Planning Application Validation Requirements in the Yorkshire Dales National Park

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YORKSHIRE DALES
National Park Authority

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1. INTRODUCTION

1.1 The Yorkshire Dales National Park Authority is the local planning authority for the National Park. The Authority aims to deal with planning applications in a timely and efficient manner. Unfortunately delays in the planning application process are caused because the information the Authority needs to decide the application has not been submitted with it. A planning authority can require that supporting information is provided with a planning application providing it has set out its requirements in a formally adopted local list. The list must be published every 2 years. If a planning application does not include the information requested in the list of requirements it is not valid and processing is delayed until the applicant provides the information.

1.2 This document includes both national mandatory requirements and local requirements that are specific to particular types of development. The list has been revised and re-published to take account of changes in the law and in national and local planning policy as they apply to the Yorkshire Dales National Park since the last publication in September 2023.

1.3 The purpose of these validation requirements is to:

- provide applicants with certainty over the information required;
- ensure all the necessary information to determine the planning application, and to draft the planning permission with the minimum number of conditions and restrictions, is available from the outset; and,
- minimise delays caused by needing to request additional information once the application has been submitted.

1.4 Information requested by a planning authority must be:

- reasonable, having regard 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.

1.5 To help applicants the Authority has also produced a ‘Validation Questionnaire’ which flags up what information will be required for the type of development proposed. In addition to this, full details for each item of additional information are available on the Authority’s website including links to relevant guidance and Local Plan policies.

2. SUBMISSION AND VALIDATION OF APPLICATIONS

Pre-Application Advice

2.1 The Authority provides a pre-application advice service which gives detailed advice from planning officers, and the Authority's experts, on development proposals. The service identifies the relevant planning policies and constraints to development, as well as an assessment of the proposal. This includes the likelihood of whether it will be supported, suggested amendments and details of what information needs to be submitted with the application. Full details of the service and charges are available on the Authority's website.

Validation of Applications

2.2 The first step in the planning application process is 'validation' – checking that the correct information and fee has been included to allow the application to be registered. All planning applications must be accompanied by mandatory national information (a completed application form, plans and drawings and the relevant fee) and then any additional information specified by local validation requirements.

2.3 Applications are validated as soon as practicable to allow the formal process of publicising and consulting on the application to begin. The Authority will inform the applicant as soon as possible if the application is not valid; setting out what additional information it thinks needs to be provided.

2.4 If the applicant disagrees with the information requested, they can submit an article 12 notice setting out the reasons why they consider that the additional information requested by the planning authority does not meet the statutory tests (Section 62 (4A) of the Town and Country Planning Act 1990).

Legal Agreements

2.5 Some planning applications may require the completion of a planning legal agreement before permission can be issued. These are legal undertakings required under Section 106 of the Town & Country Planning Act 1990 and can take the form of either an agreement between the applicant, the Authority and possibly other parties, or alternatively a 'unilateral undertaking' produced by the applicant alone and submitted with the application. In the National Park 'S106 agreements' are normally used to secure local occupancy restrictions on new dwellings, affordable housing, or infrastructure improvements that are necessary for development to proceed. Legal agreements only relate to a minority of applications.

2.6 Applicants proposing development that requires a S106 agreement will need to confirm that they agree to enter into an agreement and to meet both the costs of the Authority, as well as their own, associated with drawing up the agreement.

3. MANDATORY NATIONAL REQUIREMENTS

3.1 Planning Application Form, Ownership Certificate and Notice

When required?

In all cases.

What is required?

Applicants are encouraged to submit applications electronically.

Applicants must complete an ownership certificate (which is found at the end of the application form) and confirm that an appropriate notice has been served on any other owners (and agricultural tenants). An application is not valid, and therefore cannot be determined by the planning authority, unless the relevant certificate has been completed. It is an offence to complete a false or misleading certificate, either knowingly or recklessly, with a maximum fine, on conviction, of up to £5,000.

Certificate A – Sole Ownership and no agricultural tenants

This should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.

Certificate B – Shared Ownership (All other owners/agricultural tenants known)

This should be completed if the applicant is not the sole owner, or if there are agricultural tenants, and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.

Certificate C – Shared Ownership (Some other owners/agricultural tenants known)

This should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants.

Certificate D – Shared Ownership (None of the other owners/agricultural tenants known)

This should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

An ‘owner’ is anyone with a freehold interest, or leasehold interest (the unexpired term of which is not less than seven years). In the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land is also an owner.

An ‘agricultural tenant’ is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

For an electronically submitted certificate, a typed signature of the applicant’s name is acceptable. Ownership certificates must also be completed for applications for listed building consent, although no agricultural declaration is required.

3.2 Location Plan

When required?
In all cases.

What is required?
The location plan should:

- be based on an up-to-date map;
- be at a recognised metric scale typically 1:1250 or 1:2500;
- show the direction of North;
- identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear;
- show the application site edged clearly with a **red** line;
- 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);
- have a blue line drawn around any other land owned by the applicant, close to or adjoining the application site.

3.3 Site/Block Plan – Existing AND Proposed

When required?
In most cases.

What is required?
Two plans (if relevant), one showing the existing site and one the proposed site:

- drawn to an appropriate metric scale of 1:200 or 1:500;
- showing the direction of North;
- on the proposed plan show the development in relation to the site boundaries and other existing buildings on the site;
- including a roof plan with details of any proposed changes eg roofing material, rooflights, solar panels etc.

It should also include the following, unless these would **NOT** influence or be affected by the proposed development:

- all the buildings, roads and footpaths on land adjoining the site including access arrangements;
- all Public Rights of Way crossing or adjoining the site;
- the position of all trees on the site, and those on adjacent land;
- the extent and type of any hard surfacing;
- boundary treatment including walls or fencing where this is proposed.

3.4 Existing and Proposed Elevation Plans

When required?
In all cases where the external appearance of a building will change as a result of the proposal.

What is required?
Drawings of each elevation of the building that:

- are drawn to a scale of 1:50 or 1:100;
- show clearly the proposed works in relation to what is already there;
- show all sides of the proposal, indicating the proposed building materials and the style, materials and finish of windows and doors;
- include blank elevations; if only to show that this is in fact the case.

For new buildings or structures the following should be included:

- existing site levels;
- finished floor levels and finished overall height;

All levels should be related to a fixed datum point off site or shown in relation to adjoining buildings.

3.5 Existing and Proposed Floor Plans

When required?
All cases which relate to buildings.

What is required?
Floor plans should:

- be drawn to a scale of 1:50 or 1:100
- clearly show any demolition
- match the openings on elevation drawings in size and position
- show details of the existing building(s) as well as those for the proposed development.

3.6 Existing and Proposed Section Drawings

When required?
Drawings showing a cross section through the building or the site are needed if any of the following apply:

- a change in ground level;
- the site is sloping;
- a new building;
- a track;
- new opening(s);
- new staircase(s);
- double glazing in a listed building (sections through the glazing unit).

What is required?
Sections should

- be drawn at a scale of 1:50 or 1:100
- show a cross section(s) through the proposed building(s) and/or feature.
- where a proposal involves a change in ground levels show both existing and finished levels.
- for new buildings include:
    - existing site levels
    - finished floor levels and finished height
    - with levels related to a fixed datum point off site or shown in relation to adjoining buildings.

- for sloping sites show how proposals relate to existing ground levels or where ground levels would be modified.
- for new tracks show the method of construction and materials.
- for new features (e.g. staircases, new openings or windows) a cross section through the proposed feature.

3.7 Roof plan

When required?

Required in all cases where works to the roof or new roofs are proposed. Roof plans should be drawn at a scale of 1:50 or 1:100 and are used to show the shape of the roof. Details such as the roofing material, vents, rooflights, sun-pipes, chimneys, solar panels and their location should be specified on the roof plan.

3.8 Design and Access Statement

When required?

Major[1] planning applications except for:

- A material change of use of land or building where there is no operational development;
- Engineering or mining operations;
- Waste development;
- An application to vary or remove a condition.

Listed Building Consent applications.

Applications in a Conservation Area for:-

- Provision of one or more dwellinghouses.
- Provision of building(s) where the floor space is 100sqm or more.

What is required (excl. listed buildings)?

A Design and Access Statement is a concise report to explain how the proposed development is a suitable response to the site and its setting, and to demonstrate that it can be adequately accessed by prospective users. Design and Access Statements can help planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal.

The level of detail in a Design and Access Statement should be proportionate to the complexity of the application, but should not be long.

A Design and Access Statement must:

(a) explain the design principles and concepts that have been applied to the proposed development; and

(b) demonstrate the steps taken to appraise the context[2] of the proposed development, and how the design of the development takes that context into account.

[1] An application is classed as major if it is for 10 or more dwellings or the site area is over 1 hectare or a new building is proposed with a floor area over 1000m^2

[2] A development's context refers to the particular characteristics of the application site and its wider setting. These will be specific to the circumstances of an individual application and a Design and Access Statement should be tailored accordingly

(c) explain the applicant's approach to access and how relevant Local Plan policies have been taken into account. They must detail any consultation undertaken in relation to access issues, and how the outcome of this consultation has informed the proposed development. Applicants must also explain how any specific issues which might affect access to the proposed development have been addressed.

It is recommended that applicants consult the Authority's Design Guide (Design Guide) for advice on how to approach the design of new development in the National Park.

What is required (listed buildings)?
Design and Access Statements accompanying applications 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. Statements must also explain how the applicant's approach to access takes account of matters (a)-(c) above.

Design and Access Statements for listed building consent should also provide information on any consultation undertaken, and how the outcome of this consultation has informed the proposed works. Statements should explain how any specific issues which might affect access to the building have been addressed.

This statement can be combined with the Heritage Statement.

Further Information
- Town and Country Planning Act 1990
- Town and Country Planning (Development Management Procedure Order)(England) 2015
- National Planning Policy Framework (March 2012)

3.9 Planning Fees

When required?
In most cases. There are some exceptions such as: works to improve access and/or safety; health and comfort of disabled persons; and certain resubmissions.

What is required?
Payment can be made online through the planning portal or via bank transfer if application submitted direct to us.

Further Information
- Schedule of Fees
- Planning Portal Fee Calculator

- The Senior Planning Technician can calculate the fee for you

4. SPECIFIC REQUIREMENTS

4.1 Ecology and Biodiversity Reporting

The Yorkshire Dales National Park Authority has a duty to consider the protection and enhancement of biodiversity when determining a planning application.

Where there is a reasonable likelihood that a proposed development would be likely to affect protected species, a designated site, or priority habitat, the application must be accompanied by an ecology report and meet the BS latest biodiversity code of practice for planning and development.

When required?
Proposals requiring an ecology survey and report are listed below. The list is not exhaustive but is guidance for to when ecological surveys are likely to be required:

- Any major development including new building(s) or change of use including residential and non-residential,
- Extensions and change of use where it is part of or next to a site designated for its biodiversity value or provides potential suitable habitats for protected species recorded in the vicinity of the site.
- Development within a Site of Special Scientific Interest (SSSI) or relevant SSSI Impact Risk Zone.
- Development within a European Designated wildlife sites (Special Area of Conservation (SAC), Special Protection Areas (SPA) and Ramsar) or relevant to their Impact Risk Zone.
- Development adjoining a designated nature conservation site (Site of Importance for Nature Conservation (SINC), Local Nature Reserve (LNR)).
- Development within habitats identified in the Yorkshire Dales National Park Authority Nature Recovery Plan.

The following type of ecology reports that may be required for validation include:

- Preliminary Ecological Appraisal report (PEAR) or an Ecological Impact Assessment (EcIA)
- Protected Species Report eg. a Bat Survey Report
- Biodiversity Net Gain information
- A ‘Shadow’ Habitat Regulations Assessment
- Nutrient Neutrality information

Ecology surveys and reports should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of the year, in suitable weather conditions and using nationally recognised best practice survey guidelines/methods where available, any deviations from best practice should be explained and justified. The survey must be informed by the results of a desk search for ecological or geological data from the relevant Local Environmental Records Centre (LERC). The survey must be to an

appropriate level of scope and detail (See CIEEM, 2017 for guides to ecological report writing).

What is required?

The minimum requirements for major developments (Full/Outline) are:

- Preliminary Ecological Appraisal Report (PEAR)/Ecological Impact Assessment (EcIA)
- Map of habitat or species distribution/suitable habitat both on the proposal site and, where appropriate in the surrounding area.

If the initial Preliminary Ecological Appraisal Report (PEAR) for a proposed development concludes that it is likely to affect Protected or Priority species, the applicant must submit an Ecological Impact Assessment (EcIA) as part of the planning application.

Please note that the PEAR is not usually acceptable for submission as part of a planning application, unless it can be demonstrated that there will be no significant ecological impacts.

Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed with accompanying plans.

SSSI

The applicant will need to contact Natural England for its consent that permission can be granted. If there are conditions recommended by Natural England, the applicant is required to confirm that they will comply with the conditions. If the applicant does not wish to comply with the conditions then a copy of the response from Natural England should be provided along with details of how any issues raised by Natural England will be addressed.

Special Area of Conservation (SAC), Special Protection Area (SPA) Ramsar sites

The Birds and Habitats Directives and the Ramsar Convention are reflected in national legislation by the Convention of Habitats and Species Regulations 2017 (amended 2019). Special Areas of Conservation (SAC), and Special Protection Areas (SPA) form part of the UK's national site network, the listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds). Of the Annex I habitat types, 78 are believed to occur in the UK. Of the Annex II species, 43 are native to, and normally resident in, the UK. Ramsar Sites are wetlands of international importance designated under the Convention on Wetlands. Altogether SAC, SPA and Ramsar sites cover 23% of the Yorkshire Dales National Park.

If the proposal is likely to have significant effect on a SAC, SPA or Ramsar site then the Conservation of Habitats and Species Regulations 2017 (amended 2019) requires all competent authorities to complete a Habitats Regulations Assessment (HRA) prior to the determination of the planning application. The HRA, also known as an Appropriate Assessment, assesses the likely impacts and alternatives of the proposed development on the site and is completed by the Authority. The applicant will be required to provide sufficient information as may reasonably be required to make an assessment. Alternatively, the applicant may provide a ‘Shadow HRA’ which

will be assessed by the Authority Ecologist and then may be adopted by the Authority. As an HRA must be based on scientific information it should be undertaken by a competent person such as an ecologist.

Exceptions

There are few exceptions for when a full species survey and/or EcIA may not be required. These include:

a) Following consultation by the applicant at the pre-application stage, the Ecologist has stated in writing that a Protected or Priority Species Survey & EcIA is not required.
b) If it is clear that no Protected or Priority species are present, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. the PEAR).
c) If it is clear that the proposal will not affect any Protected or Priority species present, then information such as a PEAR should be submitted. The PEAR should evidence that species are not present/likely to be impacted upon, and that relevant searches have taken place.

Surveys should be up to date and ideally from the most recent survey season. Further information can be found at CIEEM Advice note guidance on the lifespan of ecological reports (2019).

Further Information

- Biodiversity and Geological Conservation – Statutory Obligations and their Impact Within the Planning System (ODPM Circular 06/2005, Defra Circular 01/2005)
- CIEEM (2017) Best Practice Guidelines for Ecological Report Writing: https://cieem.net/resource/guidelines-for-ecological-report-writing/
- CIEEM (2019) Advice note: On the Lifespan of Ecological Reports and Surveys. Available at: https://cieem.net/resource/advice-note-on-the-lifespan-of-ecological-reports-and-surveys/
- Yorkshire Dales Local Plan 2015-30 - Policy W1 (pg 88)
- SLDC local Development Framework Core Strategy October 2010 – Saved Policy CS8.4 (pg 102)
- Eden Local Plan 2014-32 – Policy ENV1 (pg 97)
  For further guidance, please see the validation questionnaire for details.

4.2 Protected Species Survey and Report

When required?

Biodiversity and protected species surveys are necessary to assess proposals that could have adverse impacts on protected or vulnerable species such as bats, badgers, newts, barn owls, birds of prey, toads, red squirrels, dormice, otters, water voles, snakes etc. Surveys must be submitted with the application and cannot be conditioned as part of a planning decision.

What is required?

A survey by a person holding a relevant licence from Natural England, to determine whether the proposed development is likely to have an impact on protected species.

Where the PEAR identifies the need for further surveys before commencement of development (e.g. for great crested newts, bats, barn owl, badger, birds or reptiles), these survey reports will be required for validation purposes and can be submitted in the form a separate report or within the EcIA.

For minor developments, such as householder applications, the impact is more likely to be focused solely on protected species including Bats, Great Crested Newts, Birds and Badgers. In these cases, rather than the production of a PEAR / EcIA report, only a protected species report need be undertaken. These reports would provide the same information as the EcIA, however, they would be focused solely on a specific issue.

Bat Surveys
Where there is a reasonable likelihood of bats being found within or adjacent to the application site Applicants are advised to determine whether a bat survey is required at the earliest opportunity before applying for planning permission. If the pre-validation questionnaire identifies the need for a survey, applicants are advised to contact an experienced and appropriately licenced bat ecologist for this. Surveys must follow the best practice guidelines (Collins, 2023) or have valid justification for deviating from them.

The following list is a guide to the type of development likely to require a bat survey:

- modification conversion, demolition or removal of buildings and structures (especially roof voids), including all agricultural buildings (e.g. farmhouses and barns) particularly of traditional brick or stone construction and/or with exposed wooden beams;
- all tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures;
- all bridge structures, culverts, aqueducts and viaducts (especially over water and wet ground);
- any work affecting roofs, soffits, gable ends, hanging tiles, barge boards or walls with cracks or holes;
- any work affecting trees;
- erection of wind turbines.

Badgers
If there is any reference to locations of Badger setts, the report needs to clearly be marked as Sensitive/Confidential, in order to help our validation officers keep such information out of the public domain.

Further Information
- YDNPA - Assessing the need for Bat Surveys when proposed works will affect trees
- YDNPA Guidance Notes for Applicants – Protected Species (Bats)
- Collins (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th edition. Available at: https://www.bats.org.uk/resources/guidance-for-

professionals/bat-surveys-for-professional-ecologists-good-practice-guidelines-4th-edition

- Bat Conservation Trust (2025) Advice for developers. Available at: https://www.bats.org.uk/our-work/buildings-planning-and-development/building-or-development-works

4.3 Tree Protection Plan

When required?

Where trees and/or hedgerows on the site or adjoining the site may be affected by the development. Generally if any development activity is taking place within 15 metres of an existing tree or hedgerow you will need to provide a Tree Protection Plan.

What is required?

A map to a recognised metric scale, showing the location, size and species of trees/hedgerows, existing buildings, roads and the proposed development.

The tree information should include:

- Species
- trunk diameter (cm) at 1.5m above ground level
- approximate height (m) of the tree
- canopy spread (m) to the four cardinal points - north, south, east and west
- root protection area (m) for any trees in close proximity to your development.

The Plan should also include details of how you intend to protect the trees/hedgerows during the proposed development and details of any work proposed to existing trees or hedgerows.

In cases where significant trees may be affected an Arboricultural Impact Assessment and Arboricultural Method Statement may be required. These should be undertaken by a qualified arboriculturalist and prepared in line with British Standard BS5837: Trees in relation to Design, Demolition and Construction (2012).

Further Information

- British Standard BS5837: Trees in relation to Design, Demolition and Construction (2012) (currently under review)
- Making a planning application with Trees
- Yorkshire Dales Local Plan 2015-30 - Policy W3 (pg 90)
- SLDC local Development Framework Core Strategy October 2010 – Saved Policy CS8.4 (pg 102)
- Eden Local Plan 2014-32 – Policy ENV2 (pg 100)

4.4 Biodiversity Net Gain

When required?

The Environment Act 2021 makes the achievement of 10% biodiversity gain mandatory for most developments and therefore a material consideration in assessing proposals. From April 2024 all planning permissions (other than exempted development listed below) will be subject to a mandatory condition requiring the

submission, approval and implementation of a Biodiversity Net Gain Plan. The Authority will therefore need biodiversity information before it can determine the planning application.

Exemptions
Development may be exempt from the general planning condition if it comprises:

- Permitted development;
- De-minimis - a development affecting habitat of an area below a 'de minimis' threshold of 25 metres squared, or 5 metres for linear habitats such as hedgerows and land that does not impact priority habitat (if priority habitat is impacted it is not exempt). At minimum a map of the habitats on site and a description of the habitat on site which should include measurements of those habitats is required to determine this.
- Householder applications (except change of use of a house or subdividing an existing dwelling). This exemption is automatically applied within the Householder application form and nothing more needs to be submitted.
- Self build. If you wish to claim this exemption you must include Self or Custom build in the title of your application. A condition tying you to the self build exemption will be applied to any planning permission.
- Permission in Principle (note: DoC for PiPs caught by the general planning condition)
- Biodiversity gain sites (where habitats are being enhanced for wildlife)
- Urgent Crown development
- High speed rail
- Reserved matters for outline permissions granted before 12/2/2024 for majors and 2/4/2024 for minor apps.
- Section 73 applications if original permission was exempt.
- Retrospective applications.

What is required?
A Statutory Biodiversity Metric calculation spreadsheet with associated Condition Assessment sheets and a Biodiversity Net Gain Statement will be needed to validate an application. A competent person such as an ecologist should be sought to use the statutory metric tool and advise on the metric tool's calculations. The Authority may reject calculations them if they have not been completed by a competent person.

The minimum information to validate the application includes:

- Completed Statutory Biodiversity Metric Calculation. Please provide an Excel spreadsheet of the completed metric
- A statement or report which includes details of pre- and post-development habitats, their type, measurements and condition and justification to demonstrate how a gain of 10% can be achieved onsite in the first place, or a combination of on-site and partial off-site, or wholly off site but within the National Park. Details should also include how the habitats being created are suitable for the area and connect to the wider ecological network.
- Condition assessment sheets showing how the condition scores were achieved.

- A map of the baseline habitats on the site and/or a description of the habitat on site which should include measurements.

The Small Sites Metric (SSM) is applicable to some developments including:

- residential development where the number of dwellings is between 1 and 9 on a site of an area 1 hectare or less, or if the number of dwellings is unknown, the site area is less than 0.5 hectares;
- commercial development where floor space created is less than 1,000 square metres or total site area is less than 1 hectare;

It is not applicable to the winning and working of minerals, the use of land for mineral-working deposits, waste development or sites with protected/priority habitats present.

If using the SSM, you do not have to do a condition assessment as part of your survey of existing habitat, as the values are fixed for all habitats assessed.

Further information

- Environment Act 2021 Sch 14 : Env Act 2021
- Main Gov page - Biodiversity net gain - GOV.UK (www.gov.uk) https://www.gov.uk/government/collections/biodiversity-net-gain
- Small Scale Sites - The Small Sites Metric - JP040 (nepubprod.appspot.com)
- YDNPA Biodiversity Net Gain (BNG)

4.5 Nutrient Neutrality Assessment and Mitigation Strategy

When required?

In 2022 Natural England, notified the National Park Authority of high levels of phosphate within the River Eden Special Area of Conservation / River Eden Tributaries SSSI catchment area and enacted the requirement to ensure that new development within the catchment area demonstrates nutrient neutrality. This means that it does not add to existing nutrient burdens within the catchment. Development subject to this requirement includes anything that involves both foul and surface water discharge to the mains network, and off-mains drainage to package treatment plants and septic tanks (which can drain to ground or surface water / streams / rivers etc).

What is required?

Before determining a planning application that is likely to give rise to additional phosphates within a catchment, planning authorities are required to undertake a Habitats Regulation Assessment (HRA). Natural England advises that if the Assessment demonstrates that levels of phosphate will be worse as a result of the development the planning authority should refuse permission. To enable the Authority to permit new development applicants they will need to show that their proposals have a neutral impact or can adequately mitigate any further discharge of phosphates within the catchment. A Nutrient Neutrality Assessment and Mitigation Strategy is therefore required when a proposed development:

- Is within the River Eden Special Area of Conservation / River Eden Tributaries SSSI catchment area; **AND**

- Would be served by existing, or proposed, mains; package treatment plants (PTP), septic tanks or cess pool sewerage; **AND**
- Comprises any form of new overnight accommodation (including new dwellings, traditional building conversions, new camping/glamping/caravan pitches, additional hotel bedrooms); **OR**
- Would result in an increase in livestock numbers housed on the land.

In order to validate the application the following information is required:

- details of foul drainage including the location of a PTP drainage field (where required);
- a completed nutrient budget calculator (Nutrient Neutrality Calculator); and
- a mitigation strategy where the budget calculator identifies a positive nutrient loading
- a Shadow HRA (optional, see below)

It is strongly recommended that an environmental and/or ecological consultant is engaged to provide assistance in completing the calculator and designing a mitigation strategy in order to avoid unnecessary delays with your planning application.

Further information

- Link to calculator https://www.gov.uk/government/publications/river-eden-sac-nutrient-neutrality-calculator
- Link to catchment maps https://www.data.gov.uk/dataset/09864c9e-c589-47f3-9566-89d86a31036c/nutrient-neutrality-catchments-england
- Natural England Advice
- Natural England Nutrient Neutrality Principles.

4.6 Shadow Habitats Regulations Assessment

When required?

For developments comprising two or more dwellings, including conversion proposals, and which are within a nutrient neutrality catchment area.

What is required?

A Shadow Habitats Regulations Assessment (HRA), which will show the impacts of a proposed development, in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017. The HRA must be informed by the Nutrient Neutrality Assessment and Mitigation Strategy. As an HRA must be based on scientific information it should be undertaken by a competent person such as an ecologist.

Further information

- https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

4.7 Geological Assessment

When required?

If a proposal is likely to affect a site of geological interest and is within or immediately adjacent to any of the following protected sites:

- Sites of Special Scientific Interest (SSSI)
- Limestone Pavement Orders (LPO)
- Local Nature Reserves (LNRs)
- Regionally Important Geological/Geomorphological Sites (RIGS)

What is required?
The requirements are different for different protected sites:

Limestone Pavement Order, Local Nature Reserves, RIGGs.
Development affecting sites within any of these areas needs to be justified by exceptional circumstances of need which cannot be met in any other way, or where there are wider benefits which outweigh any harm that the development would do to the site. An evaluation prepared by a suitably qualified ecologist of the impact of a proposed development, and how any adverse impact could be off-set by mitigation measures, will be required.

Any surveys will need to be carried out by an appropriately experienced and qualified person. Reports should be accompanied by plans showing significant wildlife habitat or features.

Further Information

- DCLG Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System

4.8 Public Right of Way Information

When required?

Where a public right of way crosses an application site, or is in close proximity, or passes along an access route to the proposed site, or is otherwise affected by the proposed development.

What is required?
The route of the right of way must be clearly marked on a proposed site plan at a scale where its distance from any development can be measured (such as 1:200 or in some cases 1:100 may also be necessary). In the event that the proposal would require a diversion of a public right of way, the existing and diverted routes should be identified and clearly labelled on a site plan and a statement should be included in the application to explain why the diversion is necessary as well as an assessment of how it would affect the enjoyment and convenience of the use of the public right of way. The impact of the proposal on the public right of way would be a material consideration in determining the planning application but if granted, would not authorise any proposed diversion as this would need to be subject to a separate application for a diversion order that can be made under either the Highways Act 1980 or the Town and Country Planning Act 1990.

4.9 Flood Risk Assessment

When required?

A flood risk assessment is required for proposals where the site falls within:

- Flood Zone 1 (flooding from watercourses) and the development site has a site area of 1 hectare or greater OR has critical drainage problems as notified by the Environment Agency; or,
- Flood Zones 2 and 3 (flooding from watercourses); or,
- areas identified as having a moderate or high risk of flooding from surface or ground water.

Applicants can find out what flood zone their development is in here

Applicants can find their vulnerability classification here

What is required?
Government Guidance for how to complete an assessment for each flood zone and Environment Agency standing advice for certain development is available here

Further Information
- https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications
- Yorkshire Dales Local Plan 2015-30 - Policy CC2 (pg 94)
- SLDC local Development Framework Core Strategy October 2010 – Saved Policy CS8.8 (pg 108)
- Eden Local Plan 2014-32 – Policy DEV2 (pg 62)

4.10 Non Mains Drainage Assessment

When required?
When new or replacement non mains drainage is proposed.

What is required?
A completed FDA1 form. This form has been produced by Government for use nationally and it is intended to help Local Planning Authorities establish basic information about your system and decide whether you need to submit a more detailed site assessment.

Further Information
- FDA1 Form

4.11 Heritage Statement

When required?
Applications for proposals affecting heritage assets (listed buildings, scheduled monuments, non-designated archaeological sites and features and traditional buildings [any building pre1914]) and/or their setting must be supported by a Heritage Statement that describes the significance of the heritage asset affected. The level of detail should be proportionate to the assets' importance and be sufficient to understand the potential impact of the proposal on their significance.

Please note that Heritage Statements that fail to provide an accurate assessment of significance are likely to delay the application process.

Government policy is that as a minimum the Historic Environment Record should have been consulted and the heritage asset assessed using appropriate expertise. Heritage Statements are based upon the understanding of the origins and

development of a heritage asset or assets and the importance of their fabric, features, and setting. In the following cases it is likely that the Heritage Statement will need to be written by a suitably qualified and experienced professional consultant:

- development that directly affects listed buildings, scheduled monuments or other designated heritage assets or their settings;
- development in the curtilage of a listed building;
- larger sites within or adjacent to a Conservation Area;
- development affecting a Registered Park or Garden of Special Historic Interest.

On sites with, or the potential to include, heritage assets with archaeological interest, an appropriate desk based assessment and a field evaluation undertaken by a suitably qualified and experienced archaeological consultant will be required. Such sites are likely to include:

- major development proposals or significant infrastructure works;
- development within or adjacent to a Conservation Area and/or the historic core of settlements, e.g. on land close to historic churches, or paddocks/crofts on street frontages;
- development requiring substantial groundworks or re-modelling, e.g. new access routes, landscaping, ponds, terracing, tennis courts, swimming pools, horse training ménages;
- development affecting known earthworks e.g. field systems, ridge and furrow, early settlement, historic mining and quarrying, historic parkland/garden features;
- developments within or close to standing features or buried remains of known archaeological interest; and
- developments that may directly impact on a Scheduled Monument or other designated heritage asset: e.g. Registered Park or Garden of Special Historic Interest.

Applicants are advised to seek pre-application advice. You can also contact the National Park's Historic Environment Team who can advise on the level of detail and nature of the information required to support your application and if it will be necessary to obtain the services of a suitably experienced and qualified Historic Buildings or Archaeological consultant. This is likely to be in the form of a historic buildings appraisal, archaeological desk-based assessment and/or field evaluation. Depending on the nature of the proposal a Heritage Statement may need to include the following:

- Historic Building Appraisal
- Structural Assessment
- Schedule of works/Method Statement
- Archaeological Assessment

Further Information
Yorkshire Dales Local Plan 2015-30 – Policy L1

4.12 Structural Survey

When required?

Proposals for converting a traditional building which shows signs of structural instability, such as missing roof or wall material, leaning or bulging walls, cracks in the masonry etc.

If the building does not show any signs of instability but you are proposing to remove the roof covering during conversion works or insert new internal or external openings then a Method Statement will be required (see 4.9 below) to set out the means of safeguarding the stability of the building during development.

WARNING: a planning permission for the conversion of a building may be at risk if you commence conversion works which result in roofs and walls being taken down and rebuilt. In most cases substantial demolition will be considered to be a 're-build' and not a conversion. It is therefore important that the structural integrity of the building and its capacity for conversion are established through the planning application process.

What is required?

A survey of the structural stability of the building carried out by a qualified structural engineer or other qualified person accepted by the Authority and an assessment of the effect of the proposed works on the structural integrity of the building.

In very simple or straightforward cases a signed statement from an experienced local builder may be acceptable.

The survey or statement should be accompanied by drawings indicating the extent of anticipated rebuilding and details of how the building will be supported during the works.

Further Information

- Yorkshire Dales Local Plan 2015-30 – Policy L3 (pg 64)
- YDNPA Heritage Statement Validation Guidance

4.13 Conversion Works Method Statement

When required

To accompany applications for the conversion of a traditional building, when a Structural Survey is not identified as necessary.

What is required

A short report, which has been prepared by a builder or person of relevant competence, specifically addressing the following:

- The condition of the building. Including identification of any structural defects.
- Confirmation that the proposed works (new openings, removal of roof etc.) will not so weaken the structure that the walls shown to be retained will need to be taken down during construction.
- Details of the method of construction including the measures to be taken to ensure that the building remains stable throughout the conversion works so that walls will not need to be taken down.

WARNING: a planning permission for the conversion of a building may be at risk if you commence conversion works which result in roofs and walls being taken down and rebuilt. In most cases substantial demolition will be considered to be a 're-build' and not a conversion. It is therefore important that the structural integrity of the building and its capacity for conversion are established through the planning application process.

4.14 Affordable Housing Statement

When required?
When affordable housing is proposed.

What is required?
Either - A written statement including a site plan showing the number of residential units and the mix of housing type eg affordable housing, local needs housing and any market housing. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The affordable housing statement should also include details of the mechanism that will be used to secure affordability in perpetuity for local people at an affordable cost eg involving a registered social landlord such as a Housing Association or Trust.

Or – details of a commuted sum and how it has been calculated.

Further Information
- Yorkshire Dales Local Plan 2015-30 – Policy C1 (pg 40)
- SLDC local Development Framework Core Strategy October 2010 – Saved Policy CS1.2 (pg 18)
- Eden Local Plan 2014-32 – Policy HS1 (pg 73)

4.15 Occupancy Restriction Statement

When required?
When between one and five new dwellings are proposed or conversion of a traditional building as covered by:

- Yorkshire Dales Local Plan 2015-30 – Policy C1 (pg 40)
- SLDC local Development Framework Core Strategy October 2010 – Saved Policy CS1.2 (pg 18)
- Eden Local Plan 2014-32 – Policy HS1 (pg 74)

What is required?
Policies C1 'Housing in Settlements', C4 'Sub-division' and L2 'Conversion of traditional buildings – acceptable uses' of the Yorkshire Dales Local Plan 2015-2030 and HS1 of the Eden Local Plan 2014-2032 allow for housing development to meet a local need. To ensure that this housing remains available for local people or for short term holiday let, the policies require the developer to enter into a legal agreement to restrict the occupancy of the new dwellings to persons satisfying a 'local need'. Applications should therefore include confirmation that occupancy of the dwellings will be subject to the occupancy criteria set out in the local plans.

Further Information
- Yorkshire Dales Local Plan 2015-30 – Policy C1, C4 & L2 (pg 33, 39, 61)

- SLDC local Development Framework Core Strategy October 2010 – Saved Policy CS6 pg 72
- Eden Local Plan 2014-32 – Policies LS1 (pg 21) , HS1 (pg 74), HS2 (pg 77)
- Occupancy Restriction Form

4.16 Agricultural and Rural Enterprise Dwelling Questionnaire

When required?
Where a farm worker's dwelling or dwelling for a person employed in another rural enterprise is proposed.

What is required?
Policy C3 of the Yorkshire Dales Local Plan 2016, Policy DM43 of the Lancaster District Local Plan 2011 and S.4.7 of Eden Housing SPD permit new housing in the open countryside if it can be demonstrated that it is essential that a full time worker must live at the location proposed for the functional needs of agriculture, or a rural-based enterprise. The Authority has produced a questionnaire to help applicants provide the necessary information to demonstrate a functional need – see link below.

Further Information
- Yorkshire Dales Local Plan 2015-30 – Policy C3 (pg 37)
- Eden Local Plan 2014-32 – Policy HS3 (pg 78)
- Rural Enterprise Dwelling Questionnaire
- Agricultural Dwelling Questionnaire

4.17 Farm Buildings Questionnaire

When required?
Proposals for agricultural large buildings should be supported by sufficient information to explain the agricultural need for the building.

What is required?
The Authority has produced a questionnaire (see link below) to help applicants provide the information needed to support an application for farm buildings. The questionnaire provides information about the size of the holding, stock numbers and reasoning for the proposed location.

Further information
- Farm Building Questionnaire

4.18 Marketing Evidence

When required?
When the proposal would result in the change of use of an employment premises to another use.

What is required?
Where a proposal would lead to a permanent loss of significant employment floor space the applicant will need to demonstrate that the use of the site is unlikely to be viable in the longer term for employment activities. Evidence to demonstrate this could include market intelligence and market testing that demonstrates that the site has been exposed to sale or rental, at a price, within its current land use classification (or other uses agreed with the Authority), but has not received any realistic offers. For

the Authority to accept market testing as effective evidence of lack of demand it will look for advertising of the premises for a minimum of six months at a price which fairly reflects its value or rental value. The price should be agreed with the National Park Authority in advance, and the estate agent should be advised to register expressions of interest with the Authority.

Further Information

- Yorkshire Dales Local Plan 2015-30 – Policy BE7 (pg 30) and C9 (pg 47)

4.19 Community Use Assessment

When required

When development is proposed that would result in the loss of, or have an unacceptable adverse affect on, an existing community facility:

What is required

Proposals that would result in the loss of a community use will need to demonstrate that the land or buildings are no longer needed for the current use or for an alternative community use. Applications should be supported by appropriate independent evidence including appropriate financial, business planning, options appraisals, marketing and community engagement evidence. See the requirement for Marketing Evidence above for evidence of market testing a community facility.

Further Information

- Yorkshire Dales Local Plan 2015-30 – Policy C9 (pg 47)

4.20 Contaminated Land Assessment

When required?

Where contamination is known, or suspected, or the proposed use would be particularly vulnerable. Possible causes of contamination could be mine spoil heaps, carcass disposal areas or former garage sites.

What is required?

A statement detailing what contamination the applicant is aware of on the site. The statement should include details of previous uses of the site, of any industrial processes carried out on or adjacent to the site, and the nature of any materials stored on the site. Applicants should be aware that sites likely to contain significant contamination may also be required to provide site investigation information and details of remediation measures.

Further Information

- Guidance on contaminated land

4.21 Noise Assessment

When required?

When the development is likely to give rise to noise that could disturb residents or the tranquillity of the area around the site. The requirement for a noise assessment may extend to proposals that include the operation of machinery, the installation of ventilation/extraction systems, the movement of significant levels of traffic or intensive human activity.

What is required?
Either, a report from a qualified acoustician giving anticipated noise levels and noise mitigation measures, or, a statement from the District Council Environmental Health Officer indicating that the proposed development would be compatible with the location of the site relative to nearest residential properties, taking into account any proposed sound proofing measures.

Further Information
- MCS020 Planning Standards for Microgeneration Installations
- Yorkshire Dales Local Plan 2015-30 – Policy SP4 (pg 15)

4.22 Sustainable Drainage Report (SuDS)

When required?
For Major[3] planning applications.

What is required?
The National Planning Policy Framework (NPPF) and House of Commons Written Statement HCWS161 require planning authorities to ensure that sustainable drainage systems for the management of surface water runoff are put in place unless they can be demonstrated to be inappropriate in the circumstances. Planning authorities are required to ensure that, through the use of planning conditions or planning obligations, there are clear arrangements in place for ongoing maintenance of the drainage system over the lifetime of the development.

Guidance from the Lead Local Flood Authorities (Westmorland and Furness Council & North Yorkshire Council) on what information should be provided in a SuDs report can be found using the links below.

Further information
- North Yorkshire County Council SuDS Design Guidance
- Westmorland and Furness guidance
- House of Commons Written Statement HCWS161
- National Planning Policy Framework
- Yorkshire Dales Local Plan 2015-30 – Policy CC2 (pg 94)

4.23 Air Quality

The 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that affect public health such as particulate matter (PM_{10} and $PM_{2.5}$) and nitrogen dioxide (NO_2).

The UK also has national emission reduction commitments for overall UK emissions of 5 damaging air pollutants:
- fine particulate matter ($PM_{2.5}$)
- ammonia (NH_3)
- nitrogen oxides (NO_x)

[3] An application is classed as major if it is for 10 or more dwellings or the site area is over 1 hectare or a new building is proposed with a floor area over 1000m^2

- sulphur dioxide (SO_2)
- non-methane volatile organic compounds (NMVOCs)

As well as having direct effects on public health, habitats and biodiversity, these pollutants can combine in the atmosphere to form ozone, a harmful air pollutant (and potent greenhouse gas) which can be transported great distances by weather systems. Odour and dust can also be a planning concern, for example, because of the effect on local amenity.

When required?
Air quality considerations are relevant to proposals within or in close proximity to national and internationally important habitats and species, including Sites of Special Scientific Interest' (SSSIs), Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

Proposals with the potential to have a significant impact on air quality on public health either by emitting air quality pollutants or by introducing receptors to areas where there are existing sources of air quality pollutants include:

- Agricultural proposals that are:
    - first-time planning applications for agricultural structures, such as slurry stores and animal housing
    - changing how slurry, nutrients or existing animal housing are used
    - increasing herd or flock size

- Industrial proposals that are:
    - anaerobic digesters
    - data centres
    - combined heat and power plants
    - factories
    - biomass plants
    - combustion plants
    - energy-from-waste facilities

- Proposals creating road traffic:
    - new developments that will create road traffic, such as residential, mixed-use, and industrial or commercial developments
    - transport-related applications or new road schemes, including expansion of existing roads

What is required?
Applications for the above types of development which meet the criteria for potential to affect air quality on designated habitat sites must be accompanied by an Air Quality Assessment and a shadow HRA (optional, see section 4.6).

A Simple Calculation of Atmospheric Impact Limits (SCAIL) tool can be used to help assess impacts from the proposals listed above. The outputs from the tool will help the tool's primary users (environmental regulators, planners, farmers, conservation

bodies) make decisions on the development and identify when an Air Quality Assessment is required.

Further information

- Air Quality guidance https://www.gov.uk/guidance/air-quality--3
- SCAIL for agriculture https://www.scail.ceh.ac.uk/
- SCAIL Combustion (industrial) https://www.scail.ceh.ac.uk/