission some conditions may need to be discharged, some prior to commencement, or other trigger point		<p>The following National Requirements apply:</p> <ul style="list-style-type: none"> • Submitted in writing (application form, letter or email) • Appropriate fee <p>The following Local Requirements apply:</p> <ul style="list-style-type: none"> • Any plans, drawings or information necessary to describe the subject and purpose of the applications. • Any documents/plans <u>required by the condition</u>. Where the condition requires a timescale for the works, please make this clear. Please check that all elements of the condition are submitted 	<p>Planning Portal Discharge of Condition advice</p> <p>National Planning Guidance on the Use of Planning Conditions</p>

⁷ as may be specified in the Obligation, or a period of 5 years' beginning on the date the Obligation was entered into (or if related to review of affordable housing requirements as set out in S106BA of the Town and Country Planning Act 1990, as modified by the Growth and Infrastructure Act)

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
			Please note: where samples are required please submit photographs or arrange to leave the samples on site with the Case Officer as the council is unable to accept samples in the office.	
Hedgerow Removal Notice application	For removal of a hedgerow protected under The Hedgerows Regulations (1997) To check if a hedgerow is protected and if an application to the LPA for hedgerow removal is required please refer to Natural England's Guidance Countryside hedgerows: protection and management.		A plan (preferably 1:2,500 scale) clearly identifying the hedgerow to be removed The reasons for removal Evidence the hedge is less than 30 years old A statement as to whether you are the owner, tenant or manager of the hedgerow, or relevant utility company eligible to remove it.	Kirklees Council Apply to remove a hedgerow
Notification for demolition	For proposals to demolish a building, or to 'substantially demolish' part of a Building If the building is listed, Listed Building Consent (LBC) will be required for any Demolition.	Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)	A statement that the applicant has displayed a site notice in accordance with Part 11 of Schedule 2 of the General Permitted Development Order 2015 (GPDO) A written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid.	Government guidance on demolition: https://www.gov.uk/guidance/when-is-permission-required Planning Portal guidance: https://www.planningportal.co.uk/info/200130/common_projects/13/demolition

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
<p>Permission in Principle and Technical Details Consent</p>	<p>An alternative way of obtaining planning permission for housing-led development.</p>	<p>Town and Country Planning (Permission in Principle) (Amendment) Order 2017</p>	<p><u>Stage 1 – Permission in Principle (PiP)</u> The following National Requirements apply:</p> <ul style="list-style-type: none"> • a completed application form • a plan which identifies the land to which the application relates, drawn to an identified scale and showing the direction North • correct application fee <p><u>Stage 2 – Technical Details Consent (TDC)</u> At this stage the details of the proposed development are assessed. An application for TDC follows the same validation process as a full application and should be submitted on a full application form making reference to Planning in Principle in the proposal. The TDC will be subject to the relevant National and Local requirements for the development as set out above in this document.</p>	<p>Government guidance on permission-in-principle</p>
<p>Prior Notification Approvals</p>	<p>Prior notifications are not applications for planning permission but are confirmation of the intent to take up permitted development rights. Schedule 2 of the General Permitted Development Order</p>	<p>Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO)</p>	<p>Prior notifications are subject to national requirements as follows:</p> <ul style="list-style-type: none"> • Completed form or a written description of the proposed development which must include any building or other operations • A plan indicating the site • Contact details for applicant/agent 	<p>Prior Approval Consent Types</p>

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
			<ul style="list-style-type: none"> • Application specific supporting information e.g., flood risk assessment • Appropriate fee <p>Although prior notifications are not subject to local requirements, there may be additional information required in order to fully consider the notification. Further information regarding prior notifications and what additional information may be required can be found in Schedule 2 of the General Permitted Development Order.</p>	
<p>Removal or variation of a condition following grant of planning permission (S73 or S73a application)</p>	<p>Kirklees Council will not accept a S73 or S73A application in the following circumstances:</p> <ul style="list-style-type: none"> • Alteration to the redline of a previously permitted scheme • The proposed change cannot be reasonably conceived with the terms of the original planning application 	<p>Section 73 of the Town and Country Planning Act 1990</p>	<p>The following National Requirements apply:</p> <ul style="list-style-type: none"> • Completed form • Completed ownership certificates and where required notices served • Design and Access Statement (where applicable see page 8) • Appropriate fee <p>The following Local Requirement applies:</p> <ul style="list-style-type: none"> • List of plans to which the application relates including those from the original application • Supporting documents relevant to the submission. 	<p>Government guidance on flexible-options-for-planning-permissions</p> <p>Please note: Where approval is granted a new planning permission will be issued but the original permission will remain intact and un-amended. If the aspect you are seeking to remove or vary is expressly included in the original planning permission description this will remain in the description when the Section 73 is issued.</p>

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
	<ul style="list-style-type: none"> The effect of the proposed changes would not be minor in nature To extend the time limit within which a development must be started or an application for approval of reserved matters must be made If there is no relevant approved plans condition 			
Non-material amendment application (NMA) (S96)	To make a non-material amendment to planning permission where applicable.	S96A of the Town and Country Planning Act	The following will be required: <ul style="list-style-type: none"> Completed form Relevant drawings and plans so that the extent and nature of the proposal can be clearly identified (i.e. as approved and as proposed) Appropriate fee 	Protocol for Non-Material Amendments at Kirklees Flexible options for planning permissions - GOV.UK (www.gov.uk)
Wind Energy Applications	For applications relating to wind turbines.	KLP Policy LP26	<ul style="list-style-type: none"> Statement of Design Rationale and Access Landscape, Visual and Cumulative Impact Assessment Planning Statement Photomontage/Wireframe Diagrams 	Kirklees Local Plan

TYPE OF APPLICATION	WHEN IT IS REQUIRED	POLICY DRIVERS	WHAT INFORMATION IS REQUIRED	WHERE CAN I FIND FURTHER GUIDANCE
			<ul style="list-style-type: none"> • Zone of Theoretical Visibility Maps⁸ • Plan of Public Rights of Way within a radius of 10 times overall height of turbine from centre of turbine • Ecological Assessment • Noise, Shadow Flicker and Light Reflection Assessment • Peat and Hydrology Assessment • Coal Mining Risk Assessment • Decommissioning statement • Environmental Statement/Environmental Impact Assessment (as required) • Heritage Statement (as required) • Socio-Economic Benefits Statement • Telecommunications and Radar Statement 	

⁸ Unless single turbine of less than 25m in height (which is not within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application)

APPENDIX 1 - DEFINITIONS

Table 6 Appendix 1 – Definitions

Major Development

- 10+ dwellings / over half a hectare / building(s) exceeds 1000m²
- Office / light industrial - 1000+ m² / 1+ hectare
- General industrial - 1000+ m² / 1+ hectare
- Retail - 1000+ m²/ 1+ hectare
- Gypsy/Traveller site - 10+ pitches
- Site area exceeds 1 hectare

This is often split into:

Small Scale Major

Between 10 and 199 (inclusive) dwellings or where the number of dwellings is not given a site area of 0.5 hectares and less than 4 hectares.
For all other uses new floor space of 1,000 square metres up to 9,999 square metres or where the site area is 1 hectare and less than 2 hectares.

Large Scale Major

200 or more dwellings or where the number of dwellings is not given a site area of 4 hectares or more.
All other uses new floor space of 10,000 square metres or more or where the site area is 2 hectares or more.

Minor Development

- 1-9 dwellings (unless floorspace exceeds 1000m² / under half a hectare)
- Office / light industrial: up to 999 m²/ under 1 hectare
- General industrial: up to 999 m²/ under 1 Hectare
- Retail: up to 999 m²/ under 1 hectare
- Gypsy/Traveller site: 0-9 pitches

Other Development

Householder applications

- a) an application for planning permission for development to an existing dwelling house, or development within the curtilage of such a dwelling house for any purpose incidental to the enjoyment of the dwelling house or
- b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, but does not include an application for change of use or an application to change the number of dwellings in a building.
 - Change of use (no operational development)
 - Adverts
 - Listed building extensions / alterations
 - Listed building demolition
 - Application for relevant demolition of an unlisted building within a Conservation Area
 - Certificates of Lawfulness (191 and 192)
 - Notifications
 - Permissions in Principle (PiP) and Technical Detail Consent (TDC)

Main Town Centre Uses (as defined in the National Planning Policy Framework)

Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Public Highway

Unclassified Roads, Class A, B, C Roads, Trunk roads and byways (considered a public highway under the Highways Act over which the public has the **right** to pass and repass by vehicle. Road classifications can be checked with Kirklees Highways Registry. The definition of a highway within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is a public right of way such as a public road, public footpath and bridleway. For the purposes of that Order, it also includes unadopted streets or private ways.

APPENDIX 2 – CHECKLISTS**Table 7 Appendix 2 – Checklists – List of national requirements**

Item	Required	Submitted	Notes
Application Form	Yes/No	Yes/No	
Ownership Certificate(s)	Yes/No	Yes/No	
Planning Fee	Yes/No	Yes/No	
Design and Access Statement	Yes/No	Yes/No	
Outline Planning Applications: indicative access details	Yes/No	Yes/No	
Fire Statement	Yes/No	Yes/No	
Wind Turbines: Statement of Community Involvement	Yes/No	Yes/No	

Table 8 Appendix 2 – Checklists - Plans

Item	Required	Submitted	Notes
Location Plan	Yes/No	Yes/No	
Site Layout Plan or Block Plan	Yes/No	Yes/No	
Existing and Proposed Elevations	Yes/No	Yes/No	
Existing and Proposed Floor Plans	Yes/No	Yes/No	
Streetscene Plan	Yes/No	Yes/No	
Roof Plans	Yes/No	Yes/No	
Existing and Proposed Site Levels (including Finished Floor Levels)	Yes/No	Yes/No	
Existing and Proposed Sections	Yes/No	Yes/No	
Demolition Plan	Yes/No	Yes/No	

Table 9 Appendix 2 – Checklists - Plan Format Checklist

Item	Checked	Item	Checked
Each plan numbered in a sequential manner	Yes/No	North point shown	Yes/No
Drawn to an identified metric scale	Yes/No	Scale indicated on the plan (linear scale bar shown)	Yes/No
Provided at the scale indicated on the plan	Yes/No	Scaled to fit A3 or A4	Yes/No
Up to date plan provided	Yes/No	All red lines match	Yes/No
Red line (continuous 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).	Yes/No	Blue ownership line indicated	Yes/No
Clearly labelled e.g. house names, road names and public rights of way	Yes/No	Elevations labelled North, East, etc.	Yes/No
Elevations and floor plans match	Yes/No	Datum point labelled	Yes/No
Marked as 'indicative' where required	Yes/No	'Do not scale' removed	Yes/No

Table 10 Appendix 2 - Checklists - Other National Requirements determined through other legislation/guidance

Item	Required	Submitted	Notes
Environmental Impact Assessment (EIA) / Environmental Statement (ES)	Yes/No	Yes/No	
Flood Risk Assessment (FRA)	Yes/No	Yes/No	
Flood Risk Sequential Test	Yes/No	Yes/No	
Flood Risk Exception Test	Yes/No	Yes/No	

Table 11 Appendix 2 – Checklists - Local List

Item	Required	Submitted	Notes
Affordable Housing Provision	Yes/No	Yes/No	
Affordable Housing Financial Viability Assessment (where applicable)	Yes/No	Yes/No	
Agricultural/Forestry (Rural) Workers Dwelling Justification Statement	Yes/No	Yes/No	
Agricultural/Forestry Building Justification Statement	Yes/No	Yes/No	
Air Quality Impact Assessment (AQIA)	Yes/No	Yes/No	
Biodiversity Net Gain	Yes/No	Yes/No	
Climate Change Statement	Yes/No	Yes/No	
Coal Mining Risk Assessment	Yes/No	Yes/No	
Community Facilities and Services: Evidence/Statement to justify loss	Yes/No	Yes/No	
Crime Prevention Statement	Yes/No	Yes/No	
Drainage Strategy (Surface Water) / Drainage details	Yes/No	Yes/No	
Ecological Surveys and Reports	Yes/No	Yes/No	
Foul Drainage Assessment Form	Yes/No	Yes/No	
Habitat Regulation Assessment – Info to support screening and/or Appropriate Assessment	Yes/No	Yes/No	
Health Impact Assessment (Rapid HIA)	Yes/No	Yes/No	
Heritage Statement or Heritage Impact Assessment	Yes/No	Yes/No	
Land Contamination Assessment	Yes/No	Yes/No	
Landfill Statement	Yes/No	Yes/No	
Lighting Assessment	Yes/No	Yes/No	

Kirklees Planning Validation Requirements (with effect from 6th February 2023)

Item	Required	Submitted	Notes
Main Town Centre Uses – Sequential Test	Yes/No	Yes/No	
Main Town Centre Uses – Impact Assessment	Yes/No	Yes/No	
Noise Impact Assessment	Yes/No	Yes/No	
Open Space/Sport and Recreation Building and Land Assessment	Yes/No	Yes/No	
Planning Statement	Yes/No	Yes/No	
Priority Employment Areas: Statement to support loss to a non-employment use	Yes/No	Yes/No	
Schedule of Residential Accommodation	Yes/No	Yes/No	
Site Waste Management Plan	Yes/No	Yes/No	
Statement of Community Involvement	Yes/No	Yes/No	
Structural Survey	Yes/No	Yes/No	
Sunlight/Daylight Assessment	Yes/No	Yes/No	
Transport Assessment/Transport Statement	Yes/No	Yes/No	
Travel Plan	Yes/No	Yes/No	
Tree (Arboricultural) survey and reports in accordance BS 5837.	Yes/No	Yes/No	
Ventilation/Extraction Details	Yes/No	Yes/No	
Viability Appraisal	Yes/No	Yes/No	
Water Bodies Assessment	Yes/No	Yes/No	
Wind Microclimate Assessment	Yes/No	Yes/No	

APPENDIX 3 – ADDITIONAL GUIDANCE TO ASSIST IN THE PREPARATION OF HERITAGE STATEMENTS

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the impact of the proposal on its significance. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. The following is a guide to the sort of information that may be required for different types of application. Key photographs of the building, site and surroundings are always of use.

For applications for listed building consent, a written statement should be submitted that includes a schedule of works to the listed building(s), an assessment of the significance of its archaeological, architectural, artistic or historic importance and the contribution of its setting to that significance, together with an assessment of the impact of the proposal on that significance. A description of the sources considered and expertise consulted in assessing significance should also be included. The justification for the proposed works should also be submitted.

For applications for relevant demolition in a conservation area a written statement should be submitted that includes an assessment of the significance of the building/structure and the contribution of its setting to that significance, together with an assessment of the impact of the proposal on that significance. A description of the sources considered and expertise consulted in assessing significance should also be included. The justification for the proposed demolition should also be submitted.

For applications either related to or impacting on the setting of designated heritage assets (including listed buildings, conservation areas, historic parks and gardens, historic battlefields and scheduled ancient monuments) a written statement should be submitted together with plans indicating those heritage assets whose setting is affected. There should be an assessment of the significance of the archaeological, architectural, artistic or historic interest of the designated heritage asset(s) affected, in particular focusing on the contribution of its setting to that significance, as well as a description of the sources considered and expertise consulted in assessing significance. The justification for the proposed works should also be submitted.

Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, applicants may be required to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation. Further information can be obtained from the West Yorkshire Archaeology Advisory Service. (WYAAS).

For applications affecting non-designated heritage assets, including those contained within a published local list, a description may be required of the significance of the heritage assets affected and the contribution of their setting to that significance, together with an assessment of the impact of the proposal on that significance and an explanation of the justification for the works.

APPENDIX 4 – USEFUL LINKS

National:

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

Local:

[Kirklees Development Plan \(including the Kirklees Local Plan and 'made' Neighbourhood Development Plans\)](#)

[Emerging Neighbourhood Development Plans](#)

[Adopted Kirklees Supplementary Planning Documents \(SPDs\)](#)

[Kirklees guidance and advice notes](#)

APPENDIX 5 – ECOLOGICAL SURVEY SEASONS

TABLE 12 - ECOLOGICAL SURVEY SEASONS

		Optimal Survey Time			Extending into								
		JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers													
Bats (Hibernation roosts)													
Bats (Summer roosts)													
Bats (Foraging/commuting)													
Birds (Breeding)													
Birds (Over wintering)													
Brown Hare													
Fungi													
Great crested newts	Land												
	Water												
Harvest Mice (nests)													
Invertebrates													
Otters													
Reptiles													
Vascular Plants and Lower Plants (will depend on species)													
Water Voles													
White-Clawed Crayfish													
Habitats/Vegetation													

Points to note regarding surveys:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Table 12. Surveys conducted outside of optimal times may be unreliable. For certain species (*e.g.* Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, *e.g.* heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (*e.g.* a bat roost is protected whether any bats are present or not). West Yorkshire Ecology may have useful existing information and ecological records.
- Competent ecologists should carry out any surveys. Where surveys involve disturbance, capture or handling of a protected species, then only a licensed person can undertake such surveys (*e.g.* issued by Natural England). Surveys should follow published national or local methodologies.