

Appendix K: Draft version of “Local Validation Guidance – Chapter 9: Applications seeking ‘Prior Notification approval’ for agricultural works and buildings”

Key

Blue highlight = hyperlink to be inserted to link to relevant page/section in the Local Validation List (Appendix B)

Yellow highlight = hyperlink to be inserted to link to the relevant page in another chapter/section of the Local Validation Guidance (Appendices C to R)

Pink highlight = hyperlink to be inserted to the webpage on which the List and Guidance documents will be published

Green highlight = hyperlink to be inserted to link to the Index document which is to be published alongside the List and Guidance Documents (Appendix S)

Chapter 9: Applications seeking ‘Prior Notification’ approval for agricultural works and buildings

Introduction

Although when validating an application for ‘Prior Notification Approval’, the Local Planning Authority cannot insist upon documents and drawings over and above those listed within the relevant section of the General Permitted Development Order (England) 2015 (as amended), providing certain additional drawings and documents is encouraged as it can make it easier to determine the application and in some applications, it can aid/justify how a proposal meets the regulations in the required way.

Therefore, the following drawings and documents are recommended, and applicants are strongly encouraged to supply those recommended along with any other information they deem relevant as part of their applications for ‘Prior Notification Approval’.

Personal or Sensitive Data

Please note all Planning and Planning related applications (i.e. listed building consent, advertisement consent, applications for details reserved by condition etc) are held in the public domain. The majority of plans and other documents submitted with an application, and any consultee responses received during the consultation process are required under The Town and Country Planning Act 1990 (as amended) to be held in a Public Register, which in the case of East Suffolk is held electronically and can be accessed by anyone via the [Public Access](#) pages of our website.

Therefore, please bear in mind that anything you submit is likely to be published online. We do redact certain personal details such as personal contact phone numbers and email addresses, but if you are making statements of a personal nature revealing certain personal

details such as the reasoning behind a proposal for an extension being linked to a disabled member of the family, they will not necessarily be redacted from the application description ([see below](#)) and whilst in accordance with our [Privacy Statement](#) we will seek to redact such references from separate reports/documents it is useful if you can highlight this at the submission stage.

Some applications will require the submission of financial information in the form of [Viability Assessments](#). The National Planning Policy Framework (NPPF) requires that such documents are published/publicly available (currently paragraph 58). Therefore, whilst such documents need to include sufficient information to enable the financial situation to be understood, those submitting them may wish to consider the level of potentially commercially sensitive or personal data they include.

In terms of those commenting on applications, as explained in our [Privacy Statement](#), we publish the postal addresses of those making representations. These are required to enable those reading them to understand and applicants/agents to potentially seek to overcome any objections or concerns raised. For example, if the neighbour objects on the basis that an extension would result in a loss of light to their living room, the reader needs to know which property is concerned about light loss to see if it is something that can be overcome by amending the scheme by say moving the extension away from the boundary with that property.

Application Descriptions

Please note that the exact wording you place on the application form will usually be used as the description on the formal application including on the public access area of our website, on all correspondence that is sent out by ourselves as part of the consultation process, on the site notice and in the advertisement in the newspaper (if one is required) and on the final decision notice. The only exceptions would be if we agree a revised description with you either at registration stage or during the course of the application. Therefore, make sure that this is the description you are wanting on the decision forever more.

Therefore, it is recommended that you avoid including personal details and do not say anything that you would not want your neighbours or the wider public to know. For example, if you are proposing a single storey detached office to provide adapted accommodation for a disabled members of staff and visitors, you should not include that reasoning in the description on the application form. It is recommended instead you phrase the description along the lines of “Erection of single-storey detached office” without such personal information or reasoning behind the proposals.

Please note, it is extremely rare for the Local Planning Authority to be able to give material planning weight to the personal circumstances of the applicant when determining a planning application, and therefore removing such personal references within your application description is unlikely to put you at any disadvantage.

However, if you wish the planning case officer to be aware of your personal circumstances this is best done outside of the application description. A separate statement or letter clearly labelled as containing personal information to be redacted could be submitted as part of application or you could contact the case officer by telephone or email once your application has been registered.

This section explains what documents/drawings are required for the following types of Agricultural Prior Notification applications:

- [Part 6 Class A – Agricultural development on units of 5 hectares or more](#)
- [Part 6 Class B – Agricultural development on units of less than 5 hectares](#)
- [Part 6 Class C – Mineral Working for agricultural purposes](#)
- [Part 6 Class E – Forestry Developments](#)

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Prior Notification Types

Part 6 Class A – Agricultural development on units of 5 hectares or more

If the application is seeking Prior Approval for **agricultural development on units of 5 hectares or more**, under **Class A of Part 6** of Schedule 2 of the General Permitted Development Order, the following are required as a minimum for validation of the application:

- A written description of the proposed development and of the materials to be used (usually submitted on the **application form**). Guidance on application descriptions for application forms and the inclusion of personal or sensitive information is included within the [introduction](#)
- a plan indicating the site (ideally both a **site location plan** and a **block plan**),
- the required fee to be paid;

Additional Plans/Documents Recommended

The application is seeking a determination as whether the prior approval of the authority will be required as the siting, design and appearance and external appearance of the building, the siting and means of construction of the private way, the siting and excavation of deposit or siting and appearance of the tank as the case maybe. If prior approval is deemed to be required for such details the application would have to be taken to a second stage, meaning an additional application process. Therefore, it can be advantageous to provide such details upfront as part of the first application e.g. **elevational drawings of buildings**, **cross sections of excavations for reservoirs** etc.

Second Stage Submissions/Applications

The applicants attention is drawn to the requirements placed upon them under A.2 (2) (iv) of Class A of Part 6 of Schedule 2 of the General Permitted Development Order 2015 (as amended) to **display a site notice on or near the land on which the proposed development is to be carried out for not less than 21 days in the period 28 days from the date on which this decision notice on the Stage 1 process is issued**. A template for such a notice is published on the [How to submit a Planning Application page of the East Suffolk Council Website](#) .

If the site notice posting/display process was not completed within the required timeframe, Prior Approval through the submission of a second stage application cannot be obtained.

Please note:

- **submitted plans must be drawn to scale, and a photograph of a plan is not acceptable, as the process results in the photograph showing an image which is not at the same scale as that stated in the image. All plans must therefore be either drawn to scale electronically or drawn by hand and if being submitted electronically then scanned to scale, not photographed. Therefore, if photographs are submitted of plans (e.g. *.jpg *.png *.gif) they will not be accepted as valid plans, and the application will be invalid until ‘to scale’ drawings are submitted.**
- **It is the applicant's responsibility to ensure that all submitted plans/drawings are drawn accurately, including in terms of how any surrounding buildings and trees are presented in relation to the application site and the proposals. They must be sure that development could proceed fully in accordance with the drawings/plans that are submitted. Inaccurate representation of the size or position of neighbouring buildings and/or buildings within the application site and/or the proposals could invalidate any consent. It is therefore recommended that all plans are drawn based upon measured surveys or in the event that an Ordnance Survey plan is used, that they are checked on the ground by the applicant/their agent for accuracy prior to submission.**
- **Although not a validation requirement, it is recommended that existing and proposed drawings/plans of the same type are drawn to the same scale as one another, in the interests of clarity and ensuring that it is as easy as possible to understand what the proposed changes are.**

Part 6 Class B – Agricultural development on units of less than 5 hectares

If the application is seeking Prior Approval for agricultural development on units of less than 5 hectares under **Class B** of Part 6 of Schedule 2 of the General Permitted Development Order, the following are required as a minimum for validation of the application:

- A written description of the proposed development and of the materials to be used (usually submitted on the **application form**). Guidance on application descriptions for application forms and the inclusion of personal or sensitive information is included within the [introduction](#),
- a plan indicating the site, (ideally both a **site location plan** and a **block plan**), and
- the required fee to be paid;

Additional Plans/Documents recommended:

The application is seeking a determination as whether the prior approval of the authority will be required as the siting, design and appearance and external appearance of the building, the siting and means of construction of the private way, the siting and excavation of deposit or siting and appearance of the tank as the case maybe. If prior approval is deemed to be required for such details the application would have to be taken to a second stage, meaning an additional application process. Therefore, it can be advantageous to provide such details upfront as part of the application e.g. **elevational drawings** of buildings, **cross sections of excavations** for reservoirs etc.

Second Stage Submissions/Applications

The applicants attention is drawn to the requirements placed upon them under A.2 (2) (iv) of Class A of Part 6 of Schedule 2 of the General Permitted Development Order 2015 (as amended) to **display a site notice on or near the land on which the proposed development is to be carried out for not less than 21 days in the period 28 days from the date on which this decision notice on the Stage 1 process is issued**. A template for such a notice is published on the [How to submit a Planning Application page of the East Suffolk Council Website](#) .

If the site notice posting/display process was not completed within the required timeframe, Prior Approval through the submission of a second stage application cannot be obtained.

Please note:

- **submitted plans must be drawn to scale, and a photograph of a plan is not acceptable, as the process results in the photograph showing an image which is not at the same scale as that stated in the image. All plans must therefore be either drawn to scale electronically or drawn by hand and if being submitted electronically then scanned to scale, not photographed. Therefore, if photographs are submitted of plans (e.g. *.jpg *.png *.gif) they will not be accepted as valid plans, and the application will be invalid until ‘to scale’ drawings are submitted.**
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- **Although not a validation requirement, it is recommended that existing and proposed drawings/plans of the same type are drawn to the same scale as one another, in the interests of clarity and ensuring that it is as easy as possible to understand what the proposed changes are.**

Part 6 Class C – Mineral Working for agricultural purposes

This section relates to Prior Approval for mineral working for agricultural purposes under Class C of Part 6 of Schedule 2 of the General Permitted Development Order.

At the time this document was drafted, there is currently no requirement for a Prior Approval Application or formal notification to the Local Planning Authority for such proposals.

If such a process is introduced, such applications will have to comply with the national regulations introduced.

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Part 6 Class E – Forestry Developments

If the application is seeking Prior Approval for forestry developments under **Class E** of Part 6 of Schedule 2 of the General Permitted Development Order, the following are required as a minimum for validation of the application:

- A written description of the proposed development and of the materials to be used (usually submitted on the **application form**). Guidance on application descriptions for application forms and the inclusion of personal or sensitive information is included within the **introduction**,
- a plan indicating the site, (ideally both a **site location plan** and a **block plan**), and
- the required fee to be paid;

Additional Plans/Documents recommended:

The application is seeking a determination as whether the prior approval of the authority will be required as the siting, design and appearance and external appearance of the building, the siting and means of construction of the private way, the siting and excavation of deposit or siting and appearance of the tank as the case maybe. If prior approval is deemed to be required for such details the application would have to be taken to a second stage, meaning an additional application process. Therefore, it can be advantageous to provide such details upfront as part of the application e.g. **elevational drawings** of buildings, **cross sections of excavations** for reservoirs etc.

Second Stage Submissions/Applications

The applicants attention is drawn to the requirements placed upon them under A.2 (2) (iv) of Class A of Part 6 of Schedule 2 of the General Permitted Development Order 2015 (as amended) to **display a site notice on or near the land on which the proposed development is to be carried out for not less than 21 days in the period 28 days from the date on which this decision notice on the Stage 1 process is issued**. A template for such a notice is published on the [How to submit a Planning Application page of the East Suffolk Council Website](#) .

If the site notice posting/display process was not completed within the required timeframe, Prior Approval through the submission of a second stage application cannot be obtained.

Please note:

- **submitted plans must be drawn to scale, and a photograph of a plan is not acceptable, as the process results in the photograph showing an image which is not at the same scale as that stated in the image. All plans must therefore be either drawn to scale electronically or drawn by hand and if being submitted electronically then scanned to scale, not photographed. Therefore, if photographs are submitted of plans (e.g. *.jpg *.png *.gif) they will not be accepted as valid plans, and the application will be invalid until ‘to scale’ drawings are submitted.**
- **It is the applicant's responsibility to ensure that all submitted plans/drawings are drawn accurately, including in terms of how any surrounding buildings and trees are presented in relation to the application site and the proposals. They must be sure that development could proceed fully in accordance with the drawings/plans that are submitted. Inaccurate representation of the size or position of neighbouring buildings and/or buildings within the application site and/or the proposals could invalidate any consent. It is therefore recommended that all plans are drawn based upon measured surveys or in the event that an Ordnance Survey plan is used, that they are checked on the ground by the applicant/their agent for accuracy prior to submission.**
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