

Borough Council of
**King's Lynn &
West Norfolk**



VALIDATION CHECKLISTS LOCAL LIST OF REQUIREMENTS

Advice for officers and applicants

Updated:

November 2010

June 2013

June 2015

March 2016

January 2017

June 2019

August 2021

January 2023

October 2023

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1. Supporting Planning Statement, Regeneration Statement and Sustainability Appraisal

Supporting Planning Statement

1A. When is it required:

- For applications requiring an Environmental Assessment
- For Major Applications (see Appendix 1)
- For “Significant” applications (please telephone for advice)

1B. What is required:

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 and local planning policies. It should also include details of any pre-application consultations with the local planning authority and wider community / statutory consultees and neighbours undertaken prior to submission.

The Borough Council encourages the developer to discuss their ideas with local residents, interest groups and statutory consultees such as Town or Parish Councils, Highways Authority, Environment Agency, at an early stage. Where this has been carried out, a statement to that effect should be submitted setting out how the applicant has complied with these requirements and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Regeneration Statement – Regeneration benefits should be stated where appropriate such as details of any new jobs that might be created or supported, any community benefits, and reference to any regeneration strategies that might lie behind or be supported by the proposal.

Sustainability Appraisal - Applications for “major” developments could be accompanied by an assessment demonstrating how sustainable objectives have been met including how the proposal would contribute to minimising the impact on and of climate change.

Where relevant the assessment should show how the proposal:-

- makes best use of land and existing infrastructure;

- minimises the use of non-renewable energy sources and construction materials and maximise opportunities for renewal energy;
- minimises water consumption and the impact on water resources and flood risk;
- curtails greenhouse gas emissions and other forms of pollution;
- encourages waste reduction and recycling;
- preserves the diversity and distinctiveness of West Norfolk's towns, villages and landscapes including the conservation of buildings, sites and areas of architectural or historic importance;
- maintains and enhances the range and vitality of characteristic habitats and species;
- creates places that are attractive, appropriate to their surroundings and safe to use for all sections of the community;
- contributes to social cohesion; and
- limits the need to travel and increase opportunities to make necessary journeys by foot, cycle or public transport.

1C. Where can I get help or advice:

Further guidance is available in the [Local Development Framework](#) and within [The National Planning Policy Framework \(NPPF\)](#)

2. Design and Access Statement / Photographs and Photomontages

2A. When is it required:

Design and Access Statements must accompany applications for both outline and full planning permission if they relate to one of the following:

- one dwelling or 100m² of floorspace in a designated area
- Listed Building consent
- All Major applications (appendix 1 provides the definition of a Major)

NB: A Designated Area is a Conservation Area or World Heritage Site ONLY

2B. What is required:

A Design and Access Statement is a short report 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. The Design and Access Statement should cover both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with.

Applications for listed building consent will also be required to be accompanied by a Design and Access Statement. In particular, such a statement should address:

- the special architectural or historic interest of the building;
- the particular physical features of the building that justify its designation as a listed building; and
- the building's setting.

The legislative requirements are set out in regulation 3A of the Planning and Listed Building Regulations.

Photographs and Photomontages

These provide useful background information and can help 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.

2C. Where can I get help or advice:

[The Town and Country Planning \(Development Management Procedure\)\(England\) Order 2015](#)

[The Planning Portal](#) also provides a wide range of advice

3. Transport Assessments and Travel Plans

3A. When is it required:

- Where developments will have significant transport implications.
- May be required for smaller development – please contact Norfolk County Council Highways for advice

3B. What is required:

The coverage of detail should reflect the scale of development and the extent of the implications. For small schemes, it should simply outline the transport aspects of the application.

For major proposals, it should illustrate;

- accessibility to the site by all modes
- likely modal split of journeys to and from the site
- proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking.

3C. Where can I get help or advice:

More information is available in the [Government's Planning Practice Guidance](#), or in the [NPPF](#).

4. Planning Obligations – Affordable Housing

4A. When is it required:

New thresholds have been introduced within the NPPF.

Please visit our [affordable housing](#) web page for more information

4B. What is required:

Policy CS09: Housing Distribution within the King's Lynn and West Norfolk Core Strategy requires the submission of a Draft Planning Obligation to transfer completed dwellings to a Private Registered Provider of Social Housing.

However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on-site provision may be accepted.

Where the application triggers the requirement for Affordable Housing a completed Planning Obligations Statement must be submitted (see appendix 2).

Should you consider the affordable housing contributions to render the scheme unviable, a full development appraisal must be submitted instead of a draft Section 106 Agreement. The appraisal will be considered by the Council and discussed in full with the applicant.

4C. Where can I get help or advice:

NPPF

[Core Strategy, Policy CS09](#)

Commented [RR1]:

Planning Obligations – Other Matters

The Local Planning Authority may also seek a Section 106 Agreement (Planning Obligations) to secure the following;

- Restrict the development or use of the land
- Require specific operations or activities to be carried out in relation to the land
- Require payment of a sum(s) of money towards future maintenance costs
- Require land to be used in a certain way

In addition Major or Significant applications may require a Section 106 Agreement as defined in [the Core Strategy document](#)

Please contact the Technical Support Team prior to submission of your application to determine whether a draft Section 106 Agreement will be required to be submitted with your application.

5. Flood Risk Assessment

5A. When is it required:

- Planning applications for development proposals of 1 hectare or greater in Flood Zone 1, or other source of flooding including as a result of climate change; and
- Proposals for any other development located in Flood Zones 2, 3a and 3b may require a Flood Risk Assessment (FRA) – please follow <https://www.gov.uk/flood-risk-assessment-for-planning-applications> to determine whether a FRA is required
- Proposals for other development located in areas at Risk to Surface Water Flooding, Climate Change, Reservoir, Groundwater, Tidal, Fluvial or other flooding will require either,
 - (1) Proforma for extensions to existing dwellings and minor extensions to other buildings, or;
 - (2) Proforma for Sequential and Exception Tests

Both of these forms can be found on the Planning pages of the Council's website.

To determine which flood risk area your proposal lies in, please use the [Strategic Flood Risk Assessment](#) (SFRA) maps on our website, these should be used in preference to the Environment Agency maps.

5B What is required:

Please visit the [Planning Practice Guidance](#) section on flood risk vulnerability. Following the above link you will find a matrix that will allow you to determine what level of Flood Risk Assessment is required.

5C. Where can I get help or advice:

More information is available on [Our Website](#), and in the Government's [Planning Practice Guidance](#)

For advice and guidance on proposals along the coast from Wolferton Creek to Hunstanton, please see Policy DM18 from our Site Allocations and Development Management Policies Plan 2016

If a site is at risk of flooding, it is recommended the occupant signs up to the [Environment Agency Flood Warning System](#).

6. Heritage Asset Statements

6A. When is it required:

A "Heritage Asset" is defined as those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest. These can be manifested as Listed Buildings, Conservation Areas and Scheduled Ancient Monuments.

A heritage asset statement would be required if a heritage asset is likely to be affected by a development proposal.

6B. What is required:

In accordance with Paragraph 189 from the [NPPE](#), applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance

6C. Where can I get help or advice:

[English Heritage](#) provides information on the preparation of these documents.

7. Retail Assessment

7A. Where can I get help and advice:

It is an assessment undertaken for an application for a retail, tourism or leisure use. In accordance with Paragraph 89 of the NPPF, the assessment is normally required for developments exceeding 2,500 square metres gross floorspace, that are proposed outside of existing service centres.

Sometimes it may be necessary to carry out an assessment for smaller developments, such as those likely to have a significant impact on smaller service centres, for example in a village.

7B. What is required:

The assessment should include an evaluation of the likely impacts of the proposal on the vitality and viability of existing service centres within the catchment area of the proposed development.

The assessment should also include the likely cumulative effect of recent permissions, developments under construction and completed developments.

7A. Where can I get help or advice:

See the [NPPF](#) or the Government's [Planning Practice Guidance](#) for more information

8. Open Space Assessment

8A. When is it required:

In accordance with Paragraph 96 of the NPPF, the assessment is required for planning applications that take place on existing open space, including sports and recreational buildings and waterways with recreational value.

8B. What is required:

- It will be necessary to demonstrate through an independent assessment that the land or buildings are surplus to local requirements or how and where compensatory provision is to be made.
- Developers will need to consult the local community and demonstrate that their proposals are widely supported by them
- Some 'major' applications will need to make provision for an area of open space; plans should show any areas of existing and proposed open space within or adjoining the application site. This may involve the completion of a Planning Obligation

8C Where can I get help or advice:

See [NPPF](#) or the Government's [Planning Practice Guidance](#) for more information

9. Landscaping Details

9A. When is it required:

- On all Planning Applications within the Design and Access Statement
- On all Outline Planning Applications where Landscaping is not a reserved matter
- On all Reserved Matters Applications where Landscaping is a reserved matter

9B. What is required:

The Design and Access Statement should include;

- all treatments of outdoor spaces, including street furniture, water features and road materials as well as planting
- how treatment will work with all other design decisions
- that planned landscape design is based on a strategy for long term maintenance and management
- how the needs of disabled or older people will be met, i.e. non-slip surfaces

Existing trees and other vegetation should, where practicable, be retained in new developments and adequately protected during the construction of the development. A plan, showing these proposals should be submitted.

9C. Where can I get help or advice:

The [Landscape Institute](#) on 020 7299 4500

10. Tree Survey / Arboricultural Statement

10A. When is it required:

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).

When applying for full planning permission or outline planning permission and the Trees and Hedges question on the application form requires one to be submitted.

10B. What is required:

- information on which trees/hedges are to be retained
- the means of protecting trees during construction works.
- information on any replacement trees proposed
- the species, spread, roots and position of the trees should be illustrated accurately on the site plan.

This information should be prepared by a suitably qualified and experienced 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 BS5837 should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

11. Nature Conservation / Ecological Assessment / Natural Beauty

11A. When is it required:

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](#).

Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long-term maintenance and management. This information might form part of an Environmental Statement, where one is necessary.

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.

11B. What is required:

The British Standards Institute has produced a Publicly Available Standard to halt the loss of Biodiversity which takes the form of recommendations on standard procedures for taking account of biodiversity in the planning process, and the Association of Local Government Ecologists has developed a good practice template (available at <http://alge.org.uk>) which gives detailed validation requirements for biodiversity and geological conservation.

11C. Where can I get help or advice:

[Natural England](#)

12. Biodiversity and Ecology Assessment

12A. When is it required:

If you know there are protected species on the site, including but not limited to Bats, barn owls, breeding birds, badgers, dormice, Great Crested newts and reptiles

If the development directly/indirectly affects a Designated Nature Conservation Area, which include;

- Site of Special Scientific Interest (SSSi)
- Special Protection Area (SPA)
- Breckland Special Protection Area for Stone Curlews
- Special Area of Conservation (SAC)
- RAMSAR site
- County Wildlife Site
- National Nature Reserve

Any developments can impact on wildlife and biodiversity and an assessment may be required for any size/nature of development.

12B. What is required:

An assessment which must be carried out by a suitably qualified and experienced person. Please see below for more information.

12C. Where can I get help or advice:

[Natural England](#)

13. Environmental Assessment for Noise

13A. When is it required:

- Proposals for new noise-sensitive development
- development which will be exposed to an existing noise source
- proposals which will generate noise

13B. What is required:

Information to be provided by the developer;

- a description of the project comprising information on the site, design and size of the project (normally contained in the DAS if one is required)
- a description of measures envisaged in order to avoid, reduce and remedy significant adverse effects
- data required to identify and assess the main effects which the project is likely to have on the environment
- non technical summary of information

13C. Where can I get help or advice:

[The Town and Country Planning \(Assessment of Environmental Effects\) \(Amendment\) Regulations 1992](#)

14. Air Quality Assessment

14C. When is it required:

Where the development is proposed inside, or adjacent to an air quality management area (AQMA), which are currently at:

- Gaywood clock area
- Town centre one way system and London Road, King's Lynn

This list may have been updated since the publication of this guidance – please check the [Borough Council's website](#) for updated information.

Where the development could in itself result in the designation of an Air Quality Management Area.

Lastly, where the grant of planning permission would conflict with, or render unworkable, elements of a local air quality action plan.

14B. What is required:

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.

14C. Where can I get help or advice:

Borough Council of King's Lynn and West Norfolk website – [Air Quality Pages](#)

15. Foul and Surface Water Information, including Sustainable Drainage Systems (SuDS)

15A. When is it required:

- for applications where it is proposed to connect to the existing drainage system
- for applications where changes/replacement to the existing system are proposed
- for applications where the creation of a new system is proposed

15B. What is required:

Detailed specifications and drawings, showing;

- existing drainage system
- proposed drainage system
- cross sections
- elevations

15C. Where can I get help or Advice

www.defra.gov.uk

Sustainable Drainage Systems

A drainage strategy, making particular reference to the priority and use of Sustainable Drainage Systems, must be submitted for all applications for **MAJOR** development.

For information and advice on this please consult all of the following:-

Planning Practice Guidance available at
<http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/why-are-sustainable-drainage-systems-important/>

The Department of the Environment, Food and Rural Affairs at
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf

Norfolk County Council (as the Lead Local Flood Authority) at
http://www.norfolk.gov.uk/Environment/Flood_and_water_management/Developers/index.htm

The above information on foul and surface water drainage and SUDS can be included as part of the flood risk assessment rather than a separate document if required.

16. Ventilation and Extraction Details

16A. When is it required:

Applications where the end use would be;

- Restaurants and Cafes
- Drinking Establishments
- Hot Food Takeaways
- Businesses
- General Industrial

16B. What is required:

- position and design of ventilation – shown on scaled elevational drawings and proposed floorplans
- odour abatement techniques
- acoustic noise characteristics

16C. Where can I get help or advice:

Please contact Community Safety and Neighbourhood Nuisance Department of the Borough Council on 01553 616200

17. Structural Survey of the Property

17A. When is it required:

Where the proposal involves a conversion to a barn or rural building.

17B. What is required:

- an appraisal of the structural stability of the building
- a schedule of the work that is required to convert the building
- the survey should be carried out by an independent specialist consultant.
- additionally, if it is proposed to demolish all or part of a listed building / structure, a structural survey will be required. This will need to confirm the status of the building clarifying that demolition is the only available option in the event that historic fabric either cannot be retained or is beyond meaningful repair.

17C. Where can I get help or advice:

A qualified structural engineer.

18. Lighting Scheme / Lighting Pollution Assessment

18A. When is it required

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

18B. What is required

- details of external lighting, LUX levels and the proposed hours of use. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design.
- schemes should be prepared by a recognised independent consultant and submitted alongside applications to enable the effects of such lighting to be fully considered.

18C. Where can I get help or advice:

Please contact Community Safety and Neighbourhood Nuisance Department of the Borough Council on 01553 616200

19. Contaminated Land Assessment

19A. When is it required:

- where there is a possibility that the previous uses of the site could give rise to contamination
- applications on land which is known to be contaminated
- applications on land where contamination is suspected on all or part of the site
- applications where the proposed use would be particularly vulnerable to the presence of contamination

The Council's [Advice](#) gives details what uses would be vulnerable or sensitive to the presence of contamination.

19B. What is required:

- a completed sensitive development or agricultural questionnaire, or a desk-study and preliminary risk assessment report.
- The level of information needed will depend on the circumstances of the site and the nature of the proposed use. Our advice note, sets out what information we will require for different types of development. The use of the land in the vicinity may also need to be considered as there is the potential for migration of contaminants from the surrounding area.
- as a first stage you should establish the former uses of the site and surroundings, undertake a walk-over survey, collect information on the physical state of the site and its setting, and consult the regulatory authorities.
- early discussions with our Environmental Quality Team are recommended to help you provide the information that is needed to support your planning application.

19C. Where can I get help or advice:

The [Environment Quality](#) pages of the Council's website.

20. Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) (formerly known as Habitat Monitoring & Mitigation Contribution)

GIRAMS payments must be paid when you submit the planning application. You can pay this by BACS, by Card over the telephone or by entering into a Unilateral Undertaking. Failure to provide either payment or a draft completed and signed Unilateral Undertaking at submission stage will result in your application being held as invalid.

In addition, you will need to complete and submit a form under Section 111 of the Local Government Act 1972.

20A. When is it required:

The requirement for a payment will apply to:

- Housing and tourist accommodation applications, including annexes;
- The whole Borough area;
- All sizes of application from 1 unit upwards.

The need for a payment will apply to all forms of housing/tourist accommodation including:

- Hotels, guest houses, lodges, static caravans & touring pitches;
- Affordable housing;
- Student accommodation;
- Residential caravans/mobile homes/park homes;
- Housing for 'mobile' elderly people;
- BUT NOT care homes for elderly or infirm people with significantly reduced mobility.

Also for clarification:

- Both allocated and windfall sites will contribute;
- Where units already exist on the site, the net additional units will contribute;
- Applications to split one unit into two will contribute for the additional unit;
- Applications to increase the operating period of tourist accommodation will contribute for the additional period;
- Applications to convert from holiday to residential use will be assessed on a case by case basis;
- BUT extensions to existing houses will NOT be asked to contribute, unless for Annexe Accommodation;

20B. How much will it cost:

- £185.93 per house (index linked). See requirement for mitigation below.
- For tourist accommodation the contribution will be calculated on a case by case basis by the Council, depending on the type and location.
- There will be a £50 administration charge whether you submit a Unilateral Undertaking or a payment in advance. If you want to add a clause in a proposed S106 agreement then it will be covered in the overall legal fees.
- Fees will only be refunded after the appeal period has lapsed or the appeal is dismissed and the period for any subsequent High Court challenge has lapsed.
- The GIRAMS Payment is in addition to the standard Public Open Space provision required for development and any specific on-site monitoring and/or mitigation measures or off-site provision of alternative natural greenspace

Commented [ND2]: hen is the payment index linked from – 1 April 2016 or date of UU?

20C. Unilateral Undertaking – what do I need to submit:

If you choose not to make the GIRAMS Payment when you submit your planning application, you'll also need to provide the following documents:

- One original, completed and signed Unilateral Undertaking to pay the total Habitat Monitoring and Mitigation Payment before commencement of work on the site;
- A copy of the site location plan, that accompanies the planning application, signed by the developer;
- Recent (ie. within the last 3 months) proof of title to the land, which can normally be purchased from the Land Registry by telephone (01752 636000) or online at [Land Registry Online Title Register Search](#). Please note there are two parts to the proof of title; a Title Register and a Title Plan, both of which must be submitted.

Commented [ND3]: Is this a separate requirement since the UU will need to identify the land to which it applies by means of a suitable plan?

If you have any further questions, please contact us before submitting your application. Please also read the general guidance notes below before completing the Unilateral Undertaking.

General Guidance for Unilateral Undertakings

Please read these notes carefully before completing the Unilateral Undertaking.

A planning obligation is a legally binding obligation or commitment in relation to the development of land which is secured under Section 106 of the Town and Country Planning Act 1990, as amended. They are used in order to make an overall development 'package' acceptable where otherwise the application would have to be refused. An obligation is usually made by entering into an agreement which is regularly referred to as a Planning Agreement or a Section 106 Agreement. However it is possible for owners of land to submit Unilateral Undertakings to the Council, which contain binding covenants given by the owner to the Council, which the Council can enforce.

Planning obligations can restrict the use or development of land, require a developer or landowner to undertake certain works, or to contribute financially towards the provision of measures to mitigate the negative impacts of their development.

Where a planning obligation is required, a planning agreement, drafted by the Council's legal services team and entered into by the Council and the landowner and developer will usually be appropriate. However there will be occasions where the use of Unilateral Undertakings can assist in ensuring that planning permissions are granted speedily. This benefits both the applicant and the Council.

The Council considers that it will normally be appropriate for a Unilateral Undertaking to be used only if all the following conditions are met:

- The person entering into the Undertaking is the owner of the land (not merely a purchaser with a conditional contract); and
- The size of the proposal is small, i.e. 4 or less units, OR for larger proposals of 5 or more units, where there are no leases or tenancies (If the land is subject to a mortgage/legal charge, mortgage and mortgagee details must be included and the mortgagee must be a party to the Undertaking - see template); and
- The obligation(s) consists solely of the payment of financial contributions to be paid on commencement of development.

The template Habitat Monitoring and Mitigation Payment Unilateral Undertaking includes an obligation to pay the Council's costs in assessing the adequacy of the Undertaking (which will include checking the title to the land) and registering the Undertaking as a local land charge. The current fee is £55. If planning permission is not granted, then the Undertaking will not be registered as a local land charge.

If any of the above conditions are not met, the Council will normally consider the matter unsuitable for a Unilateral Undertaking and will

expect the Applicant to enter into a conventional negotiated Section 106 Agreement, which will be drafted by the Council's Legal Services under their normal terms of business.

If the Applicant considers that the above conditions are met and the Officer dealing with the application has confirmed that a Unilateral Undertaking would be appropriate, then the Applicant should complete a draft Unilateral Undertaking (using the template provided) and submit this to the Planning Department with the related planning application, together with a plan of the application land and proof of title to the land.

Upon receipt of the draft Undertaking, the Council will assess it and confirm whether it is acceptable or whether amendments are required. They will also check the proof of title submitted. If any amendments are required, the draft will be returned to the applicant.

When required, a Unilateral Undertaking is an essential part of the planning application. Planning permission will NOT be granted until the accompanying Unilateral Undertaking has been formally completed and appropriately submitted to the Council.

A Unilateral Undertaking is a legally binding document with potentially significant financial consequences. If you are in any doubt about the meaning and effect of the undertaking you should seek independent legal advice.

The Council is committed to offering pre-application advice. Where it is intended to submit a Unilateral Undertaking, you are advised to include this element in your pre-application discussions, so that the details and level of contribution can be agreed as soon as possible, preferably prior to the submission of a planning application.

21. Community Infrastructure Levy (CIL)

Introduction

Borough Council of King's Lynn and West Norfolk's (BCKLWN) CIL was adopted by Full Council on 19 January 2017 and came into effect for planning permissions granted from and including the 15 February 2017.

The CIL Monitoring and Compliance Officer for BCKLWN can be contacted on 01553 616200 Email: CIL@west-norfolk.gov.uk.

21A. What is the CIL?

CIL is:

- Used by local authorities in England and Wales to help deliver infrastructure to support the development of their area
- money raised from CIL can be used to support and manage the impacts of development by funding infrastructure that the Council and local communities want, for example: new road schemes, open space improvements or schools
- a % of CIL income is paid to Parishes
- charges have been set by BCKLWN and are based on the location and type of development in the Borough
- levied in £ per square metre (index linked) on net additional increase in floorspace for qualifying development

CIL *is not*:

- an additional charge on development. It effectively alters the previous approach to collecting infrastructure contributions from planning approvals using Section 106 (S106) agreements
- payments are not subject to VAT

When is a development liable for CIL:

Development will be liable to pay CIL if it is:

- of a type for which a rate has been set in the [Charging Schedule](#)
- creating 1 or more new dwellings, even where floorspace is less than 100 square metres, including annexes
- involves the change of use of a building that has been unused for 3 or more years
- amendments to applications, even if they were granted prior to the adoption of CIL, where there is an increase in floorspace

The stages of CIL are explained on the [Councils webpages](#). Where the CIL processes are not followed, surcharges **will** be incurred

If a relief/exemption is granted, the Council will record details of the relief on the Land Changes Register. If a disqualifying event occurs within set

periods, for example if a self-build house is sold or let within 3 years, CIL will be due. After this period the relief/exemption will be removed from the Land Charge Register.

Where a relief has been granted and a disqualifying event occurs, the Council must be informed in writing, giving 14 days advance notice. Failure to do so will incur a penalty surcharge.

If the permission is not implemented, the CIL charge will be removed from the Land Charges Register once the planning permission has expired.

If CIL is not paid, a range of enforcement actions can be taken. These can be found in the [CIL Regulations 2010 \(As Amended\)](#).

22. Fire Statement

Fire statements will support the consideration of information on fire safety matters as they relate to land use planning matters. It is the intention that the information provided within fire statements is focussed and concise, specific and relevant to the development, and proportionate to the scale, type and complexity of the proposal. A fire statement will evidence thinking that the fire safety matters, as they relate to planning, have been incorporated into the planning application.

22A. When is it required:

- Required for two or more dwellings or educational accommodation and meet the height condition: 18m or more in height, or 7 or more storeys

22B. What is required:

Fire statements must be submitted on a form published by the Secretary of State and contain the particulars specified or referred to in the form, which includes information about (not exhaustive list):

- the principles, concepts and approach relating to fire safety that have been applied to each building in the development
- the site layout
- emergency vehicle access and water supplies for firefighting purposes
- what, if any, consultation has been undertaken on issues relating to the fire safety of the development; and what account has been taken of this
- how any policies relating to fire safety in relevant local development documents have been taken into account

The publication of a standard form for this purpose is intended to ensure consistency in the way in which information is provided, as well as ensuring information contained within a fire statement is focused on fire safety matters as they relate to land use planning.

Should a fire statement include information for the whole site or just certain buildings?

As many fire safety matters relevant to land use planning impact on the external layout of a site, including the spaces between buildings, fire statements will be required to include information on the entire development as set out on the plan which identifies the land to which the application relates which has to be submitted with the application.

How are fire statements different from the requirements of building regulations or the Fire Safety Order?

The fire safety matters contained in a fire statement are relevant only to the extent they are relevant to land use planning. The level of detail and focus of information should not contain the breadth and depth of information on fire safety which will be submitted at building control application stage. Requirements of the fire statement at planning stage will not duplicate or require compliance with the building regulations or the [Fire Safety Order](#), and local planning authorities will not be responsible for any building regulation matters or the enforcement of building control requirements.

Applications

In what circumstances must a fire statement be submitted with an application?

An application for planning permission for development which involves

- the provision of one or more relevant buildings, or
- development of an existing relevant building
- or development within the curtilage of a relevant building

must be accompanied by a fire statement unless an exemption applies.

What are the exemptions to the requirement to submit a fire statement with an application for permission?

Applications for planning permission will be exempt from the requirement to submit a fire statement where:

- the application is for a material change in use of a relevant building and the material change of use would result in the building no longer being a relevant building
- the application is for a material change in use of land or buildings within the curtilage of a relevant building
- the application is for outline planning permission
- the application is for permission to develop land without compliance with conditions under section 73 of the Town and Country Planning Act 1990

Applications for outline planning permission will be exempt from the requirement to submit a fire statement because matters such as layout and scale can be reserved.

Is a fire statement required for a change of use application?

Applications for permission for a material change of use of land or buildings will require a fire statement unless the application is for:

- a material change in use of a relevant building and the material change of use would result in the building no longer being a relevant building
- a material change in use of land or buildings within the curtilage of a relevant building

22C. Where can I get help or advice:

[Building safety: planning gateway one](#)

23. Neighbourhood Plan Policies

If a Neighbourhood Plan is in place in the Parish to which your applications relates, there may be Policies in the Neighbourhood Plan, relevant to your proposals, which will require the submission of particular documents or drawings to accord with those Policies.

23A. When is it required:

When a Neighbourhood Plan makes specific requirements for the submission of planning applications.

23B What is required:

Please visit [the Neighbourhood Planning pages of the Council's Website](#)

24. Nutrient Neutrality

In March 2022, Natural England issued advice to all Council's in Norfolk about the impact of phosphorus and nitrogen on water quality within the wider catchment of the River Wensum and The Broads. This advice impacts a large area of Norfolk including areas within Breckland, Broads Authority, Broadland and South Norfolk, Great Yarmouth, North Norfolk and Norwich.

Please check our website to ascertain whether your proposal is affected

[Click here for more information](#)

25. GIRAMS

25a What is it?

The Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) is a strategy agreed between the Norfolk Planning Authorities and Natural England.

The GIRAM Strategy is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in combination from qualifying developments. Taking a coordinated approach to mitigation has benefits and efficiencies and ensures that developers and the Local Planning Authority meet with the Conservation of Habitats and Species Regulations 2017 (as amended)

25b What is Required?

All new net residential and tourism development are required to mitigate the effects of the development and show how this will be achieved before the approval of planning permission.

A tariff applies to all new net residential and tourism related growth, including:-

- Residential dwellings
- Annexe's
- Market and affordable housing
- Student accommodation
- Modie homes
- Park times
- Tents and modern variations
- Gypsies or travellers pitches and plots
- Specialist elderly accommodation that provides

In addition to the Payment, you will be required to complete and submit a S111 Form (attached as Appendix 3).

26c When is it required?

The payment and S111 Form will need to be paid/completed before your application can be validated.

The payment and form will be required for all applications types, including (but not exhaustive) Full Applications, Householder Applications (for Annexe's), Prior Approval Applications, Reserved Matters Applications etc.

26d How to Pay

The quickest and simplest way would be to call the Planning Department on 01553 616234 and pay the fee over the phone. If this is not

convenient, you can pay by BACS, please see APPENDIX 3 below for bank details and PLEASE QUOTE THE PLANNING REFERENCE ON THE BACS PAYMENT

Appendix 1

Major Developments

1. Industrial / commercial / retail uses: >1,000m² new floorspace

OR

2. If number of dwellings or floorspace not known – site area of 1 hectare or more

OR

3. 10 or more dwellings

Minor Developments

1. If number of dwellings not known – site area less than 1 hectare

OR

2. Uses other than (1) above – floorspace <1,000m² or site area <1 hectare
3. 9 dwellings or less

Appendix 2

Planning Obligations Statement

Site Address

.....

I agree to enter into a legal agreement with the Local Planning Authority to meet the following planning obligations.

I propose the following specific terms:

1) GIRAMS Fee

2) Affordable Housing Contributions

3) Other (please specify)

.....

I have instructed the following legal representative to act on my behalf:-

Company Name:

.....

Contact:

.....

Address:

.....

.....

.....

Telephone No:

Email Address:

Signed:

Name:

Address:

.....

Email:

Signature: Date:

APPENDIX 3

Section 111 of the Local Government Act 1972

Norfolk Recreation Avoidance Mitigation Strategy Contribution

**THIS FORM MUST BE COMPLETED FOR ALL PAYMENTS MADE FOR
GIRAMS/HABITAT MITIGATION FEE**

Planning Application Ref No					
Planning Portal Ref No (if applicable)					
Date Application Submitted					
Agent / Applicants Name					
Agent / Applicants Address					
Email					
Telephone Number					
Are you?					
Owner		Applicant		Agent	
Other; please state					

Borough Council of Kings Lynn and West Norfolk, Chapel Street, Kings Lynn, Norfolk PE30 1EX.

The Council is the Local Planning Authority and responsible body for collecting GIRAMS tariff under the Habitat Regulations for the area within which the land is situated. To mitigate recreational impacts on the Habitats as defined in the Norfolk GIRAM strategy.

I have applied to the Council for Permission for:
The Development at:
I have submitted a payment for the GIRAMS / Habitat Mitigation Fee of:
£

Payee's Name:					
Payment Method:					
BACS		PHONE		ONLINE	

Recreation Avoidance Mitigation Contribution means the sum of £185.93 per dwelling (index linked) or equivalent tourist accommodation to be paid to the Borough Council of Kings Lynn and West Norfolk by BACS, by Card over the Telephone or Online.

I am making the attached payment to the Authority to address the requirements of the Recreational Avoidance Mitigation Strategy stated above. The contribution has been paid to the Authority. It is to be held by the Authority and used solely for the purposes when development commences.

The authority will return the contribution to the payee on written application to the authority if either of the following occurs;

- Planning permission is refused and six months have elapsed from the decision date without a planning appeal
- The development has not started and the planning permission is no longer capable of being implemented.
- Any Planning Appeal submitted in respect of the development has been dismissed

If the planning permission is varied by a Section 73 application or amended, then the contribution may be used to cover the GIRAMS payment due for that application.

Payment Details

Please pay your contribution by BACS or by calling 01553 616234 to pay by Card. Please ensure that the Planning Reference or Portal Reference is used.

To pay by BACS, please use the following bank details'

Bank: Barclays

Account Name: Borough Council of Kings Lynn and West Norfolk - Direct Credits

Account Number: 00148342

Sort Code: 20 17 68

Reference: RAMS followed by application reference