

# Chichester District Council



## The Local List

Information required to support a valid planning application

# **CONTENTS**

- [1. Introduction](#)
- [2. Framework](#)
- [3. Information requirements](#)
- [4. Validation of application](#)
- [5. Notification of validity](#)
- [6. Applications for outline planning permission](#)
- [7. Pre application advice](#)
- [8. Chichester District Council Local Requirements list](#)

## **PART I - National Requirements**

- [Application form](#)
- [Application fee](#)
- [Certificate](#)
- [Plans and Drawings](#)
- [Design and Access Statement](#)
- [Environmental Impact Assessment](#)

## **PART II - Local Requirements**

- [Affordable Housing Statement](#)
- [Air Quality Assessment](#)
- [Area of Outstanding Natural Beauty \(AONB\) Impact Statement](#)
- [Biodiversity and Ecological Assessments](#)
- [Community Infrastructure Levy & S106 Planning Obligations](#)
- [Flood Risk Assessment](#)
- [Flood Risk Sequential and Exception Tests](#)
- [Drainage Assessments](#)
- [Heritage Statement](#)
- [Interim Policy Statement Justification](#)
- [Land Contamination Assessment](#)
- [Lighting Assessment](#)
- [Mineral Infrastructure Statement & Mineral Resource Assessment](#)
- [Noise Assessment](#)

- [Odour Assessment](#)
- [Plans & Drawings](#)
- [Planning Statement](#)
- [Retail Sequential Test & Impact Assessment](#)
- [Structural Survey & Conversion Method Statement](#)
- [Sustainable Construction and Design Statement](#)
- [Transport Assessment, Statements & Road Safety Audits](#)
- [Travel Plan](#)
- [Parking Assessment](#)
- [Tree Survey & Method Statement](#)
- [Ventilation/Extraction Statement](#)
- [Water Neutrality Statement](#)

## 1. Introduction

This document sets out Chichester District Council's (CDC) policy on the information which must be provided in support of all planning application types, for the Council to determine their validity. The South Downs National Park Authority (SDNPA) has separate Local Requirements to CDC. Any application made within the South Downs National Park (SDNP) area must comply with the [SDNP Local List of Requirements](#).

Further guidance on information requirements, design and access statements and the standard application form is set out in nationally produced advice, within the [National Planning Practice Guidance](#) (PPG) and the Town and Country Planning (Development Management Procedure) Order 2015 ([DMPO](#)) as amended.

## 2. The Framework

The information required to make an application valid comprises:

- mandatory national information specified in the [DMPO](#), including a design and access statement where one is required;
- the standard application form; and
- information to accompany the application as specified by the local planning authority in its local list of information requirements

This information is necessary to enable the Council to validate an application for planning permission and listed building consent to start the determination process.

## 3. Information requirements

The Council will take a proportionate approach to information in support of applications. Applicants will be asked only to provide supporting information that is relevant, necessary, and material to the application. However, in seeking to take a proportionate approach that does not place unnecessary burden upon applicants at the beginning of the process, where an application is accompanied by documentation that purports to cover the relevant issues below it will likely be accepted by the Local Planning Authority (LPA) as valid. This does not however suggest that the material contained within is sufficient to determine the application and in cases where further information is required officers will seek further information from the applicant/agent or may refuse the application. In certain circumstances, where the information is significantly deficient the LPA may treat the application as subsequently invalid, until such time as appropriate material has been submitted.

Any supporting information should add to the Council's understanding of the development scheme submitted for determination. The information requested and provided should help to explain the nature of the proposed development, its anticipated impacts – positive and negative – and any measures proposed to mitigate any anticipated adverse impacts. The [National](#)

[Planning Policy Framework \(NPPF\) and the Planning Practice Guidance \(PPG\)](#) provides further guidance on matters relating to applications.

#### **4. Validation of applications**

The validation process is an effective check that the applicant has met the statutory requirements for a valid application. This Local List of requirements has been prepared by the Council to clarify what information is usually required for applications of a particular type, scale, or location. If the Council is satisfied it has received an application that complies with both the mandatory national requirements specified in the [DMPO](#) and the published local list, the Council will proceed to validate and determine the application.

The process of validating planning applications is essentially an administrative one. The information submitted will be assessed during the determination process, not the validation process. Provided the application submitted meets the requirements set out in the [DMPO](#), encompassing the mandatory national requirements and published Local Requirements; it will be registered as a valid application.

The Council will seek information necessary for a decision to be made and will not require a level of detail to be provided that is unreasonable or disproportionate to the scale of the proposal. Not all the information in the Council's published Local List will be necessary in every case. Where an application is not accompanied by the information required by the Council in its Local List, the applicant should provide a short, written justification with the application as to why it is not appropriate in the particular circumstances.

For larger or more complex schemes, or proposals in sensitive areas, applicants should seek to agree information requirements with the Council prior to submission, through pre-application discussions so that, where possible, the information sought is proportionate to the nature of the scheme. Some other statutory consultees also provide pre-application advice, separate to the LPA. Full details can be found on their respective websites.

If an application submitted lacks the necessary information specified in the [DMPO](#) or in the Local List, the Council will, in general, be entitled to invalidate the application. The Council will request in writing any additional information required to make the application valid and will take no further action until it has been received.

#### **5. Notification of validity**

Once an application has been received, accompanied by all the necessary information, it will be validated as soon as reasonably practicable. Notification will be given to the applicant in writing, confirming the validity of the application and the start date of the statutory period for determination.

Normally, the Council aims to complete this process within 3 – 5 working days from the date of receipt.

## 6. Applications for outline planning permission

Applications for outline planning permission must identify those matters reserved for future consideration. However, where the Council receives an application for outline planning permission but is of the opinion that more information is required and the application ought not to be considered separately from all or any of the reserved matters, the Council will, in accordance with Article 5(2) of the [DMPO](#) notify the applicant within one month of the receipt of the application that it is unable to determine it unless further details are submitted. This should not, however, be confused with applications where inadequate information is submitted, or a published information requirement has not been submitted.

## 7. Pre-application advice

The Council encourages applicants to seek advice prior to the submission of all types of application. Pre-application advice aims to guide applicants through the process and to ensure they are aware of the information requirements. This can help minimise delays later in processing the application. Such advice may also identify whether other consents or additional information may be required. Information regarding the Council's pre-application advice service may be found on the [Chichester District Council Planning website](#). The SDNP Authority operates their own pre-application advice service for proposals that fall within the SDNP, details of which are available on their website. For other specialist pre-application advice such as highways, you should contact the appropriate Authority.

## 8. Chichester District Council Local Requirements list

In order for an application to be valid it must satisfy both the National and Local requirements. This document sets out both parts of the validation requirements:

- **Part I** contains compulsory requirements for the submission of an application, including some matters that are required by law and other information that Chichester District Council considers necessary in all cases.
- **Part II** contains additional information (local requirements), which Chichester District Council considers may be necessary with certain application types or locations.

## PART I - NATIONAL REQUIREMENTS

Planning applications may be submitted either as an online application or in 'hard copy'. Online applications can be made via the [Planning Portal](#) and planning application forms can also be downloaded from the [Planning Portal](#).

The [national requirements](#) for planning applications state that all applications for planning permission **MUST** include:

### 1. The completed application form

The standard application form requires applicants to supply information on a range of issues, tailored to the type of application. Applicants **MUST** answer **ALL** questions.

### 2. The correct fee

Most planning applications incur a fee and these are described in the [Statutory Instrument 2012 No. 2920](#) (as [amended](#)). The Planning Portal includes a [fee calculator](#) for applicants.

The Council's preferred methods of payment for applications are:

- online via the Council's [planning payment page](#), or
- over the telephone by calling our Customer Service Centre on 01243 534734.

### 3. Ownership and agricultural holdings certificates

All applications for planning permission must include a signed certificate of ownership stating the ownership of the property (for this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the un-expired term of which is not less than 7 years). There are 4 types of certificate (A, B, C or D) which should be used as set out below:

A = If you are the sole owner

B = If any part of the application goes outside land in your sole ownership

C = If you do not know the names of all the owners

D = If you do not know the names of any of the owners

### Agricultural Holdings Declaration

This certificate is required (and must be signed) whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. The certificate is required all applications except applications for reserved matters, discharge, or variation of conditions, works to trees, or express consent to display an advertisement.

#### 4. Ownership notice

If the applicant is not the sole owner of the application site a notice that the application is being submitted to all owners of the application site, other than the applicant, must be completed and served in accordance with Article 13 of the [DMPO](#). Site owners are freeholders and leaseholders with at least seven years of the leasehold left unexpired. A copy of the notice should be served by the applicant on each of the individuals identified in the relevant certificate.

In the event you need to serve notice on an 'owner' of the site, please use Notice No. 1.

In the event you do not know some, or any, of the 'owners' of the site and have to publish details of the application in a local newspaper, please use Notice No. 2.

#### 5. The location plan

**ALL** applications other than those relating to the variation of a condition to an existing permission **MUST** include a location plan based on an up-to-date map. This should be at an identified standard metric scale (typically 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 sized paper). Plans should identify sufficient roads (normally two) and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear. It must also show the direction of North. Any plan from or based upon Ordnance Survey data must be annotated with the appropriate licence number or marked as surveyed if the plan has been drawn from a survey of the site.

The application site should be clearly edged with a **red line**. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.

A **blue line** should be drawn around any other land owned by the applicant, that is close to or adjoining the application site.

#### 6. Other plans or drawings

Plans necessary to describe the subject of the application are a national requirement. Details of the plans required to describe the proposal are set out in more details within Part II (Local Requirements).

#### 7. Design and access statement

A Design and Access Statement must accompany applications for both outline and full planning permission for:



- 1) Major development: 10 or more dwellings or creation in excess of 1000 sq. m of non-residential floor space,
- 2) Applications for development in a conservation area, where the proposed development consists of:
  - one or more dwellings; or
  - a building or buildings with a floor space of 100 square meters or more,
- 3) Applications for listed building consent.

A Design and Access Statement accompanying a planning application must include

- a) The design principles and concepts that have been applied to the development
- b) How issues relating to access have been dealt with.

And should:

- a) Explain the design principles and concepts that have been applied to the development
- b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account
- c) Explain the approach adopted as to access and how policies relating to access are relevant
- d) State what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- e) Explain how any specific issues that might affect access to the development have been addressed.

A Design and Access Statement accompanying an application for listed building consent must include an explanation of the design principles and concepts that have been applied to the proposed works, and how they have taken account of:

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

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

A single Design and Access Statement may be provided alongside a joint application for planning and listed building consent provided it meets both sets of requirements.

## Guidance

The statutory requirements for a design and access statement are set out in [Article 9](#) of the DMPO and [Article 3A](#) of the Planning (Listed Building and Conservation Areas) Regulations 1990 (as amended).

In respect of the design and access regard should be had to access for a fire appliance and supply of water for firefighting in compliance with B5 of Approved document B.

## 8. Environmental Impact Assessment

Environmental Impact Assessment (EIA) is needed for certain types of development; these are usually but not always major developments. Information can be found in:

[The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)

You can seek a formal opinion (*a screening opinion*) from the Local Planning Authority as to whether an EIA is needed before you submit your planning application. If an EIA is needed you can also ask the Authority to advise upon what the EIA should contain (*a scoping opinion*). If you decide not to ask for either a screening or scoping opinion before you submit your planning application, the Local Planning Authority will carry out screening and scoping when we receive your application but please be aware that this may lead to delays if an EIA is found to be needed.

All EIA applications should be accompanied by an Environmental Statement (ES) in accordance with Schedule 4 of the Regulations. Where an application is submitted without an ES but is deemed to require an ES, the Council will notify the applicant within 3 weeks of receipt of the application. Thereafter the applicant has 3 weeks (unless a longer period is agreed in writing with the applicant) to confirm in writing if an ES will be submitted, or that a screening direction will be sought from the Secretary of State in accordance with Regulation 11.

In accordance with Regulation 20, the Council must suspend consideration of the application until the ES, with the appropriate notices and certificates, is submitted. Alternatively, where an application is required to provide an ES and this is not submitted, the application will be deemed to be refused in accordance with Regulation 11.

## **PART II - LOCAL REQUIREMENTS**

Chichester District Council requires that additional information, known as the Local Requirements, is submitted with a planning application, where necessary. Applicants are advised to seek advice on the need for such information before submitting an application. The information requirements are set out below and the key references are the [Chichester Local Plan: Key Policies 2014-2029](#) and the [National Planning Policy Framework](#) (NPPF).

The [National Planning Practice Guidance](#) (NPPG) provides further guidance on the implementation of the Framework.

### **1. AFFORDABLE HOUSING STATEMENT**

Affordable Housing is an important Council priority. The requirement to provide affordable housing applies to all residential developments resulting in a net increase of 6 units or more in the designated rural area and 11 units or more within the Settlement Boundary. The Council would normally require affordable housing to be provided on site. Within the rural area, affordable housing may, in exceptional circumstances, be provided through off-site provision facilitated by a financial contribution, paid before completion of the development.

The designated rural area for the purposes of Affordable Housing is designated by Section 157(1) of the Housing Act 1985 as shown on the [map for Chichester District](#) on the Council's website

#### **When required**

A statement is required for all applications for residential development resulting in a net increase of:

- 1) 11 units or more within the Settlement Boundary, and
  - 2) 6 units or more within the designated rural area,
- with the exception of applications for reserved matters where there are no proposed changes to the amount, mix or tenure of the dwellings development.

#### **Information required**

Relevant applications should be accompanied by a statement which specifies:

- the number, size, tenure and mix of dwellings and proposed Registered Provider (RP) for Affordable Housing, and
- the number, size and mix of market housing units proposed.

The Council is committed to delivering the full requirement for affordable housing, however in the event that none or a lower level of provision for affordable housing is made on site, full justification must be submitted.

## Guidance

Further information can be found in the NPPF, the Council's Housing and Economic Development Needs Assessment (HEDNA), Policy 34 of the Local Plan, and the [Planning Obligations and Affordable Housing Supplementary Planning Document](#). Regard should also be had to any requirements set out within a [Neighbourhood Plan](#) for the area.

## 2. AREA OF OUTSTANDING NATURAL BEAUTY (AONB) STATEMENT

In accordance with the NPPF great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's which alongside National Parks and other designated landscapes have the highest status of protection in relation to these issues. Applications should be accompanied by a statement that demonstrates how the special features of the AONB have been considered in the design process.

### When required

- 1) For all development within the AONB (except applications for listed building consent and lawful development certificates)
- 2) For all major and minor development (except changes of use and alterations to buildings where no additional floor space is proposed) where the site lies outside of a settlement boundary and within 500m of the AONB

### What is required

An AONB impact assessment shall be provided which demonstrates how the proposal would conserve and enhance the natural beauty of the landscape. The statement must demonstrate how the proposal would;

- Meets the requirements set out in the Joint AONB Supplementary Planning Document (SPD) particularly in respect of
  - a. Design, appearance and materials
  - b. Scale and mass (including comparisons of extension and proposed footprint and silhouette)
  - c. Boundary treatments and landscaping
  - d. Fenestration and prevention of light spill to maintain dark skies
  - e. Renewable technologies, and
- Meets the requirements of the Chichester Harbour Management Plan, including Planning Principals
- Protect the flora and fauna which is a special quality of the AONB and result in biodiversity gains, or
- Is justified as an exception to the above

## Guidance

Statements should be informed by the policies and principles set out in the Chichester Harbour Management Plan (2019-2024 Third Review), the Chichester Harbour AONB Landscape

---

Character Assessment (2019), and the Landscape Character Appraisal (April 2019). These, and other documents that may be relevant, produced by the Harbour Conservancy are available [online](#).

### **3. AIR QUALITY ASSESSMENT**

The Council has designated four Air Quality Management Areas (AQMA) (one of which lies within the SDNP) including the A27 Stockbridge roundabout; Orchard Street, Chichester and St Pancras, Chichester. These are areas where health based EU limit values and National Objectives for nitrogen dioxide are not achieved. Air quality must be considered for development proposals likely to generate trips that will affect the AQMAs and for applications proposing plant in locations where their emissions have potential to impact on human health through breach of the Objectives.

#### **When required**

An air quality assessment is required when:

- 1) development is likely to generate air quality impact in an area where air quality is known to be poor, (eg. introduce receptors to an area within or close to an AQMA); or
- 2) development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or lead to a breach of EU legislation (including that applicable to wildlife). These are generally major developments - particularly those that significantly increase traffic volumes in the vicinity of the site and/or in or affecting the AQMAs.
- 3) development is proposed within the Southern Gateway area of Chichester such that it will alter the streetscape/topography in a way that is likely to 'trap' pollution and give rise to a new AQMA
- 4) plant (i.e boiler plant including solid fuel and district heating systems) and/or industrial premises are proposed which has potential to impact on air quality through emissions to atmosphere.

Further information about the need for air quality assessments is provided in the Institute of Air Quality Management (IAQM) document Land-Use Planning & Development Control: Planning for Air Quality January 2017 – section 6 in particular Tables 6.1 and 6.2.

#### **Information required**

Air quality assessments should be proportionate to the nature and scale of the proposed development. They should assess the predicted concentration of pollutants of concern at appropriate dates and sensitive locations, the predicted change in air quality and the spatial impact of the change. Sensitive locations may include elements of the proposed development, existing buildings and land uses within the vicinity of the proposed development, or within the wider area.

If significant impacts or significantly increased exposures are shown to be likely, measures to prevent or minimise impact should be proposed and may be required as a condition of any

permission granted. Sections 6.18 – 6.23 of the IAQM document listed above outlines the expected contents of an air quality assessment.

### **Guidance**

Further information is available in the [Planning Practice Guidance \(PPG\) March 2014](#), paragraph 181 of the [NPPF](#) and the emerging [Air Quality and Emissions Mitigation Guidance for Sussex \(2019\)](#) which is likely to become adopted guidance in 2020.

## **4. BIODIVERSITY AND ECOLOGICAL ASSESSMENTS**

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of species protected by law which includes the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and the Badgers Act 1992, as well as priority species for biodiversity set out under S41 of the Natural Environment and Rural Communities Act 2006.

Likely impacts can be categorised as both on-site and off-site impacts. The requirements for each are set out below.

### **4A. ON-SITE IMPACTS**

#### **When required**

- 1) Greenfield and rural developments, particularly where the proposal affects an area of priority habitat – please see appendix 2 of the following document [Guidance on Ecological Surveys and Planning Applications](#) for a list of priority habitats
- 2) Conversions and the demolition of buildings where there is a reasonable expectation that protected species such as nesting birds and bats may be present,
- 3) Proposals within or adjacent (within 400m) to Local Wildlife Sites or SSSI sites,
- 4) Any other proposal where there is a reasonable likelihood of impacting on protected or priority species, and

#### **Information required**

When required all applications must be accompanied by:

- Preliminary Ecological Appraisal (PEA) including an ecological data search from the Sussex Biodiversity Record Centre, and
- completed [Protected Species Survey Checklist](#)

When a Preliminary Ecological Appraisal has been carried out and it has identified the need to carry out further surveys i.e. Emergence Survey for Bats, it will be necessary to submit;

- Preliminary Ecological Appraisal (PEA) including an ecological data search from the Sussex Biodiversity Record Centre,,

- all secondary surveys identified as necessary within the PEA, and
- completed [Protected Species Survey Checklist](#)

Where a proposed development is likely to affect protected or priority species, the applicant must submit a Preliminary Ecological Appraisal and any additional surveys recommended by the preliminary appraisal, as well as any mitigation strategies and proposals for long term maintenance and management.

The appraisal should be undertaken by competent persons with suitable protected species licences, qualifications and experience, membership within the Chartered Institute of Ecology and Environmental Management (CIEEM) and must be carried out at an appropriate time of day and month of the year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. The survey should be informed by the results of a data search with the [Sussex Biodiversity Records Centre](#). The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and in what numbers (may be approximate)
- Map their distribution and suitable habitat both on the proposal site and, where appropriate in the surrounding area
- State any constraints on the scope of the survey.
- Identify any further surveys required, and undertake these
- Where required provide mitigation measures to ensure protected species are not harmed
- Provide enhancements to improve biodiversity across the site.

The appraisal should identify and describe potential development impacts likely to harm the protected/priority species or their habitat, including the structures or places which they may use for shelter or protection. These should include both direct and indirect effects both during and after construction. They should also include the potential impact on [local ecological networks](#). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered
- How adverse effects will be avoided wherever possible
- How unavoidable impacts will be mitigated or reduced
- How impacts that cannot be avoided or mitigated will be compensated

All applications within 400m of the boundary of the Medmerry SSSI must provide sufficient information for the planning authority to undertake a Habitats Regulations Assessment. If an Appropriate Assessment is required then this will be assessed against the Features of Interest for which the Solent Maritime SAC is designated. All applications within 1000m of the boundary of the Medmerry SSSI must provide sufficient information to be screened for impacts on Medmerry compensatory habitat.

For further guidance please refer to the Council's [Guidance on Ecological Surveys and Planning Applications](#). The Chartered Institute of Ecology and Environmental Management also has a [series of guidance documents](#) including the [CIEEM Guidelines for Preliminary Ecological Appraisal](#).

## **4B. OFF-SITE IMPACTS: DESIGNATED NATURE AND HABITAT SITES**

### **Mitigation of recreational disturbance**

There are a number of Internationally Designated Sites within the plan area these include Chichester and Pagham Harbours and Ebernoe Common. Development likely to affect these sites through recreational disturbance will require suitable mitigation of the impact of the development.

Policy 50 and 51 of the Chichester Local Plan set out how new residential development has an in combination effect on protected bird species of Chichester and Langstone Harbours SPA and Pagham Harbour SPA. Chichester and Langstone Harbour SPA forms part of the Solent Recreational Mitigation Partnership which delivers the Bird Aware Solent Scheme. Pagham Harbour SPA is covered by a similar scheme run by Chichester and Arun districts. Developers pay a fixed contribution per net new dwelling as compensation to the schemes.

### **When required**

All development resulting in a net increase of dwellings within:

- 1) 5.6km of the Chichester and Langstone Harbours Special Protection Area (SPA), or
- 2) 3.5km of the Pagham Harbour SPA.

The Local Plan contains a map showing where policy 50 and 51 apply.

### **Information required**

A statement to acknowledge the need to mitigate a scheme is required. The statement should include;

- a commitment to provide mitigation via a financial contribution to Bird Aware Solent (for Chichester & Langstone Harbours SPA) or to joint scheme of mitigation (for Pagham Harbour SPA)
- Where there is a identified standalone impact on the SPAs (for larger residential schemes) along with a contribution to the schemes a package of bespoke mitigation measures onsite may need to be included to avoid any significant effect on the SPA.

It will be necessary for the financial contribution to the mitigation schemes to be accompanied by a Unilateral Undertaking, or to enter into a S106 Planning Obligation, during the course of the application. A template unilateral undertaking can be provided upon request.



Further information and guidance for planning on recreational disturbance of Birds in Special Protected Areas (SPAs) in the Chichester Local Plan area can be found [online](#).

### **Indirect impacts on Special Areas of Conservation (SAC) designated for bat species**

For SAC sites designated for bats including Ebernoe Common, The Mens, and Singleton and Cocking Tunnels the South Downs National Park Authority (SDNPA) have identified areas of potential impacts up to 12km from the site. Some of these areas extend into the Chichester Local Plan area. In these locations an assessment will need to be made on the potential impact on Barbastelle and Bechstein's bat species. Where an impact on the species is identified a Habitat Regulations Assessment will need to be undertaken and information will need to be provided by the applicant for this.

### **When required**

- 1) Developments including new buildings, any development affecting trees and/or hedgerows, and any development leading to an increase in external lighting levels, if located within a 12km buffer of Singleton and Cocking Tunnels SAC
- 2) All developments within 200m of an identified bat flight-line originating from The Mens SAC or Ebernoe Common SAC. Maps of the flight-lines can be found in a [report](#) published by the Sussex Wildlife Trust.
- 3) All developments within 12km of an SAC where records of Bechstein's or Barbastelle bats exist within 500m of the site

### **Guidance**

The local planning authority as the competent authority will undertake the necessary Habitat Regulations Assessment, however it is the responsibility of the applicant to ensure that sufficient information is submitted for the assessment to be completed.

For SAC sites designated for bats including Ebernoe Common, The Mens, and Singleton and Cocking Tunnels the South Downs National Park Authority have identified areas of potential impacts up to 12km from the site. Some of these areas extend into the Chichester Local Plan area. In these locations an assessment will need to be made on the potential impact on Barbastelle and Bechstein's bat species.

Where an impact on the species is identified a Habitat Regulations Assessment will need to be undertaken and information will need to be provided by the applicant for this. Further information on the buffer zones surrounding the SACs can be found within the [South Downs National Park Local Plan](#).

Natural England also offers an advice service for developers and applicants available via their [website](#).

## Impact of nitrates upon the Chichester and Langstone Harbours designated sites

There is a likely significant effect on several internationally designated sites (Special Protection Areas, Special Areas of Conservation and Ramsar sites) across the Solent area, including Chichester and Langstone Harbour. Following an assessment by Natural England it has been established that more than 3000ha of the harbour is in an unfavourable declining condition and one of the reasons for decline is water quality. Achieving nutrient neutrality is one way to address the impact of new development upon the designated sites at Chichester Harbour.

Natural England has published a practical methodology guidance note on how to calculate nutrient budgets and options for mitigation if necessary. Where appropriate, development proposals must demonstrate how they achieve nitrate neutrality in accordance with Natural England's latest guidance on achieving nutrient neutrality for new housing development.

### When required

A nutrient neutrality statement must be submitted with any application for:

- 1) Residential developments resulting in a net gain in the number of dwellings, and
- 2) Commercial development resulting in an increase in overnight stays where wastewater would discharge to Appledram, Bosham or Thornham Wastewater Treatment Works (WwTW) or to a means of non-mains drainage within the Chichester Harbour fluvial catchment.

Note: There may be cases where planning applications for new commercial or industrial development or changes in agricultural practices could result in the release of additional nitrogen into the system. In these situations, a case-by-case approach will be adopted.

### Information required

The statement must include

- The calculated nitrogen budget,
- Details of any necessary mitigation,
- **Detailed management scheme,**
- **Details of proposed monitoring.**

This information will be used by the local planning authority to carry out an appropriate assessment as the competent authority. If insufficient information is provided to inform the appropriate assessment the application will be refused.

### Guidance

The statement must be carried out in accordance with the methodology contained within Natural England's [Advice for Development Proposals](#) (March 2022). Natural England has also provided a [Nitrogen Budget Calculator](#), a [Nutrient Neutrality Mitigation Principles](#) document, and a [Summary Non-technical Advice Note](#).

The statement is necessary for all types of development that would result in a net increase in population served by a wastewater system, such as new homes, student accommodation, tourism attractions and tourist accommodation. This includes self-service and serviced tourist accommodation such as hotels, guest houses, bed and breakfasts and self-catering holiday chalets and static caravan sites. It also includes applications for which prior approval is sought for residential uses under Article 3, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development Order) 2015, as amended.

Please note that if an application is received for prior approval and the development would likely have a significant effect on a designated site then in accordance with the Habitat Regulations the proposal would not benefit from permitted development and therefore any application for prior approval would be refused.

To check whether the wastewater from your development would drain to the Appledram, Bosham or Thornham WwTW please refer to the Council's [Surface Water and Foul Drainage SPD](#). To check whether your site lies within the Chichester Harbour fluvial catchment please refer to the [Map for the Solent Catchment](#).

## **5. COMMUNITY INFRASTRUCTURE LEVY (CIL) / S106 PLANNING OBLIGATIONS DRAFT HEAD(S) OF TERMS**

### **5A. CIL**

Following the introduction of the CIL [Charging Schedule](#) in February 2016 a planning application will not be valid unless the CIL Form 1 [Additional Information Requirements Form](#), and CIL Form 2 [Assumption of Liability Form](#) are, where required, completed. The forms enable the Council to determine CIL liability and therefore must be submitted even if the applicant considers the proposal to be exempt from CIL.

#### **When required**

- 1) Residential development that involves the creation or conversion to one or more dwelling(s).
- 2) The creation/ conversion to residential annexe(s)
- 3) Residential extensions which involve the creation of 100 square metres or more of gross internal floorspace
- 4) All-purpose built student housing
- 5) New retail development.

#### **Information required**

Proposals must include a completed [Additional Information Requirement Form](#) to assist the Council in determining CIL liability. This requires details of residential floor space and the existing

use of the site. A completed [Assumption of Liability Form](#) is also required to enable us to contact the person(s) assuming liability for CIL.

For further information on CIL or assistance in providing the above information please visit the Chichester District Council Website [CIL Pages](#) or the [Planning Portal](#).

## **5B. S106 DRAFT HEADS OF TERMS STATEMENT**

### **When required**

A draft heads of terms for a Section 106 obligation should accompany all applications where it is necessary for the developer to enter into legal obligation to provide certain contributions or facilities that would not be provided by the payment of CIL. Examples include (but are not restricted to):

- 1) Affordable Housing Provision (see Section 1 of Part II to these requirements)
- 2) On-site infrastructure
- 3) Off-site, site specific highway improvement works necessary as a result of the development
- 4) Improvements to the A27 where the infrastructure is excluded from the CIL charging schedule (known as the Regulation 123 List)
- 5) Recreational Disturbance affecting the Special Protection Areas
- 6) Nitrate Neutrality Mitigation Scheme**
- 7) Water Neutrality Mitigation Scheme**

### **Information required**

- Heads of terms in accordance with the Council's [Planning Obligations and Affordable Housing Supplementary Planning Document](#).
- Details of solicitors acting on behalf of those entering in to the agreement

## **6. FLOOD RISK ASSESSMENT**

Planning applications for development sensitive to, and on sites at risk of, flooding should be accompanied with a Flood Risk Assessment (FRA) in accordance with paragraph 103 of the [NPPF](#).

### **When required**

Development proposals:

- 1) with a site area of 1ha or greater in Flood Zone 1,
- 2) all proposals for development (including extensions), in Flood Zones 2 and 3,
- 3) any development other than minor development in a designated critical drainage area (as notified to the LPA by the Environment Agency), and

- 4) where the Lead Local Flood Authority (LLFA), Environment Agency, and/or other bodies have indicated that there may be a drainage problem.

### **Information required**

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. Maps of flood zones are available from the [Environment Agency](#). In addition, the [National Planning Practice Guidance](#) and [Flood Risk Assessment for Planning Applications](#) provide guidance on how to write a flood risk assessment and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

Please also see further information on the [Chichester District Council Website](#) and [NPPF Chapter 10](#). Flood zone areas can be identified via the [Environment Agency - National Flood Risk Map](#). The Environment Agency also publishes [standing flood risk advice](#), and the Lead Local Flood Authority publishes policy guidance for surface water management.

## **7. FLOOD RISK SEQUENTIAL AND EXCEPTION TESTS**

### **7A. SEQUENTIAL TEST**

The Sequential Test is, in effect, a sieving process designed to ensure that development comprising of vulnerable uses, such as residential development is steered away from areas at higher risk of flooding.

Flood zone areas can be identified via the [Environment Agency - National Flood Risk Map](#). You can also find out whether the site has a history of flooding by contacting the Environment Agency. Details of this service are available [online](#).

### **When required**

Applications for operational development where the proposals would be located within flood zones 2, 3a or 3b (excluding changes of use) or areas at risk from surface water or groundwater flooding in relation to:

- 1) hospitals,
- 2) residential institutions, and
- 3) a net increase in dwellings or mobile homes

### **Information required**

Information must be submitted to demonstrate that there are no other available sites at a lower probability of flooding that could accommodate the proposed development. The information should take in to account all other potential development sites within the Chichester Plan Area.

Guidance from the Environment Agency on how to carry out a sequential test is available [online](#).

---

## 7B. EXCEPTION TEST

### When required

If, following the application of a Sequential Test, it is not possible to locate the development in a lower flood risk zone or area with reduced flood risk; an Exception Test will be required.

### Information required

If required, the Exceptions Test will be required to demonstrate that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

Guidance from the Environment Agency on how to carry out an exception test is available [online](#).

Further information about the requirement for sequential and exception tests may be found in the [NPPF](#) (Section 10, Paragraphs 100-102) and the [National Planning Practice Guidance](#).

## 8. DRAINAGE ASSESSMENTS

### 8A. FOUL SEWERAGE ASSESSEMENT

#### When required

- 1) for all new residential or commercial development where it is not intended to connect to mains drainage, and
- 2) all applications for a net increase of dwellings that would drain to Appledram Waste Water Treatment Works (WWTWs) via a public sewer, or
- 3) all applications for a net increase of 5 or more dwellings that would drain to any other public sewer and WWTW.

#### Information required

Where any application for development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then further details of the method of storage, treatment and disposal will be required.

Where connection to the mains sewer is not practical, the foul/non-mains drainage assessment will be required to demonstrate the alternative means of disposal are satisfactory. Guidance on what should be included in a non-mains drainage assessment is given in the [NPPG](#) and [Building Regulations Approved Document Part H](#) and in BS 6297:2007.

For all developments draining to the Appledram WwTW the statement should include a Drainage Impact Assessment demonstrating the existing and proposed level of waste. If the proposed exceeds the existing, it will be necessary to include a mitigation strategy and details of alternative foul drainage.

Where connection to the public sewer is proposed a capacity check to demonstrate that there is sufficient capacity within the sewer to accommodate the waste from the development proposal must be included. The capacity check is available from Southern Water.

When preparing the assessment, regard should be had to the Council's [Surface Water and Foul Drainage Supplementary Planning Document](#); in particular the flow charts on pages 7 and 8.

## **8B. SURFACE WATER DRAINAGE STRATEGY**

In order to deliver the growth sustainably and in a timely manner, the proper management of surface water is essential to ensure there is no net increase in flood risk on or off-site.

### **When required**

A surface water drainage strategy will be required for:

- 1) all development of 5 or more dwellings or 1,000sqm of commercial floor space (all of which require surface water drainage schemes)
- 2) all applications for operational development within flood risk zones
- 3) all applications for operational development on sites which have a known history of flooding

### **Information required**

This should include details of how surface water runoff from the site is to be controlled and managed. The drainage strategy should ensure that the design of all surface water drainage systems follows the hierarchy of preference for different types of surface water drainage systems as set out in Approved Document H of the Building Regulations and the Sustainable Drainage System (SuDS) Manual produced by CIRIA (Construction Industry Research and Information Association). The proposed drainage system is to be informed by all available data, such as geological maps and ground water monitoring.

This means that the developer must first consider the discharge of surface water into an infiltration device (eg. soakaway, basin, swale, permeable paving etc.). The drainage strategy must include the consideration of the suitability of these features and should demonstrate that infiltration will not pose a risk to groundwater quality.

If this is not achievable then the drainage strategy should demonstrate how attenuated flows into a watercourse could be achieved at an agreed run off rate. If no suitable watercourse is available, then attenuated flows into a surface water sewer at an agreed rate is the third option. Surface water in any development, must not be discharged into the foul sewer system.

When preparing the drainage strategy regard should be had to the Council's Surface Water and Foul Drainage Supplementary Planning Document and the [West Sussex Lead Local Flood Authority Policy for the Management of Surface Water](#). In addition, the council has created a Surface Water Drainage Proposal Checklist document available on the Council's [website](#). The

document is designed to outline the council's expectations and requirements for surface water drainage proposals. To avoid pre-commencement conditions relating to surface water drainage, detailed surface water drainage proposals in line with the requirements of this checklist should be submitted with an application. If a pre-commencement surface water condition has been imposed on a permission the document explains what information will be required with an application to discharge the condition.

Note: Where an application may affect the flow of an existing watercourse, such as culverting of or discharging to a watercourse, applicants are advised to contact the Environment Agency (for main rivers) or Lead Local Flood Authority (for Ordinary Watercourses) for additional requirements that may be needed to satisfy permits / consents.

## **8C. SURFACE WATER DRAINAGE STATEMENT**

In order to deliver the growth sustainably and in a timely manner, the proper management of surface water is essential to ensure there is no net increase in flood risk on or off-site.

### **When required**

A surface water drainage statement will be required for:

- 1) all development of between 1 and 4 dwellings or less than 1,000sqm of commercial floor space
- 2) change of use of land

### **Information required**

The statement should include details of how surface water runoff from the site is to be dealt with. The drainage statement should ensure that the design of all surface water drainage systems follows the hierarchy of preference for different types of surface water drainage systems as set out in Approved Document H of the Building Regulations and the Sustainable Drainage System (SuDS) Manual produced by CIRIA (Construction Industry Research and Information Association).

This means that the developer must first consider the discharge of surface water into an infiltration device (eg. soakaway, basin, swale, permeable paving etc.). If this is not possible, in order of priority, surface water should either discharge to 1. a local watercourse or 2. a surface water sewer

Note: Where an application may affect the flow of an existing watercourse, such as culverting of or discharging to a watercourse, applicants are advised to contact the Environment Agency (for main rivers) or Lead Local Flood Authority (for Ordinary Watercourses) for additional requirements that may be needed to satisfy permits / consents.



## 9. HERITAGE STATEMENT

### When Required

This includes historical, archaeological features and scheduled ancient monuments.

A Heritage statement is required for the following development which would:

- 1) be within the curtilage of, or directly affecting, a Listed Building
- 2) be within an area of recognised archaeological importance
- 3) be within a Conservation Area
- 4) be within the setting of a Conservation Area,
- 5) directly affect or be within the setting of a scheduled monument, and
- 6) directly affect or be within the setting of a Registered Historic Park or Garden.

### Information required

For the majority of relevant proposals this would be included in a Design and Access Statement, but if one is not submitted a separate Heritage Statement may be required, for instance where a householder development is proposed in the curtilage of a listed building. Applicants are required to provide a description of the “significance of the heritage assets affected and the contribution of their setting to that significance”. The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or the historic buildings adviser officer before any application is made; pre-application advice may be sought via [this link](#). The following is a guide to the sort of information that may be required for different types of application.

Any statement will normally require:

- an explanation of the history and character of the heritage asset,
- a schedule of works that affect the heritage asset,
- a statement of justification explaining why the works are proposed and identifying any public benefits (this should include a development appraisal where appropriate);
- a statement of significance describing both the overall significance of the asset/s and the constituent parts, with special emphasis on the parts directly affected;
- an assessment of the impact of the works on the significance of the asset, both overall and with special emphasis on the parts directly affected, along with a mitigation strategy explaining how harm to significance will be avoided or minimised, with any harm weighed against any public benefits;
- a specialist assessment where any features of special historic, archaeological, architectural and artistic interest may exist;
- a structural report by an engineer familiar with heritage assets, which identifies defects and proposes remedies, when works include significant elements of demolition or rebuilding.

In forming a statement regard should be had to the requirements of Chapter 16 of the NPPF (February 2019).

## 10. INTERIM POLICY STATEMENT JUSTIFICATION

From the 15 July 2020 Chichester District Council anticipates that it will no longer be able to demonstrate a 5 year housing supply. An interim policy statement for new housing development has been prepared to provide guidance on the most sustainable locations for new development within the Chichester Local Plan Area to ensure the continued housing delivery until such a time that the Local Plan Review 2016-2035 Preferred Approach (LPR) document can be adopted.

### When required

For all applications relying upon the Interim policy statement to justify residential development outside of the settlement boundary where new housing would not normally comply with the development plan it will be necessary to demonstrate how the proposal meets the guidance contained within the interim policy statement

### Information required

A statement must be submitted which demonstrates how the proposal would accord with all requirements contained within the Interim Policy Statement for the Housing Development published by the Council.

### Guidance

The Interim Policy Statement and background information is available on the Council's [website](#).

## 11. LAND CONTAMINATION ASSESSMENT

Former industrial and commercial uses of land may have led to land contamination being present. New developments can result in land contamination if not adequately controlled. Even apparently benign land uses such as agricultural sites or storage units might give rise to potential land contamination.

Failure to deal adequately with land contamination during the development management process could cause harm to human health, ground water, surface water, property and the wider environment. Gaseous and liquid contaminants might affect a distant site as they may be mobile in the soil environment.

### When required

For all applications where:

- 1) the development includes ground works and a previous use of the site or a nearby site may have introduced land contamination to the soil and/or water environment,
- 2) a sensitive land use is proposed i.e. housing (including change of use or prior notification applications), private gardens, allotments, schools or nurseries, and/or
- 3) a potentially polluting land use is proposed.

## **Information required**

Applications should be supported by a desk study report (including a site walkover and conceptual site model) which concludes with a preliminary risk assessment. This information will enable the LPA to understand if further more detailed investigation is required or whether any proposed remediation is a satisfactory risk management strategy and good for the lifetime of the site.

Unless this initial assessment clearly demonstrates that the risk from land contamination, is at an acceptable level, or can be reduced to an acceptable level, further site investigations and risk assessment will be needed.

For major developments the further investigations and proposed mitigation strategy should be provided with the application. For small scale proposals permission may be granted subject to conditions requiring further investigation if necessary.

If applicants would like to know if a proposed development site might be affected by land contamination, a request can be made to the Environmental Management team at the Council for relevant information. A charge will be made for this service, see details on our [website](#) for more information.

Please note however the responsibility for securing a safe development rests with the developer and /or landowner.

Regard should be had to paragraphs 170, 178 and 179 of NPPF (February 2019) and further advice and information is available in DCLG Planning Practice Guidance on [Land affected by contamination](#).

## **12. LIGHTING ASSESSMENT**

Chapter 15 of the National Planning Policy Framework (July 2021) refers to conserving and enhancing the natural environment and states at paragraph 185 that planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The planning system is the principal control of unwanted light where no other effective controls exist.

### **When required**

Will be required to accompany all applications for:

- 1) All development that includes external lighting systems within sensitive areas (such as conservation areas, listed buildings and Areas of Outstanding Natural Beauty) and within or adjoining residential areas
- 2) Any major residential or commercial development where a receiver of light might be adversely affected, including neighbouring properties or the countryside (for the protection of wildlife).

- 3) Proposals for floodlights and sports/playing pitches
- 4) Proposals for lasers, search lights, beams of light and illuminated advertisements.

### **Information required**

A written scheme should be prepared by an independent competent person and submitted alongside applications to enable the effects of such lighting to be fully considered.

For categories 1 to 3 above then it is expected that the written scheme will include a description of the lighting requirement referring to relevant standards; the layout and composition of the scheme; isolux diagrams showing the predicted luminance in both the horizontal and the vertical plane (at a height of 3.5 metres); the periods of operation for the lighting; a description of the area where the lighting is to be installed detailing any sensitive receivers. The report shall provide the information in relation to sky glow (max %), light intrusion into windows (lux) luminaire intensity in candelas and building luminance as an average in candelas / metre squared as appropriate to the application.

For category 4 listed above a specific assessment will be required for the type of application to be agreed at pre-app enquiry phase.

See also the Institution of Lighting Professionals; [Guidance for the reduction of obtrusive light](#).

## **13. MINERAL INFRASTRUCTURE STATEMENT / MINERAL RESOURCE ASSESSMENT**

Sand (sharp, soft and silica) and gravel, brick making clay, building stone (sandstone) and chalk are regarded as economically important minerals in West Sussex. Therefore, in accordance with the adopted Joint Minerals Local Plan (JMLP) produced by WSCC it is important that they are protected from sterilisation by surface development. The JMLP identifies Mineral Safeguarding Areas (MSA's). To ensure effective consultation with the Minerals Planning Authority (WSCC) and to ensure safeguarded mineral resource areas are protected from non-mineral development, Mineral Consultation Areas (MCAs) have been defined based upon the safeguarded areas. If a development site falls within an identified MCA a mineral resource assessment may be required to demonstrate that the proposal would safeguard minerals.

### **13A Mineral Infrastructure Statement**

#### **When required**

1) Required for major development (except within the curtilage of existing development, reserved matter applications or amendments to existing permissions) within a Minerals Consultation Area containing minerals infrastructure

#### **Information required**

A minerals infrastructure statement should address the following matters:

---

- The distance of the proposal from the safeguarded site
- Any existing screening from buildings or vegetation
- Identification of pre-existing conditions such as background noise, light, odours, vibration, dust and other emissions
- The potential for the site to deliver suitable mitigation including the identification of the means by which the development has introduced layout, design and other mitigation measures to mitigate potential effect on and from the safeguarded site
- Confirmation of pre-application consultation/engagement with the minerals infrastructure operator
- Where appropriate, a full assessment of issues such as noise and light

### **13B Mineral Resource Assessment**

#### **When required**

1) Major development (except within the curtilage of existing development or amendments to existing permissions) within a Minerals Consultation Area containing safeguarded minerals resources

#### **Information required**

A minerals resource assessment should be proportionate to the size of the site and the scarcity of the mineral and may include the following:

- An assessment of the geological information about the site
- Site investigations/borehole data; • Consideration of other locations that are outside the MSA
- Assessment of whether the proposal can be modified to avoid sterilisation
- Assessment of the potential for the use of the mineral in the proposed development and whether it is feasible and viable to extract the mineral resource ahead of the development
- An explanation of the viability of prior extraction and how it will be carried out
- Discussions with potential 'users' of the mineral
- Building Stone - an assessment of quarries, historic buildings using the stone and alternative supplies of the stone.

#### **Guidance**

For further information about the safeguarding of minerals please refer to Policy M9 and M10 of the [West Sussex Joint Minerals Local Plan 2018](#) and the [Minerals and Waste Safeguarding Guidance March 2020](#). The West Sussex County Council [Annual Monitoring Report](#) (AMR) contains the latest list of safeguarded sites.

### **14. NOISE ASSESSMENT**

Chapter 15 of the National Planning Policy Framework refers to conserving and enhancing the natural environment. Paragraph 185 states planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

### **When required**

- 1) When there is an alteration to a site with existing industrial or commercial use. Alteration can take many forms including introduction of a new noise source such as fixed plant, a change to the layout or a change to working hours.
- 2) When there is a new development for an industrial or commercial use.
- 3) Where a noise sensitive use is proposed near to an industrial use, a commercial use, a waste site, a mineral site, a road, railway or aerodrome.

The impacts of the sound levels need to be considered on both the internal and external spaces.

An assessment should normally be carried out by a qualified acoustician who is registered with the Institute of Acoustics (IOA) and/or the Association of Noise Consultants (ANC).

### **Information required**

The following matters should be detailed within a Noise Assessment:

- The existing (baseline) noise environment
- Information about noise-sensitive receptors
- Information about the proposed (or existing) source
- The likely noise impacts upon the sensitive receptor
- Proposed mitigation measures
- Residual noise impacts following mitigation.

As well as providing numerical information about the source and the context, appropriate descriptions of both should be provided. For example a description of the noise from a source should include: the distance of the noise source from the receptor, the time of day the noise occurs, the duration and number of noise incidents, the frequency content of the noise and whether it has any tonal or impulsive characteristics.

Noise survey and assessment methodologies should be clearly set out and accord with relevant British Standards. **Regard should be had to the [Planning Noise Advice Document: Sussex \(September 2021\)](#) produced and adopted by Councils across Sussex.**

Further guidance may be obtained from the following sources:

- National Planning Policy Framework
- Planning Practice Guidance: Noise.
- BS 4142:2014 Methods for rating and assessing industrial and commercial sound.
- BS8233:2014 Guidance on sound insulation and noise reduction for buildings
- ProPG: Planning & Noise

## 15. ODOUR ASSESSMENT

Odour is an aesthetic and subjective form of air pollution which may impact on the general amenity of an area and/or human health. The NPPF (para 120) seeks to prevent such effects from occurring.

### When required

- 1) For any new development that proposes an odorous or potentially odorous process or use (i.e. intensive livestock rearing, sewage treatment works, coffee roasters, cooked food manufacture and composting activities) when any of the following applies:
  - a. in proximity to odour sensitive properties,
  - b. the proposal is an expansion or intensification of an existing use and/or
  - c. there is/are an already odorous process affecting the area.

### Information required

The odour assessment methodology should be as detailed in the [Institute of Air Quality Management's Guidance](#) on the assessment of odour for planning (May 2014<sup>1</sup>). Section 3 of the Guidance details the content of an assessment suitable for planning purposes.

Applications should be supported by such information, in the form of a risk assessment, as to allow determination of the likely impact of the odour, to include; the frequency of occurrence, intensity, duration and offensiveness likely to impact at the nearest sensitive receptors. Methods to manage and control odour emissions should also be detailed and subject to risk assessment.

An odour management plan might subsequently be required by condition.

Where the application is for a restaurant, café or public house use and any large commercial kitchen (hospital, residential home etc) then it is not likely that a formal odour assessment will be required and applicants should turn to Section 25 of this document.

## 16. PLANS, DRAWINGS & PHOTOS

Plans and photos are essential to assess the proposal and the impact of development. The following plans will be required:

- **Block plan** (scale 1:500 or 1:200) – to show the footprint of the proposal and detailing any changes to the existing boundary treatment. A block plan need not be provided where the information is only a duplication of that clearly visible and identifiable on the location plan. Written dimensions to boundaries can be included to assist with the understanding of the development and its relationship to neighbouring properties.
- **Existing and proposed elevation drawings** (scale 1:100 or 1:50) – as necessary to clearly show the proposed works in relation to what is already there. Where a proposed elevation adjoins another building or is in close proximity to it, the drawings should show the relationship between the two buildings.
- **Existing and proposed floor plans** (scale 1:100 or 1:50) – as necessary to clearly show the proposed works in relation to what is already there. Where applicable, these should highlight any existing walls or buildings that are to be demolished.
- **Existing and proposed site sections, finished floor and site levels** (scale 1:100 – 1:50) – where the proposal involves a change in ground level or sloping sites.
- **Roof plans** (drawn to an identifiable scale – can be shown on block plan) – where the roof design is not simple single, dual or mono pitches, to clearly show the proposed works in relation to what is already there. The roof plans should include the position of any rooflights/solar panels/flues as appropriate.
- **Photos showing the site and its surroundings** – this should include photos taken of;
  - a) key views of the location of the proposed development within a site,
  - b) the boundary treatments adjacent to the proposal,
  - c) the relationship with the neighbouring properties/land, and where relevant
  - d) the streetscene.An annotated plan showing the location of each photo must be included.

Every plan and drawing submitted must include the following:

- Scale
- Scale bar
- Paper size
- North point (except elevation drawings)

## 17. PLANNING STATEMENT

### When required

- 1) For all major development
  - 2) When otherwise advised via pre-application advice provided by the Council
-



### **Information required**

The planning statement should:

- Identify the context and need for a proposed development, and
- Include an assessment of how the proposed development accords with relevant national and local planning policies, including neighbourhood plans

## **18. STRUCTURAL SURVEY AND CONVERSION METHOD STATEMENT**

Understanding the structural condition of a building is important when assessing whether a building can be converted to a different use without significant alteration. This is particularly important for historic buildings and buildings in the rural area which are subject to applications to change their use to one for which they were not originally designed or constructed to accommodate.

### **When required**

Applications for:

- 1) Conversion of a current or former agricultural buildings to other use(s),
- 2) Conversions of any other type of building to a use for which the building was not originally designed/constructed, and
- 3) Alterations to a historic building

### **Information required**

A structural survey setting out the structural condition of the building which should include:

- An appraisal of the structural stability of the building
- A schedule of the work that is required to convert the building
- A method statement for carrying out the work
- Plans detailing the repairs and alterations required

The survey should be carried out by an independent specialist consultant.

## **19. RETAIL SEQUENTIAL TEST AND IMPACT ASSESSMENT**

### **When required**

A Sequential Test is required for applications for main town centre uses including retail, leisure, entertainment facilities, offices; and arts, culture and tourism development (as defined in the [NPPF Annex 2 Glossary](#)) that are not in an existing centre and are not in accordance with an up-to-date Local Plan

An Impact Assessment is required for applications for over 2,500 m<sup>2</sup> of retail, leisure and/or office development outside town centres, which are not in accordance with an up-to-date Local Plan

### **Information required**

The NPPF sets out overall approach to economic development, focussing on town and district centres. See also policies 3, 27, 28, 29 and 45 [Chichester Local Plan: Key Policies 2014-2029](#) and Section 7 of the [NPPF](#).

Further guidance about the need for, and required content of, retail sequential tests and impact assessments may be found within the [NPPG](#).

## **20. SUSTAINABLE CONSTRUCTION AND DESIGN STATEMENT**

All development should achieve high environmental standards, be appropriately designed for the site and its setting, and adaptable for long-term use and appropriate mitigation and adaptation initiatives should be incorporated into new developments to address the potential impact of climate change. Development should also utilise sustainable design and construction techniques, for example, energy conservation and efficiency, water efficiency, reducing waste, re-using materials and recycling materials to ensure the most efficient use of limited resources. Policy 40 of the Chichester Local Plan states how sustainable design and construction measures should be considered by developers in the planning process.

### **When required**

For all new residential and commercial development, including replacement dwellings, it will be necessary to demonstrate how the sustainable design and construction measures outlined in policy 40 of the Chichester Local Plan have been considered and incorporated into the proposed development.

### **Information required**

A Sustainable Design and Construction Statement which addresses all of the requirements of policy 40 of the Chichester Local Plan must be submitted.

The statement should be proportionate to the scale of the development; however as a minimum it must demonstrate that the following have been considered:

- Achieving a maximum consumption of 110l of water per day per person (optional standard within Part G of the Building regulations)
- Complies with building for life standards or equivalent replacement
- Include sustainable design and materials including the use of re-used or recycled materials. This could include the use of nationally and internationally recognised rating or assessment systems, the percentage of recycled materials to be used and for the largest applications, an assessment of the embodied carbon.

- Minimise energy consumption and maximise amount of energy supplied from renewable resources to meet the remaining requirement, including the use of energy efficient passive solar design principles where possible. The carbon reduction compared to building regulations baseline (target rates) through fabric improvements should be quantified and then the carbon reduction due to the use of renewable technologies should be separately calculated.
- Data should be provided to demonstrate the overall percentage improvement over building regulations minimum, and this should be in the region of a 20% improvement. The following data should be provided, preferably in tabulated form:
  - a) The baseline emissions (in kgCO<sub>2</sub>/year) if only the Target Emission Rate under building regulations (2013) were to be achieved
  - b) The reduction in CO<sub>2</sub> emissions from energy efficiency [fabric first] measures
  - c) The reduction in CO<sub>2</sub> emissions specifically from any deployment of zero and low carbon technologies
  - d) The total reduction (b+c)
  - e) Remaining emissions (a-d)
  - f) Overall percentage reduction from the baseline  $((d/a)*100)$
- Provide measures to adapt to climate change, including sustainable drainage systems
- Protect and enhance the Historic and built environment Deliver improvements to biodiversity and green infrastructure
- Maintain tranquillity and local character
- Provide electric vehicle charging points in line with WSCC parking standards

**Guidance**

Please note for proposals relying on the interim policy statement to provide housing that would otherwise not accord with the development plan the required overall percentage improvement above building regulations is greater, and this should be addressed within the justification required under section 9 of this local validation list.

**21. TRANSPORT ASSESSMENTS, STATEMENTS AND ROAD SAFETY AUDITS**

These documents are methods of assessing and mitigating the potential negative transport impacts of development in order to promote sustainable development.

**21A Transport Assessments and Transport Statements**

**When required**

A Transport Assessment is required for:

- 1) Residential development of more than 80 units.

- 2) Commercial Development falling within use class B1 (Business) resulting in over 2500m<sup>2</sup> floor space.
- 3) Non-residential institution developments where proposals include an increase of 1000m<sup>2</sup>,
- 4) Development for schools that will generate a significant intensification (i.e. new or amalgamated schools)

A Transport Statement is required for:

- 1) Residential development of up to 50 - 80 units.
- 2) Commercial Development falling within use class B1 (Business) resulting in 1500m<sup>2</sup> – 2500m<sup>2</sup> floor space.
- 3) Non-residential institution developments where proposals include an increase of 500 m<sup>2</sup> –
- 4) 1000m<sup>2</sup>
- 5) Development for schools where increased pupil and staff numbers are anticipated

### **Information required**

Both Transport Assessments and Transport Statements should include:

- Illustration of the accessibility to the site by all modes of transport,
- Demonstration of the likely modal split of journeys to and from the site.
- Details of proposed measures to improve access by public transport, walking and cycling to reduce the need for parking associated with the proposal and mitigate transport impact.
- A Design Audit of highway works proposed. Which should state the design guidance used (e.g. Design Manual for Roads and Bridges, Manual for Streets, etc.), how the design complies with this guidance and identifying any departures from any standards. Further guidance can be found in the Transport evidence bases in plan making, (March 2015) published by the Department for Communities and Local Government.
- A Stage 1 Road Safety Audit (only necessary if required under WSCC Safety Audit policy).

### **Guidance**

Please see West Sussex County Council Transport Assessment Methodology (June 2007) and information contained in (now archived) DfT document Guidance on Transport Assessment - March 2007 for guidance.

Current information about transport statements and assessments is also available within [the NPPG](#) and the [Design Manual for Roads and Bridges Volume 5](#) and Paragraph 109 of the National Planning Policy Framework (February 2019).

Details of WSCC guidance and policies relating to development management, Highways and Transport, including Transport Assessments can be found [online](#).

### **21B Road Safety Audit and Designers Response**

## **When required**

For all 'major' planning applications that include any of the following:

- 1) Alteration to an existing highway,
- 2) Intensification of use of an existing access. Intensification is generally defined as 50 or more vehicle movements per day. However it is recommended that clarification is sought from WSCC where a proposal involves the intensification of an existing access as other issues such as collision data, visibility and geometry would need to be considered.
- 3) Formation of a new access,
- 4) Off-site highway improvements,
- 5) New residential estate roads where a through route is created, where a bus route is created or where the road serves access to a school or other major community or retail facility.

('major' applications are defined as residential development of 10 units or more or 0.5 ha or more when the numbers are unknown and commercial development of 1,000 sq.m or more or 1 ha or more);

- 6) For all other planning applications that include proposals that do not meet recognised standards. The need for a safety audit will be assessed by West Sussex County Council officers. Of particular interest will be visibility, geometry and junction location. Safety Audits will not normally be required, for minor applications, if guidance set out in Manual for Streets or Design Manual for Roads & Bridges is achieved.

**Safety Audits must be undertaken in compliance with GG119, Road Safety Audit. A Designer's Response must accompany any Road Safety Audit.**

### ***Objective:***

Submission of a Road Safety Audit is a County Council (as Highway Authority) Policy requirement and sets out the County Council's procedure for the consideration of developer proposals requiring the support of a Road Safety Audit. This Policy supports national guidance set out in GG119 and is required to preserve the safety of all road users using the public highway. WSCC require the procedures set out in GG119 to be followed subject to the departures set out in the Policy. This Policy highlights the importance of the Road Safety Audit process in support of a planning application and identifies when an Audit is required and the process involved. This Policy will not relate to works being proposed on Trunk Roads or those falling under the responsibility of Highways England. Guidance for Road Safety Audit requirements on such roads should be sought directly from Highways England.

The objective of the County Council's Policy is to ensure that the road safety implications of all Highway Schemes required to support development, including those subject to future adoption by the County Council, are fully considered for all road users of the highway, as well as those working on the highway, and to ensure that proposals are compliant with current statutory regulations.

This will help to reduce safety risks on the highways of West Sussex for all those who use them.

The Road Safety Audit Policy on the West Sussex County Council Road Agreements web page explains the procedure for developer proposals requiring a Road Safety Audit.

## **22. Travel Plans and Travel Plan Statements**

### **When required**

A Travel Plan Statement is required for:

- 1) sites where a *Transport Statement* is required.

A full Travel Plan is required for:

- 1) sites where a *Transport Assessment* is required.

The thresholds for Travel Plan Statements and full Travel Plans are contained within West Sussex County Council's Development Travel Plans Policy (see below)

### **Information required**

#### **Full Travel Plans should include:**

- Background information about the site including any relevant travel information (e.g. staff travel surveys)
- A nominated Travel Plan Co-ordinator (including contact details)
- Details of the measures, information, and incentives that will be introduced to encourage use of non-car modes and car sharing. (N.B. for residential developments each dwelling should be offered a £150 voucher which can be used as a contribution towards a new bicycle, cycle training, a bus or rail season ticket, or membership of a Car Club etc).
- Details of any measures and incentives that will be introduced to reduce the need to travel in the first place
- Details of how the Travel Plan will be monitored (in accordance with the TRICS UK Standard Methodology)
- A target to achieve a 12-hour weekday vehicle trip rate that is either 10% lower (rural areas) or 15% lower (urban areas) than is predicted in the accompanying Transport Assessment for a 'no Travel Plan' scenario.
- A commitment to achieving this target with the agreed monitoring period (usually 5 years from initial occupation for workplaces and 5 years from an agreed occupation level for residential sites).
- Details of the remedial/enforcement action that will follow if the target is not achieved. (N.B. for residential developments this should consist of a second offer of £150 travel vouchers to each dwelling).

#### **Travel Plan Statements should include:**

- Background information about the site including any relevant travel information (e.g. staff travel surveys)
- A nominated Travel Plan Co-ordinator (including contact details)
- Details of the measures, information, and incentives that will be introduced to encourage use of non-car modes and car sharing. (N.B. for residential developments each dwelling should be offered a £150 voucher which can be used as a contribution towards a new bicycle, cycle training, a bus or rail season ticket, or membership of a Car Club etc).
- Details of any measures and incentives that will be introduced to reduce the need to travel in the first place
- Details of how the Travel Plan will be monitored (e.g. through questionnaire surveys)
- A commitment to the setting a modal shift target based on the outcomes of the initial travel survey.
- A commitment to achieving the target within 5 years of occupation.

### **Guidance**

The County Council has developed a range of tools, incentives, and publicity material for inclusion in Travel Plans and Travel Plan Statements. For full details of what to include in this plan please refer to West Sussex County Council Highways directly on [planninghighways@westsussex.gov.uk](mailto:planninghighways@westsussex.gov.uk).

A copy of West Sussex County Council's Development Travel Plans Policy is available upon request from [planninghighways@westsussex.gov.uk](mailto:planninghighways@westsussex.gov.uk). The County Council has also produced guidance for developing Travel Plan Statements.

The following national and local guidance should also be referred to:

The Travel Plans, Transport Assessments and Statements section of the National Planning Practice Guidance and section 9 of the [NPPF](#) (February 2019).

## **23. PARKING ASSESSMENT**

The West Sussex County Council's [Guidance on Parking at New Developments \(2019\)](#) has been adopted by this Chichester District Council. As part of any planning submission for new residential, commercial and other forms of development (except domestic extensions and minor business development) details of existing and proposed parking spaces on site need to be provided.

### **When required**

A Parking Assessment is required for all planning applications:

- 1) for a net increase of 11 dwellings or more, or
- 2) for creation in excess of 1000 sq. m of non-residential floor space

where there is an increased requirement for vehicle parking and/or where existing vehicle parking arrangements are changing.

### **Information required**

The parking assessment shall provide:

- the existing and proposed parking provision
- sizes of parking spaces/garages
- justification of how the proposal meets the parking requirements for the development
- details of cycle stores (the location, elevations and materials to be used should form part of the application)

See also the WSCC Car Parking Demand Calculator and associated Maps available on the WSCC [website](#).

## **24. TREE SURVEY/ARBORICULTURAL IMPLICATIONS & METHOD STATEMENT**

### **When required**

An arboricultural impact appraisal (AIA) is required for any new building work (including construction of access drive, patios and the laying of drains/services) that comes **within 15 metres** of:

- 1) A tree the subject of a tree preservation order, either within the application site or on adjoining land, or
- 2) A tree that lies within a conservation area.

### **Information required**

For all applications (including outline applications) the AIA must include a tree survey and finalised tree retention/removal plan. Retained trees and root protection areas should be shown on the proposed layout. In line with the recommendations of BS5837:2012, the AIA is required to be produced by a suitably qualified/experienced arboriculturalist.

The AIA should demonstrate how the identified tree constraints have informed the design of the development. It should also identify all possible conflicts between the proposed development and existing trees on site. At this stage, it is essential to consider the direct impacts of the development proposed and any related activity, including the laying of drains and services, site construction access, contractor's vehicle parking, storage of materials, and changes in ground levels (see BS5837-2012).

An Arboricultural method statement (AMS) will be required where work will be within the root protection area of protected trees. An AMS sets out information regarding the measures needed to protect the trees shown to be retained and schedules of any necessary tree work. It should also detail how the possible conflicts identified in the AIA are to be addressed and include a tree protection plan setting out the measures for protecting the trees during the whole development



process (e.g. protective barriers/fences, ground protection measures, existing and proposed finished ground levels). Further information can be found in BS5837-2012.

## **25. VENTILATION/EXTRACTION STATEMENT**

### **When required**

Any application where commercial ventilation or extraction equipment is to be installed. Such equipment is often associated with uses such as

- 1) Restaurants and cafes
- 2) Drinking establishments
- 3) Hot food takeaways
- 4) General business
- 5) General industrial

### **Information required**

The statement should provide information on potential noise, odour or vibrational impact on neighbouring properties. A specialist consultant should prepare the statement.

## **26. WATER NEUTRALITY STATEMENT**

### **When required**

Any application for development that would result in an increase in water demand within the **Sussex North Water Resource Zone**. This does not apply to householder development, with the exception of swimming pools and annexes.

### **Information required**

The statement should provide details of how the proposal would achieve water neutrality, including;

- Water budget for any existing use on the site,
- Water budget for the proposed development,
- Details of the proposed on-site water efficiency measures,
- Details of any offsetting measures (off-site), and
- Management and monitoring scheme.

### **Guidance**

Please refer to the map showing the [Sussex North Water Resource Zone](#) to check if your development would be affected. Further guidance from Natural England is available in their published [Position Statement](#), [Advice Note](#), and [Frequently Asked Questions](#) documents. Any updates to the guidance will be published on the Council's [Water Resources in Northern Chichester District](#) webpage.