

Validation Checklist – Appendix 2: Guidance Document

Key Links:

Policy:

[National Planning Policy Framework](#)

[Cherwell Local Plan \(CLP 2015\)](#)

[Cherwell Local Plan \(CLP 1996\)](#)

[Cherwell Local Plan Partial Review 2011-2031 Oxford's Unmet Housing Need 2020](#)

Supplementary Planning Documents:

[Residential Design Guide SPD 2018](#)

[Home Extensions and Alterations Design Guide 2007](#)

[Developer Contributions SPD 2018](#)

[Banbury Vision and Masterplan SPD 2016](#)

[Kidlington Masterplan SPD 2016](#)

[North West Bicester SPD 2016](#)

[Conservation Area Appraisals](#)

[National Planning Practice Guidance](#)

[OCC Parking Standards for New Developments](#)

[OCC Local Transport and Connectivity Plan](#)

Affordable Housing Statement

When do I need an affordable housing statement / viability statement?

- The development consists of, or has capacity of, 11 dwellings or more; or
- You will need to provide a viability statement if you are not proposing to meet the minimum policy requirements (detailed below).

What is it?

Policy BSC3 of the CLP 2015 requires 30% of the total number of residential units at Banbury and Bicester to be provided and maintained as affordable housing within all new residential developments, which meet the threshold set out above.

Further, the Policy requires 35% of the total number of residential units at Kidlington and the rural areas of the district to be provided and maintained as affordable housing within all new residential developments, which meet the threshold set out above.

Affordable housing will also be delivered through Policy Villages 3 of the CLP 2015.

The affordable housing statement should set out the overall level of affordable housing proposed as well as the:

- Number size, types and tenure of the units;
- Plans showing location of the affordable housing;
- Demonstrate compliance with the Affordable Housing section of the Developer Contributions SPD

Viability Assessment

If required, your viability assessment should detail why you are unable to meet the requirements. An independent consultant will assess your scheme and viability statement. They will assess whether the minimum requirements of affordable housing could be achieved on the development.

More Information

Further information can be found within the CLP 2015, the Developer Contributions SPD 2018 and the Council's [Housing Policy and Strategy](#).

Air Quality Assessment

When do I need this document?

If the proposal is:

- Inside or adjacent to an Air Quality Management Area (AQMA); or
- Where the development could in itself result in the designation of an AQMA; or
- Where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan.

How do I find out if my site is within an AQMA?

Details of the Council's Air Quality Action Plan (2017) and the position of AQMA's are available on the Council's website: [here](#)

What is it?

The document should assess and mitigate against harmful fumes and pollutants that could be caused by a development, or if a development would be affected by existing pollutants.

What should I include in the Air Quality Impact Assessment?

- An assessment of the increase of air pollutants that development could cause. These pollutants could be from the development itself or the increase in traffic as a result of the development.
- Mitigation measures to reduce the impact on air quality.

More Information

Further information on the Council's Air Quality Management Areas and the [Air Quality Management Status Reports](#) are available on the website.

Biodiversity Net Gain Statement

When do I need this document?

- The statutory metric requirement from January 2024, subject to any exemptions;
- The statutory small site metric will be required from April 2024, subject to updated legislation changes or Government guidance.

Biodiversity Net Gain is required through the [Environment Act 2021](#).

What should I include in this document?

- The pre-development biodiversity value of the site and preliminary post development as calculated using the relevant [Defra metric](#) (provided in Excel format). Any habitats damaged or destroyed post 30 January 2020 will need to be included within the calculations based on their former condition
- The project design steps taken to avoid and minimise adverse biodiversity impacts
- The proposed approach to enhancing biodiversity on-site
- Any proposed off-site biodiversity enhancements (including the use of credits) that are planned or arranged for the development (provided in text document) or the number of units anticipated to be provided off site
- A working assessment of the expected Biodiversity Net Gain
- Habitat condition sheet assessment with justifications (provided in text document)
- Maps of baseline habitats, an annotated Ecological Mitigation Map, and illustrative post-development habitat proposals including retained and proposed new features (required as a separate document with imagery produced using GIS software)

Mandatory Biodiversity Net Gain

All applications (except those which are exempt) can provide full BNG details in a Biodiversity Gain Plan with their application or they can provide this at pre-commencement stage as required under the general BNG condition. Where the full Biodiversity Gain Plan is not provided upfront, a BNG Statement is required.

Sufficient information to assess how the development has addressed the Biodiversity hierarchy and how it is intending to meet the BNG objective shall be captured through the requirements outlined above. **These requirements may be updated at a future date. Please check for any updates prior to submitting your planning application.**

More Information

[Draft biodiversity net gain planning practice guidance \(2023\) or subsequent revisions](#)

Please see **Appendix 2** of the checklist for further information

Contaminated Land Assessment

When do I need this document?

- Applications where there are known contamination issues with the site; or
- Applications subject to an Environmental Impact Assessment

What is it?

A Contaminated Land Assessment should assess the risk resulting from the presence and level of contaminants on the site. It is a two-stage process:

- Phase 1 – Desktop Survey
- Phase 2 – Intrusive Site Investigation

Where unacceptable risks to human health are identified, an additional report will be required. This should include details of a suitable remediation schemes to deal with the contamination on site.

Sufficient information is required to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed.

More Information

Information and guidance on [contaminated land](#) can be found on the Council's website.

Flood Risk Assessment

When do I need this document?

- If any part of the development is located within flood zones 2 or 3;
- If the site is larger than 1 hectare and is located within flood zone 1.

What are flood zones?

Some areas have a higher risk of flooding than others. The Environment Agency categorises areas into different flood zones, depending on the probability of flooding. The flood zones are as follows:

| | | |
|---------|-----------------------|---|
| Zone 1 | Low probability | Less than 1 in 1000 chance of a flood occurring each year |
| Zone 2 | Medium probability | Between 1 in 100 and 1 in 1000 annual probability of river flooding Between 1 in 200 and 1 in 1000 annual probability of sea flooding 1 in 1000 chance of a flood occurring each year |
| Zone 3a | High probability | 1 in 100 or greater probability of river flooding 1 in 200 or greater probability of sea flooding |
| Zone 3b | Functional floodplain | Land where water has to flow or be stored in times of flood Not marked separately on the flood risk map |

To find out what zone your site is in, [click here](#).

What is it?

A flood risk assessment should assess the likelihood of a development being affected by flooding. It should also set out the measures to be put in place to protect the development from flooding.

What information do I need to include in my Flood Risk Assessment?

The level of detail will vary depending on what flood zone the site is in and the nature of the development. The Environment Agency has produced standing advice for some minor developments so that simple householder development may be able to produce their own flood risk assessment while larger or more vulnerable developments would require a flood risk assessment to be produced by a Specialist Flood Risk Consultant.

The FRA should include a surface water drainage strategy. The strategy must set out the proposed sustainable drainage system to manage water run-off and provision of its maintenance for the lifetime of the development. It will provide details of the type of sustainable drainage system for a proposed site, details of its extent / position, design and site suitability, and future management arrangements.

More information

FRAs and the Environment Agency's Standing Advice can be found: [here](#).

Policy ESD7 of the [CLP 2015](#).

Ecology Surveys and Reports

When do I need this document?

- All major planning applications;
- If the site is within a designated habitat site:
 - Site of Special Scientific Interest (SSSI)
 - Special Area of Conservation (SAC)
 - Special Protection Area (SPA)
- Where there is a likelihood that a planning proposal might affect important protected species or habitats;
- If the proposal affects mature/overgrown gardens, areas of rough grassland or derelict land, including brownfield, allotments on or adjacent to the site;
- Where a development proposal may have possible impacts on wildlife and biodiversity, in particular protected species such as bats – a survey is generally considered necessary for demolition proposals, including small-scale householder extension and refurbishment schemes where bats are known to be in the area;
- Presence or suitability for Great Crested Newts (where there is a pond within 250m of the site or a pond on the site), badgers or common reptiles;
- Any relevant information for Biodiversity Net Gain (BNG) (please see BNG section of checklist).

What is it?

Surveys and / or reports are used to assess whether protected or priority species or habitats might be impacted by the application proposals.

What information is required?

Please see **Appendix 2** for detailed information.

More Information

Policies ESD9, ESD10, ESD11 of the [CLP 2015](#).

Information on Statutory designated sites can be found on [DEFRA's Magic Map](#).

Heritage Impact Assessment

When do I need a heritage assessment?

- A listed building, or any land/building within the curtilage of a listed building ([full list available on Historic England's website](#))
- Any building within a [Conservation Area](#)
- [Scheduled Monument](#)
- Locally listed building
- [Archaeological Alert Area](#)

What is it?

A heritage statement should set out the historical, architectural or archaeological significance of the building, monument or structure (heritage assets). The heritage statement should be used as a starting point when developing a proposal. It should consider the impact of the proposal on designated heritage assets.

The level of detail required will depend on the nature of the development and the significance of the heritage asset. An applicant may be able to carry one out, although in most cases the service of an appropriately qualified and experienced historic environment professional is likely to be required.

What should I include in my heritage statement?

- Assess the significance – include evidence of the importance of the heritage asset, such as maps, photos or documents. Give details about its history and its role in the local area.
- Assess the impact – explain how the proposed works will affect the heritage asset and its setting. Include drawings, photos and maps to explain the impact of the works on the building and area.
- Detail any mitigation – explain what measures will be taken to preserve the heritage asset and its setting. You need to demonstrate that the works would not harm the heritage asset or its setting. Include details of materials and construction techniques, as this would affect the heritage asset.
- Refer to the site's [Historic Environment Record \(HER\)](#).
- Consult the relevant [Conservation Area Appraisals](#)

More Information

Conservation advice is available on the website: [here](#).

Archaeological advice is available on Oxfordshire County Council's website: [here](#).

Landscape Assessment

Landscape assessments may include:

- Landscape and Visual Impact Assessment (LVIA)
- Landscape Visual Assessment (LVA)
- Landscape and Ecology Management Plan

What should it include?

- The assessment should identify the different elements that give a place its unique character – landform, woodlands, trees, hedgerows, land use, historic features, building styles, settlement pattern;
- Demonstrate to what extent the development may alter the fabric, quality and character of the landscape;
- Refer to the [Guidelines for Landscape and Visual Impact Assessment](#) published by the Landscape Institute and Institute of Environmental Management and Assessment;
- Identify where the proposed development can be seen from and the extent to which those views would be affected by the development;
- Give consideration to seasonal variation and the impact of light pollution, and the cumulative effects of any proposed development in conjunction with other possible neighbouring developments;
- The assessment should clearly set out mitigation measures to address any adverse landscape and/or visual effects identified.

The assessment should be undertaken by an appropriately qualified person.

More Information

Policy ESD10 of the [CLP 2015](#).

Lighting Assessment

When do I need this document?

All planning applications that include external lighting.

What is it?

This document should give details of any external lighting. Details of external lighting are required to ensure that external lights do not cause nuisance to nearby residences, create undue levels of light pollution, or damage the habitats of protected species, such as bats.

What do I need to include?

The level of details required will depend on the nature and scale of the development. As a minimum, the following information should be included:

- Layout plan showing the position and direction of the lights
- Manufacturers information – including luminance levels, security sensors, timers & switches
- Details of any mitigation to reduce the impact of the lighting

More Information

Further [national guidance about light pollution](#) is available.

Noise Impact Assessment

When is this required?

- New industrial or commercial premises close to residential properties
- New residential property near to transportation, industrial or commercial noise sources
- New entertainment premises near to residential properties, and new residential property near places of entertainment
- New extraction or ventilation equipment
- Air conditioning units

What is it, and why is it required?

Where the proposal is for new commercial, industrial or entertainment premises, or new ventilation, extraction or air cooling equipment, near residential properties, a noise impact assessment is required. This will enable the Council to assess whether the proposal would result in an unacceptable level of disturbance.

Where the proposal is for new residential properties near to existing noise sources, a noise impact assessment is required to establish whether the new property can be adequately protected against existing noise levels.

What does it need to include?

- Description of the buildings use, its location, along with any surrounding people or wildlife that would be affected by noise
- A description of the noises produced by the development and where they will originate from
- A noise survey and report data
- Mitigation measures to reduce or prevent noise so that it is not a nuisance or a danger

What is a noise survey and report?

A report that assesses the noise that will be produced by the development. This must be carried out by a competent professional and done in accordance with BS4142. It should include data of how much noise will be produced, an assessment of how far the noise will spread and who it will affect and how it will affect them. Mitigation techniques and methods may be required, including a method statement detailing how the tests were carried out.

More Information

Further information about noise impact assessments can be found on the [gov.uk website](https://www.gov.uk).

Odour Impact Assessment

When do I need this document?

- For odour generating activities in the vicinity of existing odour-sensitive developments – residential, schools, hospitals;
- Mixed use applications comprising both odour generating and odour-sensitive uses;
- Odour-sensitive uses in the vicinity of odour-generating uses, such as industrial/commercial, farms, sewage treatment works.

What should I include in the Odour Impact Assessment?

An odour impact assessment should be prepared by a suitably qualified expert, and detail the impact of the proposal and any mitigation measures, where applicable.

More Information

Further guidance is on the Institute of Air Quality Management website for: [Guidance on the Assessment of Odour for Planning](#).

Parking and Servicing Provision

When do I need this document?

Proposals what will change an existing parking arrangement.

What should it include?

- Existing and proposed vehicle parking provision, including provision for accessible parking;
- Details of proposed servicing to be provided including the location, access / circulation, and indication of vehicle types and expected numbers of deliveries and times per day. These details can be shown on a site layout plan and / or supporting written information;
- Refuse and recycling (waste) storage locations and arrangements for collections of vehicles.

More Information

Check Oxfordshire County Council's [Parking Standards for New Developments](#).

Planning Obligations / Draft Heads of Terms

When do I need to provide this information?

Any applications which require the Council and the applicant to enter into a legal agreement: for example, to secure affordable housing, Biodiversity Net Gain, education contributions, etc.

What is it?

- A draft Heads of Terms should be discussed with a Planning Officer at the pre-application stage.
- Obligations should be incorporated from the [Developer Contributions SPD](#).
- A statement of the proposed heads of terms, which will form the basis of the Section 106 agreement to be entered into in respect of the application.
- Details should include the contact details of the applicant's legal representative, evidence of title or confirmation that the title owner(s) will be able to enter into such an agreement and cover legal costs.

More Information

Details of contributions can be found in the [Developer Contributions SPD](#).

Planning Statement

When do I need this document?

The level of detail required for a planning statement depends on the scope and nature of development, the type of application and the sensitivity of the development's location. This may vary in format from a short summary to outline the development, to a detailed document that includes information and commentary on planning issues relevant to the proposal.

Type of application and requirements

- Minor applications for full planning permission
 - A written description and explanation of the proposal, including justification of the scheme against key planning policies
 - Why any other submission documents are not required
- Major applications (including outline and approval of reserved matters)
 - A description of the site, its context and planning history
 - A summary of relevant national and local policies / guidance, and explanation as to how or why the proposed development accords or fails to accord with them
 - Details of consultations with the wider community, local authority or statutory consultees
 - Any other information materially relevant to planning and the proposed development but which is not addressed in other submission documents
- Applications for variation or removal of conditions
 - An explanation as to how the proposed development differs to the approved scheme
 - A summary of the relevant national and local planning policies / guidance adopted since the previous permission was issued
 - Explanation as to how or why the proposed development accords or fails to accord with them
 - Explain why the alterations are required
- Applications for Lawful Development Certificates (Existing)
 - A description of the site and its planning history
 - A description of the use(s) or work(s) to which the application relates
 - An explanation as to why the use(s) or work(s) are believed to be lawful
 - An appendices containing supporting information, for example:
 - Sworn affidavits / statutory declarations
 - Floor plans
 - Evidence of council tax / utility bills
 - Receipts relating to the works / invoices
 - Dated photographs
 - Any additional relevant evidence

Retail Impact Assessment

When do I need this document?

- All developments for commercial or retail floor space over 2500m²
- Other retail or commercial developments that will have a significant impact on their local areas
- Retail or commercial development outside main retail centres or any area designated for retail by the Council

What is it?

This document assesses the impact that a new or large-scale retail development will have on the local area.

What should be included?

Sequential test assessments to be provided which thoroughly investigates alternative sites in town centres, local shopping areas and edge of centre locations to demonstrate that there are no more preferable sites for development. The assessment should also set out the approach to employment and skills (for example: number of construction and operational jobs being created, opportunities for local residents).

More Information

National Planning Policy Framework: [Ensuring the Vitality of Town Centres](#)

Policy SLE2 of the [CLP 2015](#).

Structural Survey

When do I need this document?

- Conversion of redundant buildings to alternative use proposals, predominantly for residential uses;
- Proposals including substantial demolition or alteration to isolated dwellings, and/or listed buildings, or buildings of historic interest.

What should be included?

- the report should include full details of the structural integrity of all elements of the building to be converted and/or altered and the report should outline any repairs or demolitions works necessary to facilitate the works being sought;
- drawings accompanying the report must include detailed sections and coloured or marked up plans that clearly identify the extent of fabric/building being demolished, repaired, or rebuilt.

In the case of building conversions, the survey should demonstrate that the structure of the building is adequate to meet the need of the new use. If the survey identifies rebuilding work is necessary, the extent of building work should be clearly indicated on the accompanying application drawings and detailed within the survey report.

Surveys should be carried out by a suitably qualified person.

While a survey is not a requirement for the prior approval applications, it may result in a reason for refusal if it is not provided to demonstrate a building can be reasonably converted.

Transport Statement / Assessment

When do I need this document?

- When a proposal has significant transport implications;
- Large scale residential, commercial developments, new educational premises.

What is it?

A transport assessment or statements are documents that assess the impact a new development will have on the road and travel networks in the local area and further afield, if the development is a larger one.

Why do I need one?

The reasoning behind this document is so that large new development and their impact on the surrounding transport system can be assessed to make sure the transport link can handle the strain of the new development.

What's the difference?

A Transport Assessment is larger and more in-depth document that is generally required for large scale major developments.

A Transport Statement is smaller and a more concise document that is generally required for smaller development.

Tree Survey, Report and Protection

When do I need this document?

- If there are protected trees on or adjacent to the site, which would be impacted by the development;
- In a Conservation Area, where there are trees on or adjacent to the site, which would be impacted by the development;
- Where trees are within or adjacent to the application site.

How can I find out if the trees on my site are protected?

The Council's website allows you to apply for or search for a Tree Preservation Order (TPO) [here](#).

The boundaries of Conservation Areas can be viewed within the relevant [Conservation Area Appraisals](#).

What is it?

Tree information is required in the above cases so that the local planning authority can assess whether the development would have an acceptable relationship with existing trees on or adjacent to the site.

What should it include?

The tree information is typically an arboricultural report. This normally includes a tree survey, arboricultural impact assessment, arboricultural method statement, and a tree protection plan. The level of detail and type of documents required depend on the nature of the development and its proximity to protected trees. The arboricultural report should be completed by a competent and fully qualified arboriculturalist.

With any application, trees should be shown to be located on the site through a block plan. Trees need to be highlighted correctly in the application form.

| | |
|---|--|
| Are trees present within or adjacent to the proposal? | BS5837 compliant tree survey required |
| Does the proposal seek to prune, remove, or retain trees within or adjacent to the red line boundary? | BS5837 compliant Arboricultural Impact Assessment required. |
| Does the proposal seek to retain trees? | BS5837 compliant Arboricultural Method Statement Required. |
| Does the proposal offer replacement planting as mitigation for tree removals? | Tree replanting plan required (Landscape Architects to confirm standards). |

More Information

[Validation Checklist by the London Tree Officers Association \(LTOA\)](#)

Ventilation / Extraction Report

When do I need this document?

- Planning applications for specified Class E uses (cafes, restaurants) and specified sui generis uses (hot food takeaways, public houses), which include ventilation or extraction systems;
- All other planning applications which include new flues and/or vents (except householders).

What is it?

Details of the ventilation or extraction system need to be thoroughly provided, so that the local planning authority can assess the impact of odours and noise and vibration on any nearby residents.

It should include:

- Details of the position and design of ventilation and extraction equipment;
- Product specification;
- Odour abatement techniques;
- Acoustic information;
- Details of anti-vibration measures.

More Information

See the Council's website on how to report a [Noise Nuisance](#).