

## **Local Information Requirements for the Validation of Planning Applications**

The Government is introducing a standard planning applications form (1APP) with effect from 6 April 2008. This new form will apply to applications dealt with by the County Council for waste operations and its own development. 1APP forms have not yet been introduced for applications for mineral development.

Also from 6 April the Government is introducing a 'national list' of validation requirements and local planning authorities will be able to adopt their own list of local requirements derived from Government guidance to supplement the application forms.

This consultation is aimed at seeking views on the Council's 'local list' of validation requirements in relation to the various types of application which the County Council deals with and also offers some guidance on the nature of information which will be required. These local validation criteria have been based on the Communities and Local Government publication – The Validation of Planning Applications: Guidance for local planning authorities, published in December 2007 and which can be located through the following link:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/582764>

Comments on these proposed criteria should be submitted to the County Council by 5pm on 10 March 2008. All of the observations received will then be considered prior to the adoption of the local list of requirements.

The criteria will then be translated in to a check-box list to assist applicants and the authority in ensuring that complete and valid applications have been submitted. Failure to submit all of the required information will mean that the application is invalid which will result in a delay in its registration and processing to determination.

### **The proposed local requirements cover the following categories of application**

County Regulation 3 Planning Applications

Outline County Regulation 3 Reserved Matters Applications

Waste Planning Applications

Mineral Planning Applications

Certificate of Lawful Use and Development Applications

Section 73 Planning Applications

## **Local Information Requirements for Applications for County Council Developments for Full Planning Permission:**

### **1 Planning Statement**

Information will include a statement to indicate why the proposed development is considered necessary or justified. For example a proposal for security fencing at a school could be required due to recent incidents of vandalism.

For major developments, such as a replacement school, it should also include details of consultations with the County Planning Authority and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of *Creating Local Development Frameworks: A Companion Guide to PPS12*.

The statement should include a sustainability appraisal outlining the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.

Where it is proposed to make a proposed development available for community use e.g. a new sports hall at a school full details of the intended use should be provided. This should include the hours of use, who the facility will be used by and any other accommodation on the site that is required to enable the proposed use such as car parking, security and lighting.

The statement should include, where appropriate, details of any wider development or redevelopment plans at the site of which this current proposal forms a part. This could be in the form of a Masterplan for the overall development.

### **2 Flood Risk Assessment/Drainage Strategy**

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new developments located in Flood Zones 2 and 3 as designated on maps available from the Environment Agency. A FRA will also be required for any development, other than minor development, in a designated critical drainage area which

has been notified to the planning authority by the Environment Agency.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. It should include the design of surface water management systems including Sustainable Drainage Systems (SUDS) and address the requirements for safe access to and from the development in areas at risk of flooding.

The FRA should be prepared by the applicant in consultation with the planning authority with reference to published development documents and any Strategic Flood Risk Assessment. It should form part of an Environmental Statement where one is required.

Planning Policy Statement 25: Development and Flood Risk (December 2006) and its associated Practice Guide provides comprehensive guidance for both the planning authority and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

### **3 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). In most circumstances it is not permitted to connect surface water 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 alternative means of disposal are satisfactory. Guidance on what should be included in a non-mains drainage assessment is given in DETR Circular 03/99 and Building Regulations Approved Document Part H in BS6297.

#### **4 Site Waste Management Plan for Works Involving Construction and Demolition**

Proposed new major development should be supported by waste management plans as required by the Site Waste Management Plans Regulations 2008 (Defra) which come into force on 6 April 2008. These do not require formal approval by the planning authority, but are intended to encourage sustainable waste management, reduce fly-tipping and dereliction and encourage resource efficiency within the construction sector. They should identify 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.

Where a development gives rise to excess material, e.g. from excavations for a new building, and the applicant intends to use the material within the application site for landscaping or creating bunds appropriate details should be provided as part of the planning application. If such information has not been provided at the time the application was submitted and it becomes evident during the processing of the application that such a statement should have been provided the application may be declared invalid.

#### **5 Landscaping**

Applications may be accompanied by landscaping details designed to help the development assimilate into the surrounding area or restore to the site after the development. Full landscaping details can be provided in a scheme submitted under the terms of a condition of a planning permission but where it is integral to a development plans should contain an indicative landscaping scheme.

The details should contain proposals for the long term maintenance and aftercare (management) of the site.

#### **6 Tree Survey/Arboricultural Statement**

Where the application involves works that may affect any trees within or adjacent to the site, the species, spread, roots and position of trees should be illustrated accurately on the site plan. This should indicate any trees which are to be felled or affected by the proposed development. A statement in relation to the measures to be adopted during construction works to protect those trees to be retained on the submitted drawings may also be

necessary. Further guidance is also provided in BS5837:1991 'a guide for trees in relation to construction'.

## **7 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 a planning officer and a conservation officer before any application is made.

Supporting information may include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, 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 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, 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) and Planning Policy Guidance Note 16: Archaeology and Planning (November 1990).

## **8 Nature Conservation/Ecological Assessment**

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 plans should show any significant wildlife habitats or features and the location of habitats of species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Information concerning the location of protected species

should only be provided in a separate document, supplied directly to the County Council.

Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in PPS9 and its accompanying good practice guide: 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: A Guide to Good Practice).

**9 Noise Impact Assessment**

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings (e.g. road schemes), and for developments that are considered to be noise sensitive and which are close to existing sources of noise (e.g. homes for the elderly) 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).

**10 Hydrology/Hydrogeology**

Some development proposals, such as derelict/contaminated land reclamation schemes could affect the water table and the movement of water under and around the application site. Developments could also have a potential adverse impact on the quality of the water environment around a site. For such developments an assessment on the changes in the water environment arising from the development will be required, together with a statement on the mitigation measures to prevent pollution and avoid affecting the riparian rights of others in the area.

**11 Travel Plan**

A travel plan should be submitted alongside planning applications for major developments, and for applications which are likely to have significant transport implications or are in areas where existing local traffic problems have been identified. Advice is provided in Planning Policy Guidance Note 13: Transport (DETR, 2001).

12 **Lighting Assessment**

Where substantial external lighting is proposed as part of a development (e.g. floodlighting of an all-weather sports pitch) the application must contain plans indicating the potential spread of light and the measures to be included to prevent undue light extending beyond the intended area.

13 **Recreation and Other Open Space**

Applications for development which involve sites or part of sites currently used or designated as recreation space and other open space accessible to the public should contain a statement indicating the impact of the development on such facilities and the measures to provide alternative space where required. National planning policy is set out in Planning Policy Guidance Note 17: Planning for open space, sport and recreation (July 2002).

14 **Air Quality Assessment**

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary. Advice is available in PPS 23: Planning and Pollution Control.

15 **Land Contamination Assessment**

Applications for development on sites which are contaminated or are purposely designed to remediate contaminated sites need to be accompanied by a land contamination assessment in line with Planning Policy Statement 23: Planning and Pollution Control (November 2004). Sufficient information should be provided 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 as is necessary to determine whether the proposed development can proceed.

16 **Parking Provision**

The applicant should provide details of both existing and proposed parking provision at a development site.

## Local Information Requirements for Applications for County Council Developments for Outline Planning Permission:

*Applications for outline planning permission generally need not give details of any proposed reserved matters unless the matters include layout, scale and access. However if the County Council receives an application for outline planning permission, but decides that the application ought not to be considered separately from all or any of the reserved matters, it must notify the applicant within one month from the date of receipt that further details must be submitted. In practice the aim will be to notify applicants what further details are required within 10 working days. This situation should not be confused with applications where inadequate information is submitted. The full list of local requirements may include some or all of the following:*

- **Use** – the use or uses proposed for the development and any distinct development zones within the site identified.
- **Amount of development** – the amount of development proposed for each use.
- **Indicative layout** – an indicative layout with separate development zones proposed within the site boundary where appropriate.
- **Scale parameters** – an indication of the upper and lower limits for height, width and length of each building within the site boundary.
- **Indicative access points** – an area or areas in which the access point or points to the site will be situated.

**Local Requirements** may include some or all of the following:

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For major developments, such as a replacement school, it should also include details of consultations with the County Planning Authority and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of *Creating Local Development Frameworks: A Companion Guide to PPS12*.

The statement should include a sustainability appraisal outlining the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.

Where it is proposed to make a proposed development available for community use e.g. a new sports hall at a school full details of the intended use should be provided. This should include the hours of use, who the facility will be used by and any other accommodation on the site that is required to enable the proposed use such as car parking, security and lighting.

The statement should include, where appropriate, details of any wider development or redevelopment plans at the site of which this current proposal forms a part. This could be in the form of a Masterplan for the overall development.

## 2 **Flood Risk Assessment/Drainage Strategy**

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and to demonstrate how off-site disposal of waste will be minimised.

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16 **Parking Provision**

The applicant should provide details of both existing and proposed parking provision at a development site.

## **Local Information Requirements for County Council Developments for Approval of Reserved Matters Following Outline Approval**

From the following as appropriate

### **1 Planning Statement**

Information will include a statement to indicate why the proposed development is considered necessary or justified. For example a proposal for security fencing at a school could be required due to recent incidents of vandalism.

For major developments, such as a replacement school, it should also include details of consultations with the County Planning Authority and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of *Creating Local Development Frameworks: A Companion Guide to PPS12*.

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Where substantial external lighting is proposed as part of a development (e.g. floodlighting of an all-weather sports pitch) the application must contain plans indicating the potential spread of light and the measures to be included to prevent undue light extending beyond the intended area.
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Applications for development which involve sites or part of sites currently used or designated as recreation space and other open space accessible to the public should contain a statement indicating the impact of the development on such facilities and the measures to provide alternative space where required. National planning policy is set out in Planning Policy Guidance Note 17: Planning for open space, sport and recreation (July 2002).
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- 16 **Parking Provision**  
The applicant should provide details of both existing and proposed parking provision at a development site.

## **Local Information Requirements for an Application for Waste Development**

The application should be supported by a written statement which describes the proposals in detail and which sets out all the matters relevant to the proposal. The following is list of the matters to be included in proposed developments for landfill and other waste management facilities. Only those sections relevant to the proposal need to be provided.

### **1 A Description of the Proposal**

The statement should describe, in appropriate detail, the nature and purpose of the proposed waste management facility.

For **landfill** proposals the statement should provide details of:

- Site preparation works
- Any soils to be stripped from, moved within, imported to, or stored on, the site.
- Specify the type(s) and source(s) of waste to be imported
- Method of infilling
- Maximum extent and depth of infilling
- Maximum extent and depth of regarding operations
- Phasing of operations and direction of working in phases and haul roads within the site
- Maximum extent and depth of any excavations
- Maximum area disturbed at any one time
- Any recycling activities proposed
- Any bad weather storage areas
- Any storage facilities for special, difficult, or other waste
- Site security, e.g. gates, fences
- Hours of operation distinguishing different activities if different hours for these are envisaged e.g. maintenance
- Any buildings or fixed plant such as weighbridge or wheel cleaning facilities
- Lighting proposals
- Noise assessment (see separate note)
- Vehicle parking areas
- Storage areas
- Storage of any liquid waste
- Storage of fuel and oils including protection from spills
- Drainage of the site and ground and surface water protection measures
- Measures to control litter and vermin

- Proposals to drain the site including interceptor ditches, settlement lagoons etc
- Trees to be topped, lopped or felled and other vegetation to, such as hedgerows, to be affected
- Trees, hedgerows and other vegetation to remain undisturbed and how they are to be managed and protected.

For proposals for other waste management facilities including material recycling, transfer stations, in-vessel and windrow composting facilities the statement should provide details of how the site is to be operated by the provision of the following as appropriate:

- Site preparation works
- Any soil stripping and how it will be handled
- Surfacing of the site
- Any bad weather storage area
- Processes carried out, including sorting, treatment, bulking up of loads and any operations to break up or separate waste e.g. by means of crushing, impact, drilling or other method
- The rate of use, i.e. the average and maximum rate at which waste will arrive at the site and the rates waste and other material would leave the site (annually and daily)
- The maximum volume of waste and other products to be stored at the site at any one time (give the volumes for different categories of waste and other materials)
- The maximum duration waste and other materials will remain on site (differentiate between wastes and other materials)
- Hours of operation distinguishing different activities if different hours for these are envisaged e.g. maintenance
- Lighting arrangements ground and surface water protection
- Noise assessment (see separate note)
- An assessment of the effects of dust, smells, bio-aerosols, gases, smoke or other emissions
- Measures to control litter and vermin
- Monitoring of environmental impacts e.g. noise and dust
- Any buildings or fixed plant – including floorspace both existing and new)
- Weighbridge and wheel cleaning facilities
- Areas for skip storage

- Nature, volume and destination of waste and other products leaving the site and how the material would be transported
- Arrangements for special or difficult waste
- Site security
- Vehicle parking
- Material storage areas including height of any stockpiles
- Storage of liquid waste, fuels and measures to protect from spills
- Proposals to drain the site including any interceptor ditches, settlement lagoons etc
- Arrangements to handle drainage from hard surfaces and buildings
- How the application connects to existing utility infrastructure and any proposed diversions of services or public rights of way
- Trees or other vegetation to be topped, lopped, felled or otherwise affected by the development within or adjacent to the site and measures to protect trees to be retained
- Details of any facility that the proposal is related to
- Employment details

In addition for proposals for thermal treatment facilities the statement should provide details of:

- The type of fuel
- The average and maximum rate of burn (kg/hour and tonnes/day)
- Nature and volume of any by-products, residues and emissions
- Details of how the chimney height was calculated
- Details of the area likely to be affected by chimney emissions and how this was calculated
- Prevailing winds
- Noise assessment (see separate note)

For all types of waste development the applicant should provide, where appropriate, detailed drawings of proposed buildings stating the type and colour of materials to be used externally.

## 2 **Description of the Existing Site**

A brief description of the existing site incorporating such matters as the existing use, vegetation, trees, hedgerows, watercourses, pools, wet areas and other natural habitats, relief, drainage, public rights of way, informal access and services crossing the site.

### **3 Suitability of the Site for Waste Development**

For landfill proposals applicants should provide sufficient information to enable the waste planning authority to fulfil its requirements under the Landfill (England and Wales) Regulations 2002. This information may be provided as part of an Environmental Statement. It should include details of the location of dwellings, other development and underground services within a minimum of 250 metres of the site boundary; examples of services include ducts, drains and cables. Details of site investigations undertaken, such as borehole logs and evidence of the depth of the water table, should be included.

### **4 Volume, Type and Source of Material**

The type and source of waste material to be imported and processed or disposed of at the site. For landfill sites the applicant should state the voidspace to be infilled in cubic metres. Full details of the method used to calculate the voidspace should be provided.

### **5 Recycling and Pre-treatment**

Only those materials that are not capable of reuse or recycling should be deposited in landfill sites. Applicants should set out the provisions for extracting such material from that to be deposited. Where recycling or treatment forms the main part of the proposal full details, including the processes involved and plant to be used should be included.

### **6 Duration**

For landfill sites the estimated duration of operations should be provided, distinguishing between the preparation works, infilling activities and final reinstatement. For all developments the anticipated date of commencement should be provided.

### **7 Development Plan**

Information will include how the proposed development accords with the policies of the development plan. For waste management developments the development plan is the Regional Spatial Strategy for the East Midlands (2005), the saved policies of the adopted Derby and Derbyshire Joint Structure Plan, the Derby and Derbyshire Waste Local Plan and the relevant district/borough council local plan in whose area the application falls.

### **8 Statement of Community Involvement**

Applications may need to be supported by a statement setting out how the applicant has complied with the council's adopted Statement of Community Involvement ([http://www.derbyshire.gov.uk/Images/SCI%20final%20doc\\_tcm2-177423.pdf](http://www.derbyshire.gov.uk/Images/SCI%20final%20doc_tcm2-177423.pdf)) and demonstrate 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*.

## 9 **Nature Conservation/Ecological Assessment**

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 plans should show any significant wildlife habitats or features and the location of habitats of species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Please note that information concerning the location of protected species should only be supplied direct to the County Council.

Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in PPS9 and its accompanying good practice guide: 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: A Guide to Good Practice).

## 10 **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 a planning officer and a conservation officer before any application is made.

Supporting information may include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, 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 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, 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) and Planning Policy Guidance Note 16: Archaeology and Planning (November 1990).

## 11 **Landscaping**

Waste developments are mostly in semi-rural and countryside locations where the effect on the landscape can be substantial. The applicant should demonstrate that the visual impact on the surrounding area, its landscape and landscape character has been considered and how it has influenced the working and reclamation schemes. It will be essential to demonstrate how the site is to be restored after the mineral has been extracted. Applications should be accompanied by landscaping details designed to help the development assimilate into the surrounding area or restore to the site after the development. The details should contain proposals for the aftercare and maintenance (management) of the site in the longer term. The landscaping scheme should:

- identify features to be protected or enhanced such as trees and hedgerows
- identify areas of new planting including details of the number, density, species, specification, method of planting and timing of operations
- specify the location of screen mounds and details of the height of the mound, the gradients of the slopes and any seeding and weeding measures proposed

- contour plans, sections and, where appropriate, photomontages will be required to provide a proper illustration of the proposals.

The purpose of landscaping measures should be stated and explained as clearly as possible. If measures are designed to screen operations sight lines (assessment of views) illustrating their effectiveness should be provided. Proposals should demonstrate how landscaping and screening requirements have been taken into account when drawing up the application site boundary.

## 12 **Tree Survey/Arboricultural Statement**

Where the application involves works that may affect any trees within or adjacent to the site, the species, spread, roots and position of trees should be illustrated accurately on the site plan. This should indicate any trees which are to be felled or affected by the proposed development. A statement in relation to the measures to be adopted during construction works to protect those trees to be retained on the submitted drawings may also be necessary. Further guidance is also provided in BS5837:1991 'a guide for trees in relation to construction'.

## 13 **Flood Risk Assessment/Drainage Strategy**

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new developments located in Flood Zones 2 and 3 as designated on maps available from the Environment Agency. A FRA will also be required for any development, other than minor development, in a designated critical drainage area which has been notified to the planning authority by the Environment Agency.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. It should include the design of surface water management systems including Sustainable Drainage Systems (SUDS) and address the requirements for safe access to and from the development in areas at risk of flooding.

The FRA should be prepared by the applicant in consultation with the planning authority with reference to published development documents and any Strategic Flood Risk Assessment. It should form part of an Environmental Statement where one is required.

Planning Policy Statement 25: Development and Flood Risk (December 2006) and its associated Practice Guide provides comprehensive guidance for both the planning authority and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

**14 Hydrology/Hydrogeology**

Landfill sites could affect the water table and the movement of water under and around the application site. Developments could also have a potential adverse impact on the quality of the water environment around a site. An assessment is required as to the changes in the water environment arising from the development and a statement on the mitigation measures to prevent pollution and avoid affecting the riparian rights of others in the area.

**15 Noise Impact Assessment**

Waste developments have the potential to create disturbance to the owners and users of surrounding land and should be supported by a Noise Impact assessment prepared by a suitably qualified acoustician. Further guidance is provided in Planning Policy Guidance Note 24: Planning and Noise.

**16 Air Quality Assessment**

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary. Further advice is available in Planning Policy Statement 23: Planning and Pollution Control (November 2004).

**17 Land Contamination Assessment**

Development on sites which are contaminated need to be accompanied by a land contamination assessment in line with Planning Policy Statement 23: Planning and Pollution Control (November 2004). Sufficient information should be provided 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.

**18 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 alternative means of disposal are satisfactory. Guidance on what should be included in a non-mains drainage assessment is given in DETR Circular 03/99 and Building Regulations Approved Document Part H in BS6297.

**19 Transport Assessment**

Specify the number, type and size of vehicles that would visit the site on an average working day and the maximum levels that would occur. Where possible the distribution of vehicle movements throughout the day should be provided. If the routes used by vehicles visiting the site are known these should be specified. The means of access between the site and the public highway should be detailed including, any land required for improvements. Where access improvements are proposed all details of the specifications should be provided, including surfacing materials and any traffic management measures. Where appropriate the methods to be employed to clean vehicle wheels should be provided to prevent mud or other material from being carried out onto the public highway.

**20 Travel Plan**

Waste management developments can have significant transport implications affecting the local road network and communities through which traffic passes. A Travel Plan in conjunction with a Traffic/Transport Assessment will normally be required for waste management applications likely to have a material impact on the local highway network or on sensitive communities or land uses.

21 **Monitoring, Control, Treatment and Usage of Leachate and Landfill Gas**

The applicant should estimate the likelihood and extent of the production of leachate gas and landfill. The statement should make clear what measures are proposed to monitor the emission of leachate and landfill gas, and what works may be necessary to contain the gas and leachate. Detail any proposals for the collection, disposal off site etc. The time period over which these measures could be taken and how the facilities would be managed in the long term should be provided.

22 **Restoration**

Where the proposed use of the site is temporary (e.g. a landfill site) the applicant should specify the intended afteruse(s) and set out how these will be achieved. Proposed uses other than agriculture, forestry, and nature conservation may require a separate planning permission. The reinstatement should be progressive where possible so the area disturbed at any one time is minimised. The application should set out the restoration proposals as fully as possible but it may be appropriate to finalise certain details at a later date under the terms of a planning condition. Submitted restoration details should include details of:

- Final restored uses
- Finished tipping contours, the allowance made for settlement and how calculated and post settlement contours
- Any phasing
- Drainage, including under drainage
- Preparation of the final tipped layer and treatment of replaced soils, such as subsoiling, ripping, stone picking, soil conditioning and fertilising
- Depth of replaced topsoil and subsoil
- Field boundaries, fences, hedges, gates and access
- Details of planting and seeding
- Provision of habitats where appropriate
- Removal of plant, areas of hardstanding etc
- Continued monitoring, control, treatment or utilisation of landfill gas and/or leachate

23 **Aftercare**

Where the proposed afteruse is agriculture, forestry or an amenity use the planning authority will require a period of aftercare of at least 5 years. Where the site or part of the site is to be restored within 2 years of the commencement of working the detailed aftercare scheme should accompany the application. In other

cases the application should set out the commitment to aftercare and set out the main strategy to be followed.

The power to impose an aftercare condition is provided by Schedule 5 of the Town and Country Planning Act 1990; aftercare schemes submitted must be compliant with the requirements of that schedule. The submitted scheme should identify the steps to be carried out, the timing of operations, and who will be responsible for implementing the scheme. The scheme should allow for regular review of progress and flexibility in responding to the circumstances of the site.

In addition to formal aftercare the council is likely to require the maintenance of trees, shrubs and hedgerows for five years from planting to ensure their establishment. Applications including such planting should also include proposals for this maintenance period, including fertilising, weed treatments, protection from livestock and pests, and replacement of dead, dying or damaged stock.

#### 24 **Additional plans**

For landfill proposals the applicant should provide:

##### A Working Plan

At an appropriate scale indicating the limit of infilling, phasing, soil and other storage areas, circulation space, parking, loading and unloading areas, drainage and outfalls, location of covering material stored on site, the location of tanks or lagoons, internal haul roads, leachate and gas monitoring and control facilities and the location of other environmental monitoring points.

##### A Site Restoration Plan

At an appropriate scale showing the proposed afteruse, including planting, water areas, fences, hedgerows, field boundaries, gates, access, drainage and watercourses, rights of way, final contours before and after settlement and how they relate to adjacent land.

##### Cross Sections

Showing existing, final tipping and post settlement levels and any excavations.

#### 25 **Planning Obligations**

This could include brief draft heads of terms for a section 106 agreement or unilateral undertaking. Applicants should clarify the County Councils requirements in pre-application discussions and confirm any planning obligations that they agree to provide in brief

heads of terms. Further advice is available in Circular 1/97:  
Planning Obligations.

# Information Requirements for an Application for Mineral Development

## Local Requirements

Statements to provide information from the following list where relevant to the proposed development.

### 1 **Planning Statement**

Information will include how the proposed development accords with the policies of the development plan. For mineral developments the development plan is the Regional Spatial Strategy for the East Midlands (2005), the saved policies of the adopted Derby and Derbyshire Joint Structure Plan, the Derby and Derbyshire Minerals Local Plan ('MLP') and the relevant district/borough council local plan in whose area the application falls.

#### **Statement of Community Involvement**

Applications may need to be supported by a statement setting out how the applicant has complied with the council's adopted Statement of Community Involvement ([http://www.derbyshire.gov.uk/Images/SCI%20final%20doc\\_tcm2-177423.pdf](http://www.derbyshire.gov.uk/Images/SCI%20final%20doc_tcm2-177423.pdf)) and demonstrate 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*.

### 2 **Need**

The Minerals Local Plan acknowledges that such development proposals almost inevitably lead to some adverse effects on the environment. Policy MP2 established that, where there would be an adverse environmental effect, the applicant will have to demonstrate that there is sufficient need for the mineral. Where need is a relevant issue in this way, it must be addressed as part of the Planning Statement relating to the development plan. The relevant criteria listed in the policy are:

- Local, regional and national demand
- Scale and nature of existing permitted reserves
- Availability of alternative sources of supply or alternative materials
- Nature and extent of the mineral deposit, and necessity for the mineral to be worked in that location

- Implications for employment, investment and the economy, and for providing other relevant benefits to the community.

### 3 **Assessment of the Proposed Site**

Applicants should provide supporting information, incorporating adequate detail and geographical coverage, to enable the potential impacts to be readily understood. This information should provide a baseline for assessment and inform the preparation of the working, reclamation and aftercare/management schemes for the site. The assessment should include details relating to the development control and operational considerations referred to in Policies MP1, MP3, MP4, MP5, MP6 and MP7 of the Minerals Local Plan.

### 4 **Geology and Hydrology/Hydrogeology**

Mineral extraction developments could affect the water table and the movement of water under and around the application site. Developments could also have a potential adverse impact on the quality of the water environment around a site. An assessment of the changes in the water environment arising from the development is required, together with a statement on the mitigation measures to prevent pollution and avoid affecting the riparian rights of others in the area. The issues to be addressed include:

- Nature of the mineral to be extracted and the market, supported by detailed borehole information and laboratory analysis of recovered samples
- Known extent and depth of the mineral resource in its local geographical context, including any information relating to previous workings
- Depth, volume, tonnage and distribution of overburden and the mineral to be extracted and, where the site is an extension to an existing site, the volume, tonnage and life of remaining reserves with planning permission
- Type, nature and volume of any waste materials to be generated
- Depth of the water table and any seasonal variations
- Where working will be close to or below the existing water table or where a water dependent afteruse is proposed, a full hydrological/hydrogeological assessment of the site must be carried out by a competent person and include an assessment of the impact of the working and reclamation on the surrounding water resources and implications for local abstractors

- Any excavations and storage mounds should be designed, and their formation supervised, by a competent person in accordance with appropriate Codes of Practice
- Where working could cause instability, e.g. in areas where old mine workings are believed to exist, a stability report should be prepared by a competent person and submitted along with the planning application (further advice is contained in PPG14, MPG2 and MPG12)

## 5 **Soil Handling**

Soils at a site are a vital and valuable resource which must be handled appropriately to preserve them in good condition for future use. The applicant should include full details of a soil survey, identifying areas of different soil quality where they exist. The applicant should set out details of a soil handling regime which should include:

- Area and depth of topsoil and subsoil stripping
- Method of soil stripping, moving and replacement including the machinery to be used and measures to prevent the mixing of soils of different types
- Timing of operations
- Volumes of soils to be stripped in each phase
- Phasing of stripping, storage and replacement
- Location and dimensions of soil storage mounds
- Treatment of stored soils e.g. grass seeding of mounds
- Details of the design and construction of soil storage mounds to be undertaken in accordance with good practice
- Depth of topsoil and subsoil to be replaced
- Treatment of topsoil and subsoil to maintain fertility and prevent compaction, e.g. ripping of soil layers
- Volume of any soil making material to be used if any and where this would be stored
- Location of unstripped soils and how they will be protected

## 6 **Site Operations**

In order to assess the impact of a proposed development it is essential to understand how the site will be operated. The applicant should provide information, as relevant, from the following list:

- Details of the method of working, including the quantities of material to be excavated or moved, and phasing plans to indicate the direction and depth of working

- A programme of proposed operations, to explain the duration of each phase of the operations (pre-site preparation, site establishment, working, reclamation and aftercare)
- Where workings are below the water table, whether the site will be pumped or worked wet
- Means of transporting the mineral and overburden within the site identifying the location and gradient of haul roads
- Machinery to be employed
- Hours of operation distinguishing between extraction, processing, maintenance and pumping
- Any lighting
- Drainage of the site, including the means of disposing of waste water, drainage courses and discharge points, lagoons, flood protection measures, compensation for any raising of levels within a flood plain, maintenance access to watercourses and works to existing drains/watercourses
- Details of any processing or treatment of minerals to be carried out including the production capacity
- Location and external appearance of plant, machinery and buildings, including the type, height and method of cladding or other covering
- Location, design, construction and treatment of storage mounds to be undertaken in accordance with good engineering practice
- Storage areas
- Fuel oils or other polluting material to be stored with measures to prevent pollution
- Details of waste to be produced on site including the nature and volume of waste and the means of disposal
- Location of any silt beds
- Diversion of any services
- Details of security measures
- Number of jobs to be created
- Local liaison system

## 7 **Landscaping**

Mineral developments are mostly in countryside locations where the effect on the landscape can be substantial. The applicant should demonstrate that the visual impact on the surrounding area, its landscape and landscape character has been considered and how it has influenced the working and reclamation schemes. It will be essential to demonstrate how the site is to be restored after the mineral has been extracted. Applications should be

accompanied by landscaping details designed to help the development assimilate into the surrounding area or restore to the site after the development. The details should contain proposals for the aftercare and maintenance (management) of the site in the longer term. The landscaping scheme should:

- identify features to be protected or enhanced such as trees and hedgerows
- identify areas of new planting including details of the number, density, species, specification, method of planting and timing of operations
- specify the location of screen mounds and details of the height of the mound, the gradients of the slopes and any seeding and weeding measures proposed
- contour plans, sections and, where appropriate, photomontages will be required to provide a proper illustration of the proposals.

The purpose of landscaping measures should be stated and explained as clearly as possible. If measures are designed to screen operations sight lines (assessment of views) illustrating their effectiveness should be provided. Proposals should demonstrate how landscaping and screening requirements have been taken into account when drawing up the application site boundary.

#### **8 Tree Survey/Arboricultural Statement**

Where the application involves works that may affect any trees and hedgerows within or adjacent to the site, the position, species, spread, and root zones of trees and hedges should be shown accurately on the site plan. This should indicate any trees which are to be felled or affected by the proposed development. A statement on the measures to be adopted during construction works to protect those trees to be retained on the submitted drawings may also be necessary. Further guidance is provided in BS5837:1991 'a guide for trees in relation to construction'.

#### **9 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 a planning officer and a conservation officer before any application is made.

Supporting information may include plans showing historic features that may exist on or adjacent to the application site

including listed buildings and structures, historic parks and gardens, 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 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, an applicant may need to commission an assessment of existing archaeological information and submit the results as part of the Heritage Statement. Where there is evidence of some archaeological interest, but it is not sufficiently important to warrant refusal of planning permission, the applicant will be expected to make appropriate provision for the assessment, including any excavation, recording, analysis, publication and curation of the remains in accordance with a 'project brief' agreed with the planning authority. The planning authority may impose relevant conditions or seek a planning obligation to provide the necessary assurances that the requirements of the project brief would be met.

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

#### 10 **Nature Conservation/Ecological Assessment**

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 plans should show any significant wildlife habitats or features and the location of habitats of species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Information about the location of protected species should only be provided in a separate document, supplied direct to the County Council.

Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments

and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in PPS9 and its accompanying good practice guide: 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: A Guide to Good Practice).

## 11 **Noise, Dust and Vibration Impact Assessment**

Mineral developments have the potential to create disturbance to the owners and users of surrounding land and on the environment.

Applications must include information provided in accordance with MPS2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England to enable the council to secure an opinion as to the acceptability of noise and dust impacts of the proposed development

- for noise and dust sensitive properties in relation to the development, or a properly representative sample of them, in either case as advised or agreed with the council in consultation the environmental health officer for the district(s) / borough(s) in which the sensitive properties lie; including
  - background levels
  - predicted emissions
  - mitigations
  - action plan(s) for exceedances
- for all stages of the development.

There is a proposal to add a further annex to MPS2 on blasting and vibration, and when it is published information will be required to secure a similar opinion on these potential impacts. In the meantime, where the proposal involves blasting, applications must provide information on blasting, including

- likelihood of blasting;
- identification of blast and vibration sensitive properties
- frequency of blasting
- proposed blasting times
- prediction of ground vibration as maximum peak particle velocity (p.p.v.) in mm/sec, and air overpressure in dB
- mitigations
- action plan for exceedances.

Applications should include details of proposed monitoring procedures. The proposals should include the frequency, duration and type of monitoring to be undertaken, details of the monitoring equipment and how it is calibrated and details of how and when the results will be presented to the planning authority.

## 12 **Transport Assessment**

The applicant should include details of the anticipated average and maximum number of vehicles visiting the site daily, distinguishing between heavy goods vehicles carrying mineral and other vehicles; this should be stated as number of vehicle movements (number in / number out). The hours during which these movements will, or are proposed to, take place should be stated.

The application should also include:

- details of the access onto the highway including sight lines, kerb radii, any vegetation such as hedgerows to be affected and wheel cleaning proposals
- specification of and surfacing of the access road
- details of any off-site works or improvements to the public highway
- details of routes to be taken by traffic arriving at and leaving the site
- where routes are to be restricted the applicant should indicate whether there is a willingness to provide a planning obligation (see separate section for details) to that effect

### **Travel Plan**

Mineral developments can have significant transport implications affecting the local road network and communities through which traffic passes. A Travel Plan in conjunction with a Traffic/Transport Assessment will normally be required for minerals applications likely to have a material impact on the local highway network or on sensitive communities or land uses.

## 13 **Flood Risk Assessment/Drainage Strategy**

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new developments located in Flood Zones 2 and 3 as designated on maps available from the Environment Agency. A FRA will also be required for any development, other than minor development, in a designated critical drainage area which

has been notified to the planning authority by the Environment Agency.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. It should include the design of surface water management systems including Sustainable Drainage Systems (SUDS) and address the requirements for safe access to and from the development in areas at risk of flooding.

The FRA should be prepared by the applicant in consultation with the planning authority with reference to published development documents and any Strategic Flood Risk Assessment. It should form part of an Environmental Statement where one is required.

Planning Policy Statement 25: Development and Flood Risk (December 2006) and its associated Practice Guide provides comprehensive guidance for both the planning authority and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

#### 14 **Reclamation**

Consistent with MLP policy MP 10, the proposed afteruse(s) and means of achieving this should be established at the outset and the reclamation requirements taken account of at every stage of the proposal. As indicated in policy MP 10 proposals for mineral working will not be permitted without a satisfactory reclamation scheme.

Applications should include a reasoned statement which describes the reclamation strategy for the proposal and how it has been decided upon. The statement should indicate what consideration has been given to

- the context of the broader area in which the site is situated and to guidance contained in the Development Plan, including
- opportunities to incorporate features that will have a positive role to play by protecting or where possible enhancing the environment or benefiting the local area (MLP policy MP 27), as follows
- assisting the reclamation of derelict land;
- improving public access;
- providing recreational facilities;

- protecting or enhancing landscape features and habitats; and
- securing nature conservation, geological and historical interest.

Applicants are encouraged to consult the planning authority on these issues as early as possible.

The submitted reclamation scheme should where practicable provide for the progressive reclamation of the site and include the following matters:

- proposed afteruse(s)
- main objectives of the reclamation scheme
- timetable for implementation
- existing features to be retained
- features to be created as part of the landscaping and to be incorporated into the reclamation proposals as mature features
- phasing
- final levels, identifying clearly final excavation levels and where these are to be modified by the grading of undisturbed material, the use of quarry waste, overburden, or imported material, any allowance for settlement, and, where water areas are proposed, underwater contours and bank profiles; contour plans and sufficient sections to illustrate the proposals will be required
- removal of all plant, stocks, areas of hard standing, roadways, access points etc
- drainage of the site, including the provision of free draining surfaces before and after spreading with soils
- method and machinery to be employed to handle and replace soils
- treatment of compaction by ripping the material to be covered with soils and subsoils
- any amendments to the boundary between the site and surrounding land to better integrate the proposed uses, such as incorporating land into adjacent fields
- preparation of a seed bed, including stone picking, harrowing, ploughing, and the application of soil ameliorants
- details of seeding including species and the rate and method of application

- details of tree and shrub planting including location, density, species, specification, method of planting and protection from pests and stock
- details of field boundaries, fences, hedgerows, gates, stiles, pathways and tracks and the supply of water
- habitats to be created
- maintenance access to watercourses
- monitoring and review procedures

If it is proposed to import material to the site to raise restored levels, details of the nature, quantities, source, origin, availability of the material, timing and duration of the activities, traffic to be generated and routes to be taken must be included. The applicant will be expected to demonstrate that the site is suitable for the type of material proposed. This should include a hydrogeological assessment and an assessment of surrounding land for at least 250 metres around the site including details of any dwellings, other development and underground services. The assessment should include estimates of the future production of leachate and landfill gas and any proposals for monitoring, treatment and control

## 15 **Aftercare**

Where the proposed afteruse is agriculture, forestry or an amenity use the planning authority will require a period of aftercare of at least 5 years. Where the site or part of the site is to be restored within 2 years of the commencement of working the detailed aftercare scheme should accompany the application. In other cases the application should set out the commitment to aftercare and set out the main strategy to be followed.

The power to impose an aftercare condition is provided by Schedule 5 of the Town and Country Planning Act 1990; aftercare schemes submitted must be compliant with the requirements of that schedule. The submitted scheme should identify the steps to be carried out, the timing of operations, and who will be responsible for implementing the scheme. The scheme should allow for regular review of progress and flexibility in responding to the circumstances of the site. Further guidance is contained in Minerals Planning Guidance Note 7: The Reclamation of Mineral Workings.

In addition to formal aftercare the council is likely to require the maintenance of trees, shrubs and hedgerows for five years from planting to ensure their establishment. Applications including such

planting should also include proposals for this maintenance period, including fertilising, weed treatments, protection from livestock and pests, and replacement of dead, dying or damaged stock.

**16 Land Contamination Assessment**

Applications for development on sites which are contaminated or are purposely designed to remediate contaminated sites need to be accompanied by a land contamination assessment in line with Planning Policy Statement 23: Planning and Pollution Control (November 2004). Sufficient information should be provided 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 as is necessary to determine whether the proposed development can proceed.

**17 Planning Obligations**

Where, alongside the proposal, an applicant is proposing an obligation under section 106 of the Town and Country Planning Act 1990, whether for agreement with the council or unilaterally, the applicant should clarify the County Councils requirements in pre-application discussions and confirm any proposed obligation in brief heads of terms. Further advice is provided in Circular 1/97: Planning Obligations.

**Local Information requirements for an application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of a planning condition**

**Local Requirements** may include some or all of the following:

- 1 Plans (3 copies to be supplied unless the application is submitted electronically);
  - Existing elevations (e.g. at a scale of 1:50 or 1: 100)
  - Existing floor plans (e.g. at a scale of 1:50 or 1: 100)
  - Existing site survey plan (e.g. at a scale of 1:50 OR 1:100)
- 2 Lawful Development Certificate supporting information (e.g. sworn affidavit(s) from people with personal knowledge of the existing use).
- 3 Photographs/Photomontages.
- 4 Planning Statement.

## **Local Information requirements for an application for a Lawful Development Certificate for a proposed use or development**

**Local Requirements** may include some or all of the following:

- 1 Plans (3 copies to be supplied unless the application is submitted electronically);
  - Existing elevations (e.g. at a scale of 1:50 or 1: 100)
  - Existing floor plans (e.g. at a scale of 1:50 or 1: 100)
  - Existing site survey plan (e.g. at a scale of 1:50 OR 1:100)
- 2 Planning Statement.

## **Local Information requirements for an application for the removal or variation of a condition following grant of planning permission (Section 73 of the Town and Country Planning Act 1990)**

**Local Requirements** may include some or all of the following:

### **1 Planning Statement**

Information will include a statement to indicate why the proposed development is considered necessary or justified. For example a proposal for security fencing at a school could be required due to recent incidents of vandalism.

For major developments, such as a replacement school, it should also include details of consultations with the County Planning Authority and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of *Creating Local Development Frameworks: A Companion Guide to PPS12*.

Where it is proposed to make a proposed development available for community use e.g. a new sports hall at a school full details of the intended use should be provided. This should include the hours of use, who the facility will be used by and any other accommodation on the site that is required to enable the proposed use such as car parking, security and lighting.

The statement should include, where appropriate, details of any wider development or redevelopment plans at the site of which this current proposal forms a part. This could be in the form of a Masterplan for the overall development.

### **2 Flood Risk Assessment/Drainage Strategy**

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new developments located in Flood Zones 2 and 3 as designated on maps available from the Environment Agency. A FRA will also be required for any development, other than minor development, in a designated critical drainage area which has been notified to the planning authority by the Environment Agency.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. It should include the design of surface water management systems including Sustainable Drainage Systems (SUDS) and address the requirements for safe access to and from the development in areas at risk of flooding.

The FRA should be prepared by the applicant in consultation with the planning authority with reference to published development documents and any Strategic Flood Risk Assessment. It should form part of an Environmental Statement where one is required.

Planning Policy Statement 25: Development and Flood Risk (December 2006) and its associated Practice Guide provides comprehensive guidance for both the planning authority and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

### **3 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). In most circumstances it is not permitted to connect surface water 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 alternative means of disposal are satisfactory. Guidance on what should be included in a non-mains drainage assessment is given in DETR Circular 03/99 and Building Regulations Approved Document Part H in BS6297.

### **4 Site Waste Management Plan for Works Involving Construction and Demolition**

Proposed new major development should be supported by waste management plans as required by the Site Waste Management Plans Regulations 2008 (Defra) which come into force on 6 April 2008. These do not require formal approval by the planning authority, but are intended to encourage sustainable waste management, reduce fly-tipping and dereliction and encourage resource efficiency within the construction sector. They should identify 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.

Where a development gives rise to excess material, e.g. from excavations for a new building, and the applicant intends to use the material within the application site for landscaping or creating bunds appropriate details should be provided as part of the planning application. If such information has not been provided at the time the application was submitted and it becomes evident during the processing of the application that such a statement should have been provided the application may be declared invalid.

**5 Sustainability Appraisal**

A sustainability appraisal should outline the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.

**6 Landscaping**

Applications may be accompanied by landscaping details designed to help the development assimilate into the surrounding area or restore to the site after the development. Full landscaping details can be provided in a scheme submitted under the terms of a condition of a planning permission but where it is integral to a development plans should contain an indicative landscaping scheme.

The details should contain proposals for the long term maintenance and aftercare (management) of the site.

**7 Tree Survey/Arboricultural Statement**

Where the application involves works that may affect any trees within or adjacent to the site, the species, spread, roots and position of trees should be illustrated accurately on the site plan. This should indicate any trees which are to be felled or affected by the proposed development. A statement in relation to the measures to be adopted during construction works to protect

those trees to be retained on the submitted drawings may also be necessary. Further guidance is also provided in BS5837:1991 'a guide for trees in relation to construction'.

## **8 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 a planning officer and a conservation officer before any application is made.

Supporting information may include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, 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 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, 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) and Planning Policy Guidance Note 16: Archaeology and Planning (November 1990).

## **9 Nature Conservation/Ecological Assessment**

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 plans should show any significant wildlife habitats or features and the location of habitats of species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Information concerning the location of protected species

should only be provided in a separate document, supplied directly to the County Council.

Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in PPS9 and its accompanying good practice guide: 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: A Guide to Good Practice).

**10 Noise Impact Assessment**

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings (e.g. road schemes), and for developments that are considered to be noise sensitive and which are close to existing sources of noise (e.g. homes for the elderly) 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).

**11 Hydrology/Hydrogeology**

Some development proposals, such as derelict/contaminated land reclamation schemes could affect the water table and the movement of water under and around the application site. Developments could also have a potential adverse impact on the quality of the water environment around a site. For such developments an assessment on the changes in the water environment arising from the development will be required, together with a statement on the mitigation measures to prevent pollution and avoid affecting the riparian rights of others in the area.

**12 Travel Plan**

A travel plan should be submitted alongside planning applications for major developments, and for applications which are likely to have significant transport implications or are in areas where existing local traffic problems have been identified. Advice is provided in Planning Policy Guidance Note 13: Transport (DETR, 2001).

- 13 **Lighting Assessment**  
Where substantial external lighting is proposed as part of a development (e.g. floodlighting of an all-weather sports pitch) the application must contain plans indicating the potential spread of light and the measures to be included to prevent undue light extending beyond the intended area.
- 14 **Recreation and Other Open Space**  
Applications for development which involve sites or part of sites currently used or designated as recreation space and other open space accessible to the public should contain a statement indicating the impact of the development on such facilities and the measures to provide alternative space where required. National planning policy is set out in Planning Policy Guidance Note 17: Planning for open space, sport and recreation (July 2002).
- 15 **Air Quality Assessment**  
Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary. Advice is available in PPS 23: Planning and Pollution Control.
- 16 **Land Contamination Assessment**  
Applications for development on sites which are contaminated or are purposely designed to remediate contaminated sites need to be accompanied by a land contamination assessment in line with Planning Policy Statement 23: Planning and Pollution Control (November 2004). Sufficient information should be provided 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 as is necessary to determine whether the proposed development can proceed.
- 17 **Parking Provision**  
The applicant should provide details of both existing and proposed parking provision at a development site.