

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
15th September 2015

Agenda item 11

List of Local Validation Requirements for planning and listed building consent applications

The consultation period has now ended and a further 2 responses have been received. The additional responses received and your Officer's suggested response to them are summarised in the Table below. Amendments reflecting the suggested responses have been made to the original draft and the proposed final document, with all amendments arising from the consultation process highlighted in grey, is attached as an Appendix to this report.

Consultee	Comments received	Proposed response
Staffordshire County Council Environmental Advice Team	<p>1. To improve clarity the following text should be added at the end of column 3 (Types of applications and geographic location(s) that require this information) of information item 4 'Biodiversity survey and report'.</p> <p><i>Planning applications that may affect protected sites or species, habitats or species of principal importance, or significant geological/geomorphological features require submission of survey and assessment information to show how the proposed development may affect these environmental assets.</i></p> <p>2. Addition of reference to assessment of impacts on ecological condition of water courses and bodies added to column 4 (what information is required) of information item 4 given the Water Framework Directive requirements.</p> <p>3. In column 4 of information item 4 the words 'and species' should be added to the end of the 4th paragraph, which starts "Assessment/survey information..."</p> <p>4. Column 5 (where to look for assistance) of information item 4 should have reference to PPG9 removed, as replaced by NPPF; reference to the Conservation (Natural Habitats) Regulations removed as replaced by The Conservation of Habitats and Species Regulations 2010; now Chartered Institute of Ecology and Environmental Management; reference to the most up to date Good Practice Guidelines of the Bat Conservation Trust to be included; reference to BS 42020:2013 Biodiversity - Code of practice for planning and development and Defra/Natural England standing advice on protected species and sites added.</p> <p>5. Links to guidance on SuDS could be added</p>	<p>1. Agreed, amendment made.</p> <p>2. Agreed, amendment made.</p> <p>3. Agreed, amendment made.</p> <p>4. Agreed, amendments made.</p> <p>5. Agreed, amendments made.</p>

	<p>to column 5 of information item 7 'Flood Risk Assessment and Sustainable Drainage'.</p> <p>6. Reference to the latest version of the Landscape Institute's and Institute of Environmental Management and Assessment' Guidelines for Landscape and Visual Impact Assessment should be referred to in column 5 of information item 10 'Landscape and Visual Impact.</p> <p>7. Reference to the technical guidance published by the Landscape Institute on photography and photomontage in landscape and visual assessment worth noting in column 5 of information item 15 'Photomontages'.</p> <p>8. Reference to the Historic Urban Character Areas identified Newcastle-under-Lyme Extensive Urban Survey (2009) and Betley Historic Character Assessment should be included in column 3 of information item 8 'Heritage Asset Statement.</p> <p>9. Emphasis should be given to early consultation with Historic England if there is a potential impact on the setting of a Grade I and II* listed buildings etc at information item 8.</p> <p>10. Change the wording of the sentence at the start of the second paragraph of column 4 of information item 8 to "<i>Where the development has the potential to impact archaeological remains...</i>"</p> <p>11. Reference to early consultation with Staffordshire County Council Historic Archaeologist should be added to the statement which starts "in some cases the developer may need to submit a proposed written scheme of investigation". In addition that consultation should be given to the Historic Environment Record as a minimum as required by NPPF (both relating to column 4 of information item 8).</p> <p>12. Full title of the relevant section PPG referred to in column 5 of information 8 should be included.</p> <p>13. Reference to Rights of Way should be added to the list with the Definitive Map of Public Rights of Way identified as the data source.</p>	<p>6. Agreed, amendments made.</p> <p>7. Agreed, amendments made. The guidance also added to information item 10.</p> <p>8. Agreed, amendments made.</p> <p>9. Agreed, amendments made.</p> <p>10. Agreed, amendments made.</p> <p>11. Agreed, amendments made.</p> <p>12. Agreed, full title provided and link to relevant chapter included. Similar amendments have been made to other references to the PPG and additional references included where it is considered that this would be of assistance.</p> <p>13. Without further comment as to what are the specific policy drivers for the inclusion of this information item, the types of application that require this information and the information that would be required, it cannot be concluded that this matter accords with national guidance on local validation requirements. Amendment not agreed.</p>
Environmental Health	1. Amendments/additions suggested to column 5 of information item 3 'Air Quality Assessment'	1. Agreed, amendments made.

<p>Division</p>	<p>suggested.</p> <p>2. New information item relating to Environmental Impact Assessments recommended.</p> <p>3. Amendment to information item 24 'Ventilation/Extraction Statement' to include reference to flues and the replacement of the text in column 3 and 4.</p> <p>4. New information item relating to Lighting Assessment recommended.</p> <p>5. Amendments/additions suggested to column 5 of information item 12 'Noise and Vibration Assessment' suggested.</p> <p>6. New information item relating to Odour assessment recommended.</p> <p>7. Reference to Air Quality Management Areas and Action Plans to be included in column 5 of information item 22 'Travel Plan'.</p>	<p>2. The requirement to undertake Environmental Impact Assessments is governed by specific legislation and is already a requirement in respect of certain applications. This is not a 'local' requirement, therefore, and as such amendment not agreed.</p> <p>3. Agreed. Information item title to be amended to 'Ventilation /extraction and flues' and text in columns 3 and 4 to be replaced with that provided.</p> <p>4. Such a requirement was omitted following the last review of the list in 2013 on the basis that there was not a clear policy driver to justify its inclusion. The policy context is unchanged. Amendment not agreed.</p> <p>5. Whilst some of the amendments suggested are agreed, it is considered that the suggested change to the links to the BS documents as included (which would take the reader straight to the document referred to), to one which would take you to the BSI group home page (where the reader would have to search for the relevant document) is not agreed.</p> <p>6. Whilst odour has been an issue in a number of recent applications it is not considered that the NPPF provides a clear policy driver that justifies the inclusion of this information item. Such information can still be required to support an application if justified, but this should not form part of the validation requirements.</p> <p>7. Whilst there is currently no information available on the website, and as such it would not be possible to provide a link to such documents, it would be appropriate to refer to such matters as where to look for further assistance.</p>
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Recommendation

That Committee approves the revised List of Local Validation Requirements, attached as an Appendix to this report, for publication on its website and use in the validation process.