

Removal or Variation of a Condition Validation Checklist

Introduction

Submitting your application can be made easier if you include all of the relevant information listed below. Failure to provide all relevant information may result in delays in validating your application.

While our best efforts have been made to cover most Removal or Variation of a Condition applications, further information to that listed below may be required in some instances.

Definition

An application for removal or variation of a condition seeks permission to develop without complying with a condition(s) previously imposed on a planning permission.

Checklist

DOCUMENTATION REQUIREMENTS

To assist with application process it would help if all forms, plans and documents relevant to the application were submitted on a compact disc (CD).

Maximum file size is 5mb. Any file greater should be divided into parts and suitably named. (See submission guidance on last page).

Drawing Confirmation

All plans and drawings indicating: paper size; key dimensions; scale bar indicating a minimum of 0-10 metres.

NATIONAL REQUIREMENTS

The Town and Country Planning (Development Management Procedure) Order 2010 requires three copies plus the original (unless submitted electronically or unless a lesser amount is deemed acceptable by the local authority). The London Borough of Hackney requires an original plus two (2) copies of all plans forms and documents are required where the application is not submitted via Planning Portal.

Completed Application Form

The completed planning application forms, signed and dated.

Ownership Certificate (A, B, C or D as applicable)

The completed Ownership Certificate (A, B, C or D as applicable) as required by Part 12 of the Town and Country Planning (Development Management Procedure) Order 2010.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

Agricultural Holdings Certificate

Agricultural Holdings Certificate as required by Part 12 of the Town and Country Planning (Development Management Procedure) Order 2010.

NATIONAL REQUIREMENTS

The Appropriate Fee

The correct fee as outlined in Communities and Local Government Circular 04/2008 Planning-Related Fees.

Location Plan

- All applications must include copies of a location plan based on an up to-date map. This should be at a scale of 1:1250 or 1:2500 and should identify all the land to which the application relates. The original plus two copies (unless submitted electronically) should be submitted. Plans should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.
- The application site should be edged clearly with a red line.
- A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

The Site Plan

A site plan should be submitted, the original plus two copies (unless submitted electronically). The site plan should be drawn at an identified standard metric scale. It should show accurately:

- the direction of North;
- the development in relation to the site boundaries and other existing buildings on the site;

and the following, unless these would NOT influence or be affected by the proposed development:

- all buildings, roads and footpaths on land adjoining to 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 hardsurfacing;
- boundary treatment including walls or fencing where this is proposed.

Design and Access Statements (if required)

A Design and Access Statement is a short report accompanying and supporting a planning application that should seek to explain and justify the proposal in a structured way. The level of detail required in a Design and Access Statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly.

www.hackney.gov.uk/designandaccessstatements

Design and Access statements are not mandatory for all applications. Please contact the Duty Planner for more advice on whether a design and access statement is required for your application.

LOCAL REQUIREMENTS	
The following information is also required with applications.	
	Notes
<p>Existing and Proposed Elevations (at a 1:50 or 1:100 scale) These should show clearly the proposed works in relation to what existing. All elevations of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included.</p> <p>Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.</p>	Required
<p>Existing and Proposed Floor Plans (at a 1:50 or 1:100 scale) These should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).</p>	Required
<p>Existing and Proposed Site Sections and Finished Floor and Site Levels Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s).</p> <p>Full information should be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. Levels should also be taken into account in the formulation of design and access statements.</p>	Required
<p>Roof Plans (at a scale of 1:50 or 1:100) A roof plan is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material and their location are typically specified on the roof plan.</p>	Required
<p>Affordable Housing Statement Information concerning both the affordable housing and any market housing including the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units.</p>	Required for applications providing 10 or more residential units.

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<p>Affordable Housing Viability Report Affordable housing is sought on all developments of 10 residential units or more. New housing should seek to meet a borough-wide affordable housing target of 50% of all units subject to site characteristics, location and overall scheme viability. Where provision of less than 50% is proposed, validation of a planning application will be subject to a supporting viability report to include:</p> <ul style="list-style-type: none"> ▪ Full copy of the Greater London Authority's Affordable Housing Toolkit Assessment Model (latest edition) or equivalent model (See Note 1 below), ▪ Details of Finance Costs calculation including assumptions on finance period and interest rates, where applicable, ▪ TR1 (Land Registry Title), ▪ Residential market sales report, ▪ Commercial market report, where applicable, ▪ QS build cost schedule, 	Required for applications providing 10 or more residential units.
<p>In addition for 50+ residential units:</p> <ul style="list-style-type: none"> ▪ Existing Use Value report inline with RICS Red Book, or market value for site report, where site purchase has been completed within 12 months, ▪ Heads of Terms with Registered Housing Provider (See Note 1 below), ▪ Details of lease terms, including all break clauses, inside or outside of the lease. <p>Note 1 – In exceptional circumstances, for large scale major applications, where a justifiable case can be made, alternative models to those detailed above may be agreed subject to prior discussion with the local authority.</p>	Additional information required for 50+ residential units.
<p>Air Quality Assessment An air quality assessment allows a full consideration of the impact of the proposal on the air quality of the area.</p>	Required if the proposal is likely to have an adverse impact on the quality of air.
<p>Biodiversity Survey and Report Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981 or the Conservation (Natural Habitats etc) Regulations 1994.</p> <p>The details of ways in which a development will protect and enhance biodiversity through on-site measures, including green roofs and walls, planting and artificial</p>	<p>Required if proposal is likely to have an impact on wildlife and diversity. Applications that may trigger the requirement for a protected species survey include:</p> <ul style="list-style-type: none"> ▪ Proposals within 50m of woodland, water, lines of trees or Sites of Importance for Nature Conservation; ▪ Proposals affecting any buildings, structures, features or locations where protected species are known to be present; ▪ Proposals involving lighting of churches, listed buildings and open spaces;

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<p>nesting sites, should be set out. Government planning policies for biodiversity are set out in Planning Policy Statement 9: Biodiversity and Geological conservation (PPS 9) (August 2005) and associated Circular 06/2005. Further guidance on the detailed validation requirements for biodiversity is available from the Council.</p>	<ul style="list-style-type: none"> ▪ Proposals affecting trees, woodland and hedgerows; ▪ Proposals affecting derelict land, allotments, railway land, bridges tunnels, cellars and similar underground structures.
<p>Daylight / Sunlight Assessment All major residential planning applications must provide a sunlight and daylight study.</p> <p>We may also require a sunlight and daylight study for smaller schemes where light may be a significant issue. Sunlight and daylight studies shall assess the impact of a proposed scheme on the sunlight and daylight received by adjoining/neighbouring residential properties and buildings.</p> <p>The study shall be in accordance with the guidelines set out in the 1991 Building Research Establishment Ltd (BRE) publication "Site layout planning for daylight and sunlight – a guide to good practice" by P.J. Littlefair. The study shall also assess how the proposed scheme accords with internal daylight levels set out in the BRE guide.</p> <p>Please note we require studies to use the Vertical Sky Component (VSC) measurement set out in the BRE guide. We do not accept Average Daylight Factor (ADF) measurements.</p>	<p>Required if proposal is likely to have an adverse effect upon levels of light to adjoining sensitive land uses.</p>
<p>Environmental Statement The Town and Country Planning (Environmental Impact Assessment) Regulations (SI 1999/293), as amended, set out the circumstances in which an Environmental Impact Assessment (EIA) is required. EIA may obviate the need for other more specific assessments.</p> <p>You should request a screening opinion prior to the submission of a Planning Application if the development area is over 0.5ha to determine if an EIA is required.</p>	<p>See details of Schedule 1 and Schedule 2 of the Regulations from the Office of Public Sector Information.</p> <p>A screening opinion can be obtained by writing to Development Management at London Borough of Hackney and asking us to establish if a screening opinion is required.</p>
<p>Flood Risk Assessment (FRA) The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including</p>	<p>Required for applications in Environment Agency Flood Zone relating to basement or ground floor extensions.</p>

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Sustainable Drainage Systems (SUDs) and address the requirement for safe access to and from the development in areas at risk of flooding.	
<p>Foul Sewage and Utilities Assessment All new buildings need separate connections to foul and storm water sewers. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers.</p> <p>An application should indicate how the development connects to existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and also needs connection to foul and surface water drainage and disposal</p> <p>The applicant should demonstrate:</p> <ul style="list-style-type: none"> ▪ that following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community; ▪ that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures; ▪ that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains; ▪ where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider. 	Required if proposal involves connection to or changes to the existing utility infrastructure systems.
<p>Flues and Ventilation Extraction Details The submitted plans should include details of the external appearance and written details outlining the technical specification of the proposed plant. The technical specification should include:</p> <ul style="list-style-type: none"> ▪ A schematic of the proposed ducting showing the location of all components (fan, filters, silencers etc) ▪ The noise levels generated by the fan in decibels (dB) at a specified distance (ie 1.0m, 3.0m etc) ▪ Details of the means of mounting the ducting to the structure including details of all anti-vibration measures proposed. 	All applications relating to the sale or preparation of cooked food, laundrettes and other uses where air conditioning or extraction equipment is required.

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<p>Heritage Statement (Archaeological Assessment) The application must be accompanied by a desk based archaeological assessment and archaeological evaluation report in accordance with PPS5 Planning for the Historic Environment, policy HE6.</p>	Required when any proposed development includes new building or ground disturbance on or adjoining a site of archaeological interest.
<p>Heritage Statement (Listed Buildings Appraisal) This statement should include a schedule of works to the listed building (s). An analysis of the significance of archaeology, history and character of the building/ structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of the adjacent listed buildings maybe required. The scope and degree of detail necessary in the written justification will vary according to particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. Further Guidance can be found in PPS5: Planning for the Historic Environment.</p>	Required when the development affects a locally or statutory listed building, the setting of a locally or statutory listed building, the development is within a conservation area or affects the setting of a conservation area.
<p>Land Contamination Assessment Applications may also need to be accompanied by a land contamination assessment which should include an extended assessment of contamination. Sufficient information should be 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.</p>	Required for contaminated sites, sites previously used for industrial processes, major developments and those on or adjoining public open space.
<p>Landfill Statement Applicants should provide sufficient information to enable the waste planning authority to fulfil its requirements under the Landfill (England and Wales) Regulations 2002. This information may be provided as part of the Environmental Statement.</p>	Required if the proposal includes landfill proposals. Information may be provided as part of the Environmental Statement.
<p>Landscaping Scheme Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the Design and Access Statement, if required. Existing trees and other vegetation should, where practicable, be retained in new developments and protected during the construction of the development.</p>	Required for all major applications (except outline applications) showing layout of hard and soft landscaping, details of structure planting and materials. Outline applications accompanied by a Design and Access Statement should include a landscaping scheme.

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<p>Lighting Assessment Need to provide details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation, a schedule of the equipment in the design. An assessment that covers matters such as light spillage, hours of illumination, light levels, column heights, specification and colour, treatment for lamps and luminaries, the need for full horizontal cut off, no distraction to the highway, levels of impact on nearby dwellings, use of demountable columns, retention of screening vegetation, use of planting and bunding to contain lighting effects should also be submitted.</p>	<p>Required for proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area, or open countryside, where external lighting would be provided or made necessary by the development, provision of flood lighting and tall buildings.</p>
<p>Noise Impact Assessment and Sound Insulation Details A Noise Impact Assessment should outline the potential sources of noise generation, and how these may have a negative effect on local amenity. The assessment should also outline how the developer intends to overcome these issues.</p> <p>Sound insulation details normally relates to the type of glazing to be installed, but can include soundproofing to walls, floors or ceilings and may need to include details of any proposed ventilation where the glazing may need to be closed to safeguard the internal acoustic environment. Where noise is likely to be an issue, applicants are advised to contact The Pollution Group prior to the submission of a planning application.</p> <p>Further information on use classes can be found at www.planningportal.gov.uk</p>	<p>Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician.</p> <p>Sound insulation details will be required for the following types of applications:</p> <ul style="list-style-type: none"> ▪ Change of use to A3, A4, A5; conversion of buildings to residential use; new residential development sited on classified roads; new residential nearby to licensed premises; new commercial development within Use Classes B2 or B8 nearby to existing residential development; any application for nightclub or equivalent use. ▪ Certain developments such as day nurseries, play areas, smoking shelters and educational/places or worship can generate noise and may warrant noise assessments/ sound insulation details but this will be determined on a site by site basis.
<p>Parking and Access Details (Parking Provision) Plans should include details of any existing / proposed access and a proposed parking layout.</p>	<p>Required for all applications where parking/access are part of the proposal.</p>

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<p>Photographs and Photomontages These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.</p>	<p>Required for all Major applications- minimum of 2 3D visuals showing context. Also where the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building all telecommunication mast applications and retention of mobile classrooms.</p>
<p>Planning Obligations – Draft Head(s) of Terms Planning obligations (or “section 106 agreements”) are private agreements negotiated between local planning authorities and persons with an interest in a piece of land (or “developers”), and are intended to make acceptable development which would otherwise be unacceptable in planning terms.</p> <p>Through the pre-application process, the likely Heads of Terms can be identified early. This allows both the applicant and the LPA to commence negotiations (and possibly even reach agreement) before a planning application is formally submitted.</p> <p>Pre-application discussions on Planning Contributions can drastically decrease the time spent on the legal agreement once the planning application has been submitted. It may also avoid the possibility of an application being refused where the agreement cannot be completed within the 8 or 13 week timeframe.</p>	<p>Required for all developments over 5 residential units.</p> <p>The following is a list of common matters we may seek contributions for. Please note that not all are applicable to every development.</p> <ul style="list-style-type: none"> ▪ Affordable Housing, ▪ Education Facilities and Life Long Learning, ▪ Health Facilities, ▪ Other Community Facilities, ▪ Training and Employment Land Provision, ▪ Transport Impacts Associated with all Development, ▪ Strategic Transport Impacts, Associated with Major Development, ▪ Public Art, ▪ Town Centre Management, ▪ Public Parks, Children’s Play Areas and Recreation Facilities, ▪ Sustainable Design and Development, ▪ Local Labour and Construction. <p>In addition, it may be necessary to add other Heads of Terms to cover Planning Contributions unique to the proposed development.</p>
<p>Planning Statement A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority and wider community/statutory consultees undertaken prior to submission. Alternatively, a separate statement on community involvement may also be appropriate.</p>	<p>A supporting planning statement will be required for all major applications, major change of use applications or listed building applications.</p>

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	Notes
<p>Site Waste Management Plan Proposed new development should be supported by site waste management plans.</p>	<p>May be required to indicate the type and volume of materials to be demolished/ excavated, to identify opportunities for reuse of materials, and to demonstrate management of disposal.</p>
<p>Solicitors Details Where the development is likely to trigger the need for a Section 106 agreement full solicitor's contact details should be provided. Applicants are advised that a solicitors undertaking covering the Council's legal fees will be required before a draft agreement is prepared. This undertaking will be requested by the Council's Legal Services Department once they have been instructed.</p>	<p>Required for all major applications, and any other applications proposing 5 or more residential units.</p>
<p>Statement of Community Involvement Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation and demonstrate that the views of the local community have been sought and taken into account in the formulation of development proposals.</p>	<p>Required for all major applications and sensitive schemes where significant public interest is likely.</p>
<p>Transport Assessment (TA) The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA should simply outline the transport aspects of the application, while for major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. Further advice is available in Planning Policy Guidance 13: Transport. – Further advice is available in the Best Practice guide ODPM and DfT, 2002, also Transport Assessment Best Practice (TfL, May 2006)</p>	<p>A Transport Assessment (TA) should be submitted as part of any major planning application and any planning application where the proposed development has significant transport implications.</p>
<p>Draft Travel Plan A Travel Plan is a package of measures to manage the transport and travel needs of an organisation. A successful Travel Plan will reduce the impacts of transport on the local environment and increase access to the site. It should include measures to increase travel choice and reduce dependency on the car (for example offering discounted bus tickets or implementing a car share scheme) and measures to discourage unnecessary car use (for example by restricting access to car parks). The Travel Plan should address journeys</p>	<p>A travel plan should be submitted alongside planning applications which are likely to have significant transport implications.</p>

LOCAL REQUIREMENTS	
The following information is also required with applications.	
	Notes
<p>to and from work, but it can include business travel, fleet management, visitors to the site and deliveries. It can also apply to residential development.</p> <p>Further advice is available in Planning Policy Guidance 13: Transport. – Further advice is available in the Best Practice guide ODPM and DfT, 2002, also making residential travel plans work: Good practice guidelines for new development: DfT, A guide to development related travel plan (Addison & Associates) Guidance for residential travel planning in London (TfL) Guidance for workplace travel planning for development (TfL).</p>	
<p>Tree Survey / Arboricultural Implications</p> <p>A plan must be provided showing the location of all trees on site and within influencing distance of the proposal. An accompanying report must be submitted in accordance with the recommendations of BS5837: 2005 Trees in Relation To Construction to include a survey of the trees, an arboricultural implications assessment, a concise list of trees which are desired to be retained/removed any other tree surgery works and a method statement outlining how the trees will be physically protected during the works. Also a drawing showing new tree planting either as mitigation for proposed tree losses or new landscaping. Applicants are encouraged to discuss proposals with an Arboricultural Officer before submission.</p>	<p>Where the application involves works that affect any trees on or off the site that are protected by Tree Preservation Order (TPO) or Conservation Area legislation. Also where the application would affect other sizeable trees that are not covered by a TPO or in a Conservation Area.</p>

Submitting an application via the Planning Portal or on CD

It is recommended that Planning Applications are submitted using the Planning Portal. Subsequently, the following requirements must be met:

<p>File Type</p> <ul style="list-style-type: none"> ▪ All drawings should be attached as .pdf (Adobe Acrobat) files rather than .tif files. ▪ Other files types that will be accepted are .jpg, .doc and .xls files only. We are unable to accept CAD files.
<p>File Size</p> <ul style="list-style-type: none"> ▪ The maximum size of any single attachment must be no more than 5MB. ▪ All drawings submitted electronically must be A3 or smaller.
<p>Electronic Plan Information Requirements</p> <p>All drawings must include the following information:</p> <ul style="list-style-type: none"> ▪ The print (paper) size; ▪ The relevant scale at that print size (eg 1:50, 1:100) ▪ A scale bar showing the length of one metre and ten metres ▪ Key dimensions.

Questions

Please contact the Duty Planning Officer if you have any queries about the information provided in this document, or have any further questions.

Phone: Monday to Friday 9am–5pm on 020 8356 8062.

Face to Face: Monday to Friday 10am–12pm or 2pm–4pm at Hackney Service Centre, 1 Hillman Street, London E8 1DY.

Email: planning@hackney.gov.uk