

WELSH GOVERNMENT CIRCULAR 002/12

GUIDANCE FOR LOCAL PLANNING AUTHORITIES

ON THE USE OF

THE STANDARD APPLICATION FORM ('1APP') AND

VALIDATION OF APPLICATIONS

Since all local planning authorities in Wales are already using the standard application form, the amount of change when the legislation comes into force on 30 April 2012 will be limited. After this time it will be mandatory for applications for a number of consents to be made on the 1APP form (see table on page 6 in Circular 002/2012).

From 01 July 2012 some requirements set out in national policy will be included on the 1APP form. From that time, paragraphs 35 to 39 will become operational. The determination period set out in Article 22, in respect of applications for planning permission, will not begin until all the information is supplied as requested by the published form at the time of submission.

April 2012

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THE STANDARD APPLICATION FORM ('1APP') AND VALIDATION OF APPLICATIONS**

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INTRODUCTION

1. This circular provides guidance, which applies to Wales, on the use of the National Standard Application Form (more generally referred to as '1APP') for planning permission and other associated consent regimes. It also provides guidance on the information which must be provided to accompany a planning application so that the local planning authority can determine the validity of the application.

ENCOURAGING 'EARLY' INFORMATION PROVISION TO MINIMISE DELAYS IN DETERMINING APPLICATIONS

2. The use of electronic communications to submit planning applications offers many advantages to both applicants and local planning authorities. To achieve this through the 'Planning Portal' has required a standard approach across Wales. A standard approach is also welcomed by many applicants who submit applications to different planning authorities, as the consistency of approach enables them to be clear about the extent of information required for an application to be considered and determined. The Standard Application Form also enables a single application to be submitted for a range of consents, directly saving applicants' time.

3. All local planning authorities across Wales have been using the Standard Application Form to accept electronic applications. Informed by this experience and to underline the importance of this service, the Welsh Government has revised the statutory instruments relating to the procedure for making planning applications, principally through introducing the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (the DMPWO) (replacing the Town and Country Planning (General Development Procedure) Order 1995) and other subordinate legislation to make the use of the Standard Application Form mandatory for some consent types. Although it is possible to use the new form to submit applications on paper, the full benefits of standardisation will only be realised through its use as part of the electronically based process. The Welsh Government therefore encourages use of the electronic version wherever possible.

4. Alongside the benefits of electronic communications, the Standard Application Form can assist in timely processing of planning applications, with the objective of minimising delays resulting from applications being incomplete or missing vital information. Furthermore, use of the Standard Application Form in combination with pre-application discussions and other published information requirements should offer:

- Greater certainty for applicants about what is required
- Reduction in duplicated information
- Sufficient information at the start of the determination process to enable local planning authorities to make decisions within the relevant statutory periods
- Thorough consideration of all design aspects of the proposal to encourage greater quality of development before submission.
- Quality decisions that contribute to sustainable development.

STANDARD APPLICATION FORM

SCOPE OF THE STANDARD APPLICATION FORM

5. The following table lists the consent types for which the use of the Standard Application Form has become mandatory. Although some of the application submission requirements remain constant, the Standard Application Form will vary for each consent type to accommodate the different information that is relevant for the determination of each case.

Consent types for which use of Standard Application Form is Mandatory
<ul style="list-style-type: none">• Outline and Full Planning Permission (including Householder Developments)• Approval of Reserved Matters• Removal or Variation of conditions• Lawful Development Certificates• Consent under Tree Preservation Orders• Advertisement Consent• Listed Building Consent• Conservation Area Consent
Consent types which can be made using the Standard Application Form, but where this is not mandatory
<ul style="list-style-type: none">• Applications for Prior Notification/Approval under the Town and Country Planning (General Permitted Development) Order 1995 (GPDO)
Examples of consent types for which the Standard Application Form cannot be used, and applications should continue to be made on a form provided by the local planning authority
<ul style="list-style-type: none">• Applications for mining operations or the use of land for mineral-working deposits• Hazardous Substances Consent

OBTAINING THE STANDARD APPLICATION FORM

6. The Standard Application Form can be accessed by the applicant directly, through the Planning Portal website via the following link: www.planningportal.gov.uk, or via a local planning authority link to the Planning Portal website. An application can also be completed on a paper version of the form provided by the local planning authority, or downloaded from the Planning Portal or the local planning authority website.

APPLICATIONS BY THE CROWN

7. Applications by the Crown need to be made on the Standard Application Form. Certain applications, however, will be made direct to the Welsh Ministers. These are for urgent Crown development under section 293A of the Town and Country Planning Act 1990 and for urgent works relating to Crown land under section 82B of the Planning (Listed Buildings and Conservation Areas) Act 1990. These applications have to be submitted direct to Welsh Ministers via the Welsh Government's Planning Division together with a certificate stating that the proposed development is both of national importance and should be carried out as a matter of urgency.

CROWN LAND

8. Articles 6 and 28(3) of the DMPWO continue the requirement for certain applications relating to Crown land to be accompanied :

- a) by a statement that the application is made in respect of Crown land ; and
- b) where the application is made by a person authorised in writing, by the appropriate authority, by a copy of that authorisation.

Articles 22(3) and 28(12) of the DMPWO provide that, when applicable, these documents comprise part of a valid planning application or an application made under section 192 of the 1990 Act (Application for a Certificate of Lawfulness of proposed use or development).

Regulation 5 of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 contains a similar requirement for such documents to accompany an application for listed building or conservation area consent in respect of Crown land.

IMPLEMENTATION DATE AND TRANSITIONAL ARRANGEMENTS

9. All local planning authorities in Wales currently allow applications on the Standard Application Form. The use of the Standard Application Form has become mandatory for applications submitted after 30 April 2012. The various statutory instruments that introduce this change contain different transitional provisions to assist those who have made an application before the relevant statutory instrument entered into force.

VALIDATING APPLICATIONS

10. For most applications, the Standard Application Form together with additional documents referred to by the form (for example flood consequences assessments), will provide both certainty for applicants and sufficient information for local planning authorities. Local planning authorities should apply a consistent and proportionate approach, reflecting the scale and complexity of the development, to the determination of information requirements.

11. Checking by the local planning authority, of whether all required items have been submitted (commonly called 'validation'), is important. Validation identifies whether the information requirements for the application type have been met. The annex accompanying this guidance provides information listing what is required for each application type and reflects the legal requirements set out in the DMPWO and the other listed statutory instruments. The requirements apply irrespective of whether the application is made on

paper or electronically.

RELEVANT LEGISLATION

12. Current legislation relating to the registration and validation of planning applications and related consent applications comprises:

- The Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989
- The Town and Country Planning (General Permitted Development) Order 1995
- Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012
- The Town and Country Planning (Control of Advertisements) Regulations 1992
- The Town & Country Planning (Trees) Regulations 1999
- The Town and Country Planning (Development Management Procedure) (Wales) Order 2012

APPLICATIONS FOR EXPRESS CONSENT FOR THE DISPLAY OF ADVERTISEMENTS, LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT AND CONSENT UNDER A TREE PRESERVATION ORDER

13. Amendments have been made to the above statutory instruments relating to advertisement, listed building, conservation area or tree preservation order consents, so that applications for these consents have to be made on the Standard Application Form:

14. Local planning authorities have eight weeks from the date of the receipt of a valid application to determine each application in the same way as applications for planning permission (see paragraph 31). Similarly the process for determining that a valid application has been received should follow the procedures set out in paragraph 18 onwards, substituting references to the DMPWO, with the provision from the relevant statutory instruments referred to above. The main information requirements are summarised in Annex 2 of this circular; however for the full requirements local planning authorities should refer to the relevant statutory instrument.

‘PRIOR APPROVAL’ APPLICATIONS UNDER PARTS 6, 7, 24 AND 31 OF SCHEDULE 2 OF THE 1995 PERMITTED DEVELOPMENT ORDER

15. Applications to determine whether the ‘prior approval’ of the local planning authority is required for aspects of development remains unchanged and continues to be specified in the relevant Part of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 (‘the 1995 Order’). While such an application can be made using the Standard Application Form and therefore benefit from electronic submission, the 1995 Order only requires it to be made in writing.

16. For prior notification/approval applications under Parts 6, 7 and 31 of Schedule 2 to the 1995 Order, day 1 of the 28 day period within which local planning authorities must determine the application is the day after the receipt of a valid application. For Part 24 of the 1995 Order, day 1 of the 56-day period also starts on the day after the receipt of a valid application.

This is unaffected by any requests for, or later receipt of, further information.

17. Annex 2 summarises the main requirements of each Part, but local planning authorities when determining whether a valid application has been received should refer to the full requirements contained in the relevant Part of Schedule 2 of the 1995 order.

APPLICATIONS FOR PLANNING PERMISSION

18. Where the application is for planning permission a local planning authority is required to give the applicant notice of its decision for determining the application within a specified timescale. Article 22 of the DMPWO defines what a 'valid' planning application is for the purpose of triggering the statutory determination period and 'validation' is part of the process within which a local planning authority decides whether an application has been received which fulfils these requirements.

Pre-application discussion

19. Pre-application discussions can be important in assisting applicants to understand a local planning authority's information requirements such as the contents of any required assessment. Local planning authorities should aim to discuss all applications for major development prior to submission and should encourage applicants to provide sufficiently worked through proposals to enable meaningful discussions. The Welsh Government consulted on 'Realising the potential of pre-application discussions' in 2011, including draft practice guidance to help realise these benefits, and will be publishing the guidance in final form, taking account of consultation responses, later in 2012.

Acknowledgement

20. On receipt of a Standard Application Form, acknowledgement must be given to the applicant in writing in the same terms (or substantially the same terms) as set out in Schedule 1 of the DMPWO. The letter should also notify applicants of their right of appeal following the expiry of the relevant determination period (see paragraph 31) unless they are informed in writing by the local planning authority that their application is invalid.

21. Applications should be clearly marked with the date of receipt as this will assist in identifying the start of the determination period, if the application is checked for validation purposes some days later. Local planning authorities are encouraged to validate applications on the day they are received but in all cases, soon after receipt (within 5 working days for minor applications and 7 working days for major applications), and to resolve minor validation issues as soon as possible by way of a telephone call/e-mail.

Validation

22. Validating planning applications should essentially be an administrative process. The Standard Application Form should be checked to ensure all relevant questions have been answered. If a local planning authority is satisfied it has received an application that meets the requirements set out in the Standard Application Form, including additional assessment documents, other legal requirements such as those in the DMPWO, and any published local validation requirements (for major applications), it should be registered as a valid application. The local planning authority should then determine the application within the relevant time periods set out in Article 22 of the DMPWO (see paragraph 31).

Identifying omissions and inaccuracies

23. In order to help local planning authorities to assess applications effectively and expeditiously, it is important that applicants answer all the relevant questions on the Standard Application Form and provide all the accompanying information requested. Local planning authorities should seek any information necessary at the earliest opportunity after receipt of the application and not make repeated requests to applicants.

24. Clear omissions should result in the application being determined as invalid (see paragraph 27). However, where the information is a matter of subjective judgement, the quality of the information should have no bearing on the validity of the application for the purpose of Article 22 of the DMPWO. Similarly, the quality of additional assessments submitted as part of the application process should have no bearing on the validity of the planning application during the validation process, unless there are clear omissions or inaccuracies.

25. Where a question on the Standard Application Form or an entry in published local validation requirements (for major applications) specifies information that is not relevant to the type of development, applicants should be encouraged to provide written justification as to why it is not appropriate in the particular circumstances for example, it may be covered in documentation already supplied. Local planning authorities should not automatically determine an application invalid if information is missing from the Standard Application Form or to meet local validation requirements unless they can justify the need for the information in the particular case.

26. Applicants are encouraged to agree information requirements with the local planning authority prior to submission through pre-application discussions so that where possible, the information sought is proportionate to the nature of the scheme. It is particularly important that local planning authorities only seek information that is necessary for a decision to be made and should not require a level of detail to be provided that is unreasonable or disproportionate to the scale of the proposal.

Notification where application invalid

27. Where there are clear omissions, the local planning authority will be entitled to determine that the application is invalid. The authority should notify the applicant in writing, stating the local planning authority's reasons for taking this view and specify the outstanding information required from the applicant to achieve a valid application. If the information is not forthcoming within a reasonable time period set in the notification, the authority should return the application and any fee to the applicant.

28. In the validation process, it should be rare that an application is registered as valid, but is then later found to be invalid because it lacks the necessary information. An example of a situation where an application might be considered invalid at this later time would be where false statements are made on certificates. Missing information required by the Standard Application Form should have been identified when it was first validated.

Challenge of local planning authority decisions

29. In cases where a local planning authority decides that an applicant has not provided an item or items specified in the DMPWO or listed in the local planning authority's published list of validation requirements, there is no right of appeal to the Welsh Ministers. Applicants who

wish to challenge a decision of invalidity in such a case must consider other procedures, such as a claim for judicial review on legal grounds.

30. In cases where a local planning authority consider that the quality of the material submitted is inadequate and the determination period has expired (paragraph 31), applicants may seek to appeal to the Planning Inspectorate (acting for the Welsh Ministers) on the basis that the applicant considers the adequacy of the particular information provided is sufficient for the planning applications to comprise a valid application. The Planning Inspectorate will then consider the adequacy of the material submitted. If the Inspectorate considers that adequate information has been provided, an inspector is appointed and the application is determined at appeal on its merits. If on the other hand, the Inspectorate considers that the particular information provided is insufficient to constitute a valid planning application, it will decline jurisdiction to entertain any planning appeal on the basis of non-determination.

DETERMINATION PERIODS

31. Article 22 of the DMPWO states that applications should be determined within 8 weeks. For applications for development requiring environmental impact assessment the determination period is 16 weeks. Local planning authorities should start the determination process as soon as a valid application is received. The time period from application to decision begins the day on which a valid application and the correct fee (where applicable) have been received regardless of whether the application is submitted electronically or in paper format.

Requests for further information

32. Changes to the validation procedures do not affect the local planning authority's ability to request clarification or further information during the determination process. However, an applicant's failure to respond to such a request, does not in itself invalidate the planning application.

33. Where information has been provided to satisfy the minimum legal requirements but the local planning authority requires supplementary information in order to make a fully informed planning decision, or the quality of the information provided by the applicant may require challenge, the 'clock' continues to run for the purpose of Article 22 of the DMPWO while the authority seeks the additional information. Normal determination periods should continue to apply unless a longer period is agreed in writing between the applicant and local planning authority to extend the determination period. A request to the applicant to provide further information should be made only when necessary to assist the local planning authority in its determination of an application.

34. If an application previously considered valid for the purpose of Article 22 of the DMPWO, but is later found to be invalid following registration (see paragraph 22) the determination period should take no account of the time which elapses between the local planning authority notifying the applicant that an application is invalid and the date the local planning authority receives the required information or full fee. The new time period should start again on the date the application is made valid, and the start date for processing the application should begin on the day the local planning authority is satisfied that the application is valid, and/or have received the full fee. However, in cases where the fee has been paid by cheque which is subsequently dishonoured, the time between the date when

the local planning authority sent the applicant written notice of the dishonouring of the cheque and the date when the authority are satisfied they have received the full amount of the fee should be excluded from the determination period but the 'clock' is not reset.

INFORMATION REQUIREMENTS FOR PLANNING APPLICATIONS

35. Article 22 of the DMPWO sets out the definition of a 'valid' application, and a local planning authority can refuse to determine that an application is 'valid' for the purpose of Article 22 of the DMPWO if the appropriate information is not provided with the application. The instructions included on the Standard Application Form are based on national policy requirements. In addition to, for example flood consequences assessments, other documents may be required as listed in the Annex to this guidance.

36. Validation will be dependant on the submission of additional assessment documents, but such assessments are not required in all circumstances. The Welsh Government wants it to be as clear as possible to applicants whether such additional information is required to accompany their application. Therefore assessments will only be included on the Standard Application Form as potential 'valid application' items where detailed guidance exists about their applicability.

37. The assessments that may be required to make a planning application 'valid' for the purpose of Article 22 of the DMPWO are:

- Biodiversity Survey and Report
- Design and Access Statement
- Environmental Statement
- Flood Consequences Assessment
- Coal Mining Risk Assessment
- Noise Assessment
- Retail Impact Assessment
- Rural Enterprise Dwelling Appraisal
- Transport Assessment
- Tree survey

38. The Best Practice Guide for applicants that compliments this circular contains further advice on the applicability of requirements incorporated into the Standard Application Form.

39. The information needed by local planning authorities to properly consider applications for smaller scale development such as those undertaken by householders is likely to be similar across Wales, while applications for major developments are more likely to raise locally distinct issues. Therefore Lists 1 to 3 in the Annex reproduce the requirements for applications for planning permission that vary according to the scale of the development:

- Applications for **householder** development
These are defined as the carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse and require the information reproduced in List 1 in the Annex
- Applications for **minor** development

Such applications are for development that does not fall within the categories of householder or major development and require the information reproduced in List 2 in the Annex.

- Applications for **major** development

Major development is defined in article 2 of the DMPWO, which is reproduced in paragraph 40 below. Such applications require the information set out in List 2 in the Annex and the 'local validation requirements' if published by the local planning authority on its website (see the requirements of article 8(1)(f) and 8(2)(a) of the DMPWO).

40. "Major development" is defined as development involving any one or more of the following:

- a) the winning or working of minerals or the use of land for mineral-working deposits¹;
- b) waste development;
- c) the provision of dwellinghouses where
 - i) the number of dwellinghouses to be provided is 10 or more; or
 - ii) the development is to be carried out on a site having an area of 0.5 hectare or more and is not known whether the development falls within paragraph (c)(i);
- d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more, or
- e) development carried out on a site having an area of 1 hectare or more.

41. For major development proposals that straddle local authority boundaries where local validation requirements differ, applicants may have to provide different information to each authority. Local planning authorities should use pre-application discussions to agree with the applicant and each other the information they would require to validate the application.

APPLICATIONS FOR HOUSEHOLDER AND MINOR DEVELOPMENT

42. In light of the current economic conditions and mindful of the need to reduce unnecessary burdens, the information requirements of local planning authorities should be consistent and proportionate to the size and complexity of the development proposed. Therefore for householder and applications for minor development, the Standard Application Form, and any supporting documents the form requires, should enable sufficient information to be provided to determine the application within the statutory period. For the few applications where information not covered by the Standard Application Form is required, local planning authorities have the power to require this information prior to determining the application. However, if the application is valid for the purpose of Article 22 of the DMPWO (and the consequent ability to appeal to the Welsh Ministers on the grounds of non-determination), the 'clock' will not stop while this information is sought. Paragraphs 29 and 30 provide further advice on appeals.

APPLICATIONS FOR MAJOR DEVELOPMENT - LOCAL VALIDATION REQUIREMENTS

43. For major planning applications, in addition to the requirements specified in the

¹ Validation requirements apply as for other major applications, but the local authority's application form is required instead of the standard application form.

Standard Application Form, the local planning authority may adopt 'local validation requirements'. If the local planning authority has local requirements they should be published on the local planning authority's website. It will be up to the local planning authority to specify exactly what information is required for major planning applications to ensure that the applicant supplies the correct supporting information. Section 62(4) of the 1990 Act provides that any local requirement must not be inconsistent with the provisions made by the DMPWO.

44. Local planning authorities can produce their local validation requirements at any time, as there is no statutory deadline. A local planning authority should consult statutory consultees and the local community, including planning agents, on its draft proposals for a period of at least six weeks. However, unless and until a local planning authority has completed consultation and published its final version on its website, any local information requirements will have no bearing on the validity of applications. Where local validation requirements have yet to be advertised, the local planning authority can only assess the application's validity against the information noted in List 2 in the Annex.

45. To help support the use of the Standard Application Form, local planning authorities should configure the electronic application system on the Planning Portal with their local validation requirements for major applications to ensure that the form reflects up to date information requirements for each local planning authority. In addition, paper copies should also be made available at the local planning authority's offices for those applicants wishing to make an application on a paper form.

46. Where a local planning authority has existing guidance setting out its requirements, it should review the list to ensure it reflects the requirements set out in this guidance and consult on it before using it to validate planning applications.

47. In preparing or reviewing their local validation requirements, local planning authorities should take into account the principles and criteria set out below.

Principles and criteria for preparation of local validation requirements

Principle	Key Considerations
Necessity	All local validation requirements should help understanding of how the proposed development implements or does not undermine national or adopted development plan policies.
Precision	It should be clear where (geographically) the information requirement arises. It should be clear precisely what types of development require the provision of supporting information.
Proportionality	Where possible, the local validation requirements should identify size thresholds below which the information is not required Where possible, a graduated approach should be taken to the information required (e.g. dependent on the scale or

sensitivity of the proposal).

Fitness for purpose	It should be clear what information is required to satisfy the requirement – with a strong emphasis on encouraging a proportionate approach and brevity.
Assistance	For each element of the requirements it should be clear where further information or answers to queries can be obtained.

OTHER ISSUES AFFECTING SUBMISSION OF APPLICATIONS

MULTIPLE APPLICATIONS

48. The Standard Application Form allows applicants to apply for multiple consents at the same time. The form has been designed so that, for applications for more than one consent regime, the questions that appear will not duplicate information requests. A fee (where applicable) will apply for each consent sought.

49. Use of the form for multiple applications which come under different consent regimes is intended to streamline the application process. However, it does not alter the fact that these applications are legally distinct and their validity and determination should be treated as such by the local planning authority. Local planning authorities will need to consider the most appropriate procedures for handling multiple applications.

50. At the end of the determination process, local planning authorities are advised to send the applicant a decision letter for each consent regime to which the application relates. However, where a decision letter combining consents is sent, the different consents must be differentiated within the letter as they are still legally distinct from one another.

NUMBER OF COPIES OF APPLICATION FORM

51. The provisions in the DMPWO specify that planning applications submitted electronically will not need to be accompanied by any further copies, either of the application or accompanying information.

52. Applicants who apply for planning permission or consent on a paper copy of the Standard Application Form must provide the original plus three copies of the form and any accompanying plans, drawings or information associated with the application (a total of four copies) unless the local planning authority indicates that a lesser number is required. Local planning authorities may request additional copies above the statutory requirement, but failure to provide these, would not be a basis for refusing to validate the application.

ELECTRONIC AND PAPER FORMS

53. Electronic submission of supporting information may not always be possible because of its volume and variety. In these circumstances, information can be submitted in hard copy even if the application form has been submitted electronically, but applicants who submit supporting information in hard copy must provide the original plus three copies (a total of four copies). Applicants who choose to submit their application and supporting information this way will be notified of the validity of their application when the local planning authority is satisfied they have received all the necessary information.

54. Applicants who submit an application electronically to the local planning authority can communicate in this way throughout the whole application process unless an alternative approach is agreed between the local planning authority and applicant.

55. For electronic applications it will be acceptable for applicants to produce a typed signature on the form in block capitals of their name or the Agent's details if signed on the applicant's behalf.

CERTIFICATES OF OWNERSHIP

56. In order for the local planning authority to validate any application for planning permission or listed building and conservation area consent, it must be accompanied by ownership certificates. The requirement for ownership certificates comes from Article 11 of the DMPWO and Regulation 7 of the Planning (Listed Building and Conservation Areas) (Wales) Regulations 2012.

57. The prescribed certificates have been published by the Welsh Ministers and provided as part of the Standard Application Form, through the Planning Portal.

58. A written signature will need to accompany any paper version of the Standard Application Form certificates submitted, but for any electronically submitted certificate, a typed signature of the applicant's name will be acceptable.

ANNEX

Lists of validation requirements for applications made in respect of the Planning Acts and other similar consents

- List 1 Full planning permission for householder development
- List 2 Outline or full planning permission for major and minor development (excluding householder applications)
- List 3 Approval of reserved matters
- List 4 Removal or variation of a condition following grant of planning permission (section 73 or 73A of the Town and Country Planning Act 1990)
- List 5 Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition.
- List 6 Lawful Development Certificate for a proposed use or development.
- List 7 Advertisement Consent
- List 8 Listed Building Consent for alterations, extension or demolition of a listed building
- List 9 Conservation Area Consent for demolition in a conservation area
- List 10 Applications for consent under tree preservation order
- List 11 Prior Approval – Part 6 (Agricultural buildings and extensions) and Part 7 (Forestry buildings and operations) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (GPDO) *
- List 12 Prior Approval – Part 24 (Development by electronic communications code operators) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (GPDO)*
- List 13 Prior Approval – Part 31 (Proposed demolition of buildings) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (GPDO)*

LIST 1

Full Planning Permission for Householder Development

(Applications seeking planning consent for householder development by virtue of Part 3 of the Town and Country Planning Act 1990).

Householder development consists of the carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse.

Detailed requirements to be determined in accordance with source legislation or policy.

1. Standard application form

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Description of Proposed Works
- Site Address Details
- Pedestrian and Vehicle Access, Roads and Rights of Way
- Pre-Application Advice
- Trees and Hedges
- Parking
- Authority Employee/ Member
- Materials
- Declaration
- Site Visit arrangements

Additional documents where the proposed development fulfils the criteria cross-referred to by the Standard Application Form:

- Biodiversity survey and report

DMPWO requirements:

- Ownership Certificate
- Agricultural Holdings Certificate

2. Plans and relevant information

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

	<ul style="list-style-type: none">- Location plan.- Other plans and drawings or information necessary to describe the subject of the application.- Plans / drawings must be drawn to an identified scale and, in the case of plans, must show the direction of north.
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3. Fee	
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	<p><u>Required for Valid Application</u></p> <p>See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).</p>
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LIST 2

Outline or Full Planning Permission for Major and Minor Development (excluding Householder Applications)

(Applications seeking consent for development by virtue of Part 3 of the Town and Country Planning Act 1990)

Detailed requirements to be determined in accordance with source legislation or policy.

1. Standard application form

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Description of Proposed Works
- Site Address Details
- Pre-application Advice
- Pedestrian and Vehicle Access, Roads and Rights of Way
- Waste storage and collection
- Neighbour and community consultation
- Authority Employee/ Member
- Materials
- Vehicle Parking
- Foul Sewage
- Assessment of Flood Risk
- Biodiversity and Geological Conservation
- Existing use
- Trees and hedges
- Trade effluent
- Residential units (including conversion)
- All types of development: non residential floorspace
- Employment
- Hours of opening
- Site area
- Industrial or commercial processes and machinery
- Hazardous substances
- Declaration
- Site Visit arrangements

Additional documents where the proposed development fulfils the criteria cross-referred to by the Standard Application Form:

- Biodiversity Survey and Report
- Flood Consequences Assessment
- Coal Mining Risk Assessment

- Noise Assessment
- Retail Impact Assessment
- Rural Enterprise Dwelling Appraisal
- Transport Assessment
- Tree Survey

DMPWO requirements:

- Ownership Certificate
- Agricultural Holdings Certificate

Applications for development constituting of mining operations or the use of land for mineral-working deposits continue to be made on a form provided by the local planning authority and must include the particulars specified or referred to on that form.

2. Plans and relevant information

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

- Location plan.
- Other plans and drawings or information necessary to describe the subject of the application.
- Plans / drawings must be drawn to an identified scale and, in the case of plans, must show the direction of north.
- Design and Access Statement (refer to article 7 of DMPWO).
- Environmental Statement (refer to The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999).
- International Commission on Non-ionising Radiation Protection (for development involving the construction or installation of antennae for the purpose of operating an electronic communications network – refer to article 9 of DMPWO).

Application for outline planning permission may also require:

- Where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces included in the development proposed.
- Where scale is a reserved matter, the application must state the upper and lower limit for the height, width and length of each building included in the development proposed.

	<p>- Where access is a reserved matter, the application must state the area or areas where access points to the development proposed will be situated.</p>
<p>3. Fee</p>	
	<p><u>Required for Valid Application</u></p> <p>See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).</p>
<p>4. Local validation requirements</p>	
	<p><u>Information required for valid application where the application is for major development the information set out on a local planning authority's list published on its website (see Paragraph 43)</u></p> <p>"Major development" is defined as development involving any one or more of the following:</p> <ul style="list-style-type: none"> a) the winning or working of minerals or the use of land for mineral-working deposits b) waste development c) the provision of dwellinghouses where <ul style="list-style-type: none"> i) the number of dwellinghouses to be provided is 10 or more ii) the development is to be carried out on a site having an area of 0.5 hectare or more and is not known whether the development falls within paragraph (c)(i) d) the provision of a building or buildings where the floor space to be created by the development is 1,000 sq metres or more, or e) development carried out on a site having an area of 1 hectare or more.

LIST 3

Approval of Reserved Matters

(Applications seeking approval of reserved matters by virtue of Article 4 of the DMPWO)

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Site Address Details
- Development Description
- Pre application advice
- Neighbour and community consultation
- Authority Employee/Member declaration
- Site visit arrangements
- Declaration

2. Plans and relevant information

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

- Plans and drawings or information necessary to deal with the matters reserved in the outline planning permission. These must be drawn to an identified scale and, in the case of plans, must show the direction of north.
- Environmental Statement (refer to The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999).

3. Fee

Required for Valid Application

See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

LIST 4

Removal or Variation of a Condition following Grant of Planning Permission

(Applications seeking the removal or variation of a condition by virtue of section 73 of the Town and Country Planning Act 1990)

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Site Address Details
- Pre-Application Advice
- Description of Proposal
- Conditions – Removal
- Site Visit
- Declaration

DMPWO requirements:

- Ownership Certificate
- Agricultural Holdings Certificate

2. Relevant information

Information Required for Valid Application

- Design and Access Statement (refer to article 7 of DMPWO).
- International Commission on Non-ionising Radiation Protection (for development involving the construction or installation of antennae for the purpose of operating an electronic communications network – refer to article 9 of DMPWO).
- Environmental Statement (refer to The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999).

3. Fee

Required for Valid Application

See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

LIST 5

Lawful Development Certificate for an Existing Use or Operation or Activity including those in Breach of a Planning Condition

(Applications seeking a Lawful Development Certificate by virtue of Section 191 of the Town and Country Planning Act 1990)

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Site Address Details
- Pre-Application Advice
- Lawful Development Certificate – Interest in land
- Authority Employee / Member
- Description of Use, Building Works or Activity
- Description of existing use, building works or activity
- Grounds for Application for a Lawful Development Certificate
- Information in support of a Lawful Development Certificate
- Site Visit
- Declaration

DMPWO requirements:

- Evidence verifying the information included in the application as can be provided.

2. Plans and relevant information

Information Required for Valid Application

- Location plan drawn to an identified scale and showing the direction of north.
- Where an application specifies two or more uses, operations or other matters, the plan which accompanies the application must indicate to which part of the land each such use relates.

3. Fee

Required for Valid Application

See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

LIST 6

Application for a Lawful Development Certificate for a Proposed Use or Development

(Applications seeking a Lawful Development Certificate by virtue of Section 192 of the Town and Country Planning Act 1990)

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Site Address Details
- Pre-Application Advice
- Lawful Development Certificate – Interest in land
- Authority Employee / Member
- Grounds for Application
- Description of proposal
- Site Visit
- Declaration

DMPWO requirements:

- Evidence verifying the information included in the application as can be provided.

2. Plans and relevant information

Information Required for Valid Application

- Location plan drawn to an identified scale and showing the direction of north.
- Where an application specifies two or more uses, operations or other matters, the plan which accompanies the application must indicate to which part of the land each such use relates.

3. Fee

Required for Valid Application

See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

LIST 7	
Advertisement Consent (Applications seeking Express Consent by virtue of Regulation 9 of the Town and Country Planning (Control of Advertisement) Regulations 1992 (as amended)) Detailed requirements to be determined in accordance with source legislation or policy	
1. Standard application form (If not submitted electronically – original plus 3 copies)	
	<p><u>Information Required for Valid Application</u></p> <p>Questions on Standard Application Form:</p> <ul style="list-style-type: none"> - Applicant name and address - Agent name and address - Site Address Details - Pre-Application Advice - Neighbour and community consultation - Authority Employee / Member - Description of Proposed Advertisement - Advertisement Display - Advertisement Period - Interest in the land - Site Visit - Declaration
2. Plans and relevant information (If not submitted electronically – original plus 3 copies)	
	<p><u>Information Required for Valid Application</u></p> <ul style="list-style-type: none"> - Plan identifying the location of the site by reference to at least two named roads, the proposed position of the advertisement and is drawn to an identified scale with the direction of north also showing.
3. Fee	
	<p><u>Required for Valid Application</u></p> <p>See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).</p>

LIST 8

Listed Building Consent for Alterations, Extension or Demolition of a Listed Building

(Applications seeking Listed Building Consent by virtue of Section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9))

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Description of proposed works
- Site address details
- Related proposals
- Pre-application advice
- Neighbour and community consultation
- Authority employee / member
- Materials
- Demolition
- Listed building alterations
- Listed building grading
- Immunity from listing
- Declaration
- Site visit

Listed Building and Conservation Area Regulations requirement:

- Ownership Certificate

2. Plans and relevant information

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

- Plans, drawings or information necessary to describe the works which are the subject of the application.
- Design and Access Statement (refer to article 6 of The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012).

LIST 9

Conservation Area Consent for Demolition in a Conservation Area

(Applications seeking Conservation Area Consent by virtue of Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9))

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Description of proposal
- Site address details
- Related proposals
- Pre-application advice
- Neighbour and community consultation
- Authority Employee / Member
- Explanation for proposed demolition work
- Site Visit
- Declaration

Listed Building and Conservation Area Regulations requirement:

- Ownership Certificate

2. Plans and relevant information

(If not submitted electronically – original plus 3 copies)

Information Required for Valid Application

- Plans, drawings or information necessary to describe the works which are the subject of the application.
- Design and Access Statement (refer to article 6 of The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012).

LIST 10

Applications for Consent Under Tree Preservation Order

(Applications for consent to carry out works on trees subject to tree preservation orders by virtue of The Town and Country Planning (Trees) Regulations 1999 (as amended))

Detailed requirements to be determined in accordance with source legislation or policy

1. Standard application form

Information Required for Valid Application

Questions on Standard Application Form:

- Applicant name and address
- Agent name and address
- Location
- Ownership
- Tree preservation order details
- Identification of tree(s) and description of works
- Reasons for works
- Additional information
- Declaration
- Applicant contact details
- Agent contact details

2. Plans and relevant information

Information Required for Valid Application

- Location plan identifying the tree(s) to which the application relates.
- Such information as is necessary to specify the proposed works for which consent is sought.
- Statement of applicant's reasons for making the application.
- As applicable, appropriate evidence describing any structural damage to property or in relation to tree health or safety.

LIST 11
<p>Prior approval – Part 6 (Agricultural Buildings and Extensions) and Part 7 (Forestry Buildings and Operations) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995)</p> <p>(Applications seeking prior approval of the local planning authority in regard to the siting, design and external appearance of buildings, the siting and means of access of a private way, the siting of a excavation or deposit, or the siting and appearance of a tank by virtue of conditions of Class A of Part 6 and Class A of Part 7 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995)</p> <p>Detailed requirements to be determined in accordance with source legislation or policy.</p>
1. Application must be submitted in writing
- The application must be accompanied by a written description of the proposed development and of the materials to be used.
2. Plans
- Location plan
3. Fee
See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

To note: Applicants are free to use the standard application form, but this is not mandatory.

LIST 12
<p>Application for Prior Approval – Part 24 (Development by Electronic Communications Code Operators) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995) (Applications seeking prior approval of the local planning authority by virtue of conditions of Part 24 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995)</p> <p>Detailed requirements to be determined in accordance with source legislation or policy</p>
1. Application must be submitted in writing
<ul style="list-style-type: none"> - The application must be accompanied by a written description of the proposed development.
2. Plans and relevant information
<ul style="list-style-type: none"> - Location plan - International Commission on Non-ionising Radiation Protection (for development involving the construction or installation of antennae for the purpose of operating an electronic communications network – refer to article 9 of DMPWO). - Evidence that notice of the proposed development has been given to any persons (other than the developer) who is an owner or tenant of the land. - Where the proposed development consists of the installation of a mast within 3 kilometres of the perimeter of an aerodrome, evidence must be provided that the applicant has notified the Civil Aviation Authority, the Secretary of State for Defence or the aerodrome operator.
3. Fee
See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

To note: Applicants are free to use the standard application form, but this is not mandatory.

LIST 13
<p>Application for Prior Approval – Part 31 (Demolition of Buildings) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995)</p> <p>(Applications seeking prior approval of the local planning authority by virtue of conditions of Part 31 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995)</p> <p>Detailed requirements to be determined in accordance with source legislation or policy</p>
1. Application must be submitted in writing
- The application must be accompanied by a written description of the proposed development.
2. Relevant information
- A statement that the applicant has displayed a site notice in accordance with A.2(b)(iii) of Part 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
3. Fee
See the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (as amended).

To note: Applicants are free to use the standard application form, but this is not mandatory.