

# Planning Advice Note

## Planning Applications - Definitions of 'Local' Validation requirements

(This document relates to Planning Advice Note  
'Planning Applications – Validation Requirements')

Public Protection Division  
Planning Services

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CUSTOMER SERVICE EXCELLENCE

## Planning Applications – Definition of ‘Local’ Validation Requirements

### Introduction

On the 6<sup>th</sup> April 2008 the government introduced a mandatory standard planning application form. The introduction of this form has been accompanied by changes to the procedures involved in the validation of planning applications.

Local Planning Authorities in England must now apply two sets of validation requirements to determine if an application is valid. One set is known as ‘national’ requirements and these have been laid down by the government. In addition there is also a list of requirements which local planning authorities can adapt to suit their individual circumstances and these are known as ‘local’ requirements.

This document contains definitions of the ‘local’ requirements adopted by the London Borough of Islington. The document should be read in relation to the separate Planning Advice Note entitled ‘Planning Applications – Validation Requirements’.

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## Local Requirements - definitions

All of the items below are listed alphabetically for ease of reference. The definitions are also in the same order on the following pages.

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| Affordable housing statement   |
| Air quality assessment   |
| Biodiversity survey and report   |
| Daylight/Sunlight assessment (required where there is potential adverse impact)  |
| Economic statement   |
| Environmental Statement  |
| Foul sewage and utilities assessment   |
| Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)   |
| Land Contamination assessment  |
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| Travel Plan  |
| Tree survey/Arboricultural implications (where proposals affect any trees whatsoever).   |
| Ventilation/Extraction statement (required for applications for restaurants, takeaways, cafes, bars etc.   |
|  |
| Note:<br>The 'Validation of Planning Applications Guidance' produced by the Department of Communities and Local Government also includes generic items for 'Flood risk assessment' and 'Landfill statement'. These two items have not been included in Islington's 'local' requirements. |

### • **Affordable housing statement**

An affordable housing statement will be required on proposals that would provide, or have the potential to provide, 10 residential units or more.

Information shall include the numbers of residential units, the mix of units with numbers of habitable rooms, 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. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

The affordable housing statement should also include details of any Registered Social Landlords acting as partners in the development.

Details of the proposed amount and type of affordable should also be included in the draft Heads of Terms (see below).

*This requirement is in accordance with the Unitary Development Plan, in particular policies H14, IMP3 and H17. Also the London Plan, in particular policies 3A.8, 3A.9, 3A.10, 3A.11, 3A.15 and 3A.16 together with support documents.*

### • **Air quality assessment**

Where the development is proposed 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, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Where AQMAs cover regeneration areas, developers should provide an air quality assessment as part of their planning application. Further advice is available in **Planning Policy Statement 23: Planning and Pollution Control** (November 2004).

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV16 and ENV17. Also the London Plan, in particular policies 4A.1, 4A.2 and 4A.19 together with supporting documents.*

### • **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 proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed. 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, the Conservation (Natural Habitats etc) Regulations 1994 or the Protection of Badgers Act 1992. Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts.

The details of the ways in which a development will protect and enhance biodiversity through on-site measures, including green roofs and walls, planting and artificial nesting sites, should be set out.

Government planning policies for biodiversity are set out in **Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)** (August 2005), PPS9 is accompanied by a Government Circular: *Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system* (ODPM Circular 06/2005, Defra Circular 01/2005 and *Planning for Biodiversity and Geological Conservation*:

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV2 and ENV22. Also the London Plan, in particular policies 4A.3, 4B.1 and 3D.14 together with supporting documents.*

- **Daylight/Sunlight assessment**

In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may also need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in, for example, BRE guidelines on daylight assessments.

*This requirement is in accordance with the Unitary Development Plan, in particular policy D3. Also the London Plan, together with supporting documents.*

- **Economic statement**

Applications may also need to be accompanied by a supporting statement of any regeneration benefits from the proposed development, including: details of any new jobs that might be created or supported; the relative floor space totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal.

*This requirement is in accordance with the Unitary Development Plan, in particular policies E1 and E2 (Business Development), E3 (Mixed use in Business Schemes), C6 (Community Facilities), IMP4 (Involving the Community), IMP5 (Mixed Use) and IMP13 (Community Benefits). Also the London Plan, together with relevant supporting documents.*

- **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.

Where an EIA is required, Schedule 4 to the regulations sets out the information that should be included in an Environmental Statement. The information in the Environmental Statement has to be taken into consideration when the local planning authority decides whether to grant planning consent. It may be helpful for a developer to request a 'screening opinion' (i.e. to determine whether EIA is required) from the local planning authority before submitting a planning application.

In cases where a full EIA is not required, the local planning authority will still require the following environmental information to be provided for all full planning applications with the exception of householder applications:

- 1) Is it intended that the development will have a Code for Sustainable Homes or BREEAM rating? If so, please specify the level to be achieved.
- 2) Does the proposed development incorporate renewable energy? If yes, please state the technologies proposed, the generating power in kilowatts (kW) and, if known, the amount of energy that the technologies will save in a year (kWh).
- 3) Does the proposed development include a green roof? If yes, please state the type of green roof and area (m<sup>2</sup>).
- 4) What is the proposed water use target for the development (litres/person/day)? Does the proposed development include rainwater harvesting, grey water harvesting or groundwater abstraction? If yes please provide details.
- 5) Does the proposed development incorporate Sustainable Urban Drainage Systems (SUDS)? If yes please provide details, including the run off rate to be achieved, if known.
- 6) Does the proposed development have a green procurement plan or policy covering use of materials from sustainable sources, such as local, recycled or ethically certified materials? If yes please provide details.
- 7) Has the design of the proposed development considered climate change adaptation, for example minimising overheating and flood risk? If yes please provide details.
- 8) Has a site waste management plan been produced for the development, to minimise construction waste produced and ensure sustainable transport of material? If yes please provide details.
- 9) Does the proposed development include provision for recycling? If yes please provide details.
- 10) Is the proposed development car-free? If no, please specify the level of parking to be provided. Please also specify the level of cycle parking which has been designed into the proposed development.

*This requirement is in accordance with the Unitary Development Plan, in particular policies Env1 and Env2 (New Developments). Also the London Plan, together with supporting documents.*

#### • **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.

Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage. Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the

development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory. Guidance on what should be included in anon-mains drainage assessment is given in ***DETR Circular 03/99 and Building Regulations Approved Document Part H and in BS6297.***

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

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. Two planning issues arise; firstly, whether the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, and secondly, whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

The applicant should demonstrate:

- (a) 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;
- (b) that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures;
- (c) that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;
- (d) where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV1 and ENV2 (New Developments) and Env16 and Env17 (Protecting Amenity). Also the London Plan, together with supporting documents.*

**• Heritage Statement (including Historical, archaeological features and Scheduled Ancient Monuments)**

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. The following is a guide to the sort of information that may be required for different types of application.

For applications for listed building consent, a written statement that includes 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 adjacent listed buildings may be required. A structural survey may be required in support of an application for listed building consent.

For applications for conservation area consent, a written statement that includes a structural survey, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area may be required.

For applications either related to or impacting on the setting of heritage assets written statement that includes plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, historic battlefields and scheduled ancient monuments and 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 adjacent listed buildings may be required.

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required.

For all applications involving the disturbance of ground within an Area of Archaeological Potential as defined in the development plan or in other areas in the case of a major development proposal or significant infrastructure works, an applicant may need to commission an assessment of existing archaeological information and submit the results as part of the Heritage Statement.

For heritage assets, advice is provided in ***Planning Policy Guidance Note 15 Planning and the Historic Environment***, (September 1994). For archaeological remains, advice is provided in ***Planning Policy Guidance Note 16: Archaeology and Planning*** (November 1990).

*This requirement is in accordance with the Unitary Development Plan, in particular policies D43 (Archaeological Heritage), D44 (Important Archaeological Remains), D45 (Archaeological Assessment and Evaluation), D46 (Preservation In-Situ of Archaeological Remains) and D47 (Archaeological Excavation and Recording). Also the London Plan, together with supporting documents.*

- **Land Contamination assessment**

Applications may also need to be accompanied by a land contamination assessment which should include an extended assessment of contamination inline with ***Planning Policy Statement 23: Planning and Pollution Control*** (November 2004). 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. 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.

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV1 and ENV2 (New Developments) and Env16 and Env17 (Protecting Amenity). Also the London Plan together with supporting documents.*

- **Landscaping details**

Applications may be accompanied by landscaping details including the provision of new trees and include proposals for long term maintenance and landscape management. There should be reference to hard and soft landscaping and detailed landscaping proposals which follow from the design concept in the Design and Access Statement, if required. Existing trees should be retained in new developments and protected during the construction of the development.

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV1, ENV2 and ENV22. Also the London Plan, in particular policy 4B.3, together with supporting documents.*

- **Lighting assessment**

Proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area, where external lighting would be provided or made necessary by the development, should be required to be accompanied by 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 and a schedule of the equipment in the design.

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV12, ENV17, D3 and D4. Also the London Plan, together with supporting documents.*

- **Noise assessment**

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. Further guidance is provided in **Planning Policy Guidance 24: Planning and Noise** (September 1994).

*This requirement is in accordance with the Unitary Development Plan, in particular policy ENV17. Also the London Plan, in particular policy 4A.20 together with supporting documents.*

- **Open Space assessment**

For development within open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. Planning consent is not normally given for development of existing open spaces which local communities need. However, in the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application. National planning policy is set out

in **Planning Policy Guidance note 17: Planning for open space, sport and recreation** (July 2002). In addition to this any assessment should include an assessment of the provision for future amenity space (including private, public, communal and formal play space).

Details of public open space and space for children and young people's play and informal recreation to be provided within the development should be set out in an open space assessment. This should clarify how the proposal meets relevant policy requirements, including information on the location, quantity and design (including layout, landscaping and materials) of the space and how this incorporates the principles of best practice, Maintenance arrangements should also be specified.

*This requirement is in accordance with the Unitary Development Plan, in particular policies R2, R3, R4, R6, R9, R10, R11, R13, and Ed7. Also the London Plan, in particular policies 3D.8, 3D.10, 3D.11, 3D.12 and 3D.13 together with supporting documents.*

#### • **Parking Provision**

Applications may be required to provide details of existing and proposed vehicle and cycle parking provision including provision for disabled parking. These details could also be shown on a site layout plan.

*This requirement is in accordance with the Unitary Development Plan, in particular policies T18, T19, T20, T21, T22, T23, T27, T29 and T34. Also the London Plan, in particular policies 3C.23 and 3C.24 together with supporting documents.*

#### • **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 and/or its setting.

*This requirement is in accordance with the Unitary Development Plan, in particular policy D23. Also the London Plan, together with supporting documents.*

#### • **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.

A statement of the proposed Heads of Terms which will form the basis of a S106 agreement should be submitted with the application. This should be based on the Council's policies on planning obligations and advice provided at pre-application stage. Further guidance can be found on the Council's website including a standard agreement template.

*This requirement is in accordance with the Unitary Development Plan, in particular policy IMP13. Also the London Plan, together with supporting documents.*

- **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.

*This requirement is in accordance with the Unitary Development Plan, in particular policies Imp4, Imp5, Imp6, Imp7 and Imp8. Also the London Plan, together with supporting documents.*

- **Site Waste Management Plan**

Proposed new development should be supported by site waste management plans of the type encouraged by the code of practice published in 2004 by the Department of Trade and Industry now the Department for Business Enterprise and Regulatory Reform **Site Waste Management Plans: guidance for construction contractors and clients**. These do not require formal approval by planning authorities, but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed.

*This requirement is in accordance with the Unitary Development Plan. Also the London Plan, in particular Chapter 4, section 8 "Planning for Waste" and Policy 4A.28, together with supporting documents.*

- **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 set out in the local planning authority's adopted statement of community involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals Further guidance on Statements of Community Involvement is available in Chapter 7 of **Creating Local Development Frameworks: A Companion Guide to PPS12** (November 2004).

*This requirement is in accordance with the Unitary Development Plan, in particular policy Imp4, and the Council's Statement of Community Involvement adopted in 2006.*

- **Structural Survey**

A structural survey may be required in support of an application if the proposal involves substantial demolition, *or where substantial excavations are to take place under or near existing buildings to accommodate development, especially if those buildings are listed.*

- **Sustainable Design and Construction statement**

- A sustainable Design and Construction statement (including an Energy Assessment). Required by London Plan (policy 4A.3)**

The London Plan (Policy 4A.3) requires all applications for major developments to include a statement on the potential implications of the development on sustainable design and construction principles. These principles are described in the London Plan Policy 4A.3 and detailed in further policies within Section 4A: Climate Change and London's Metabolism. This statement should set out how the development will address these principles and meet each of the corresponding policies within Section 4A through all stages of the development, including demolition, construction and long-term management. The Sustainable Design and Construction Statement should also include an Energy Assessment, as set out in Policy 4A.4 in the London Plan. This will provide an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development, including the feasibility of CHP/CCHP and community heating systems.

This statement should demonstrate that the proposal will meet the highest standards of sustainable design and construction.

*This requirement is in accordance with the Unitary Development Plan, in particular policies ENV2, D1, D3 and D11. Also the London Plan, in particular policies 4B.1, 4A.3, 4B.8, 4B.9, 4B.10, 4B.11 and 4b.12 together with supporting documents.*

- **Telecommunications Development – supplementary information**

Planning applications for mast and antenna development by mobile phone network operators in England should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure, and technical justification and information about the proposed development.

Planning applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP). Further guidance on the information that may be required is set out in the **Code of Practice on Mobile Network Development (2002)**.

*This requirement is in accordance with the Unitary Development Plan, in particular policies S10.3 and C17. Also the London Plan, together with supporting documents.*

- **Town Centre Uses – Evidence to accompany applications**

**Planning Policy Statement 6: Planning for Town Centres (March 2005)**<sup>18</sup>, sets out the main town centre uses to which the policy applies, in paragraph 1.8. Subject to the policies set out in the document, paragraph 3.4 lists the key considerations for which applicants should present evidence. The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal.

*This requirement is in accordance with the Unitary Development Plan, in particular the policies contained within Chapter 8: Shopping and Town Centres. Also the London Plan, in particular policies contained within Chapter 3D: Enjoying London, together with supporting documents.*

- **Transport assessment**

**Planning Policy Guidance 13 Transport** (March 2001) advises that a Transport Assessment (TA) should be submitted as part of any planning application where the proposed development has significant transport implications. 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 guidance will be found in **Guidance on Transport Assessment**, (March 2007) published by the Department for Transport.

*This requirement is in accordance with the Unitary Development Plan, in particular the policies contained within Chapter 6: Sustainable Transport. Also the London Plan, in particular policies contained within Chapter 3C: Connecting London, together with supporting documents.*

- **Travel Plan**

A travel plan should be submitted alongside planning applications which are likely to have significant transport implications, as advised by *Planning Policy Guidance Note 13: Transport* (DETR, 2001), paragraphs 87-91.

**Further advice is available in *Using the planning process to secure travel Plans: Best practice guide* ODPM and DfT, 2002 (forthcoming revised guidance), also *Making residential travel plans work: Good practice guidelines for new development: DfT and A guide to development related travel plan* (Addison & Associates).**

*This requirement is in accordance with the Unitary Development Plan, in particular policies T4, T5 and T6. Also the London Plan, in particular policies contained within Chapter 3C: Connecting London, together with supporting documents.*

- **Tree survey/Arboricultural implications**

Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in relation to construction – Recommendations'. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

*This requirement is in accordance with the Unitary Development Plan, in particular policies Env5, Env6 and D6. Also the London Plan, together with supporting documents.*

• **Ventilation/Extraction statement**

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within Use Classes A3 (i.e. Restaurants and cafes – use for the sale of food and drink for consumption on the premises), A4 (i.e. Drinking establishments – use as a public house, wine-bar or other drinking establishment), A5 (i.e. Hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial). This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

*This requirement is in accordance with the Unitary Development Plan, in particular policies Env16 and Env17. Also the London Plan, together with supporting documents.*