

Consultee/ Commenter	Comments received	Proposed response/ action
1. Denise Booth (Member of the public)	No help on website or an easy way of finding the information.	1. All comments are noted but no amendments are suggested within the response and no amendment is required.
	Blinded with jargon that the Council has used and hope that nothing underhand is going on behind the public's back.	
	The Council has lost the respect of many Newcastle residents in the lack of foresight into our Town's heritage and viability.	
2. Landscape Development Section of the Council (LDS)	New 'information item' is required for applications that involve the removal of rural hedgerows where permission for removal is required under the terms of the Hedgerow Regulations 1997. The required information should be an Assessment as to whether the affected hedgerow/s meets the 'Important Hedgerow' criteria as defined by the Regulations.	2. Agreed - a new information item 'Hedgerow Assessment' should be included
	Information item 27 'Tree Survey/Arboricultural Implications Assessment' should be renamed 'BS5837:2012 Tree Survey/Arboricultural Impact Assessment/Retained Trees and Root Protection Areas.	
	<p>What information is required' in respect of information item 27 should be amended to provide guidance under three headings - Tree Survey, Arboricultural Impact Assessment (AIA), Retained Trees and Root Protection Areas (RPAs). The guidance for Tree Surveys to be up to the end of the bullet points and additional text should be included as follows:</p> <p><i>2) Arboricultural Impact Assessment in accordance with BS5837:2012 paragraph 5.4 used to evaluate the direct and indirect effects of the proposed design and where necessary recommends mitigation.</i></p> <p><i>3) Retained Trees and RPAs shown on the proposed layout</i></p> <p>Replacing the first sentence of the paragraph after the bullet points other than <i>"Using the methodology set out in the BS should help to ensure that development..."</i> which should be retained so that it is clear that it relates to all 3 headings</p>	3. Agreed that the information item should be renamed by including reference to retained trees and RPA
		4. Agreed – text should be added and amendments made
	Where to look for further assistance in respect of information item 27 should include reference to the Town and Country Planning (Tree	
		5. Agreed – link should be added to these regulations.

		Preservation) (England) Regulations 2012	
3. Network (NR)	Rail	<p>They advise that they are a statutory consultee for any planning applications within 10m of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedures Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing a railway (as the Rail Networks Operators, set out in Schedule 4(J) of the Development Management Procedure Order). They are also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. The aim to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or potentially affect NRs specific land interest will need to be carefully considered.</p> <p>The following should be added to 'What information is required' in respect of information item 8 'Flood Risk Assessment and Sustainable Drainage' where it refers to SUDS adjacent to an operational railway.          "SUDS must not be used as a means of surface water mitigation within 30m of the railway boundary (due to the potential of infiltration methods of surface water mitigation impacting cutting slopes, support zones for embankments. Surface water drainage within 30m of the railway boundary should be removed from site via a closed sealed pipe system. Developers are advised that attenuation ponds and basins are to be sited as far away from the railway boundary as is possible and must not be sited where a development is adjacent to a slope / cutting."</p> <p>The following should be added to 'What information is required' in respect of information item 18 'Parking Provision Details'  <i>"Assessment of road vehicle incursion measures where access road, turning circles and parking spaces are proposed adjacent to the railway boundary"</i>.</p>	<p>6. The LPA were aware of this and this is noted – no amendment required.</p> <p>7. Agreed – text should be added for relevant section/s (see suggested amendment 24 below)</p> <p>8. Agreed – text should be added</p>

	<p>They note the following text under the heading 'What information is required' in respect of information item 25 'Transport Assessment'.</p> <p><i>"The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA should simply outline the transport aspects of the application, while for Major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. <u>In addition, consideration should be given to the impact of increased footfall on Railway Stations.</u>"</i></p> <p>The section underlined and in italic is noted.</p>	9. No amendment required
	Transport Assessments (25) should include consideration of the impact of proposals upon level crossing(s) with mitigation implemented as required.	10. There are no level crossings within the Borough and as such the suggested amendment is not considered to be necessary.
4. Sport England (SE)	SE validation requirements for planning applications affecting playing field land has been provided that sets out the information that enables them to provide a substantive response to applications on which it is consulted and will also aid the LPA to assess an application in light of paragraph 97 of the NPPF and relevant Local Plan Policies	11. The 'What Information is required' section of information item 17 'Open Space Assessment' should be amended to include any additional validation requirements from Sport England's checklist not already included.
5. Staffordshire Fire and Rescue Service (SFRS)	<p>Request that reference to the requirement for planning applicants to submit a fire statement to LPAs clearly outlining the provisions they have made for Fire and Rescue Service vehicle access and access to water supplies as required should be included in information items 1 (Affordable Housing), 6 (Community Infrastructure Statement) and 7 (Design Review).</p> <p>Provision of a link on public access to their Fire Safety Guidance for Commercial and Domestic Planning Applications</p>	<p>12. The comments are noted however this requirement does not fit within any of the information items identified nor under any of the other information items contained within the list. In addition there are no policy drivers that would support the inclusion of this requirement as a new information item.</p> <p>13. There are no appropriate information items within the list of local validation requirements where such a link could be included, however consideration will be given to its inclusion somewhere within the planning application section of the Council's website.</p>
6. HS2 Ltd (HS2)	No comment	14. No amendment required

7. Severn Trent (ST)	A detailed drainage strategy should be submitted with planning applications as early as possible such as outline stage, to give time to react and make comment on anticipated issues before they progress too far and become difficult to resolve or alter. This should help reduce the number of Grampian condition requests.	15. Information item on Sustainable Drainage (see suggested amendment 24 below) could make reference to the need to provide a detailed drainage strategy, even if not a sustainable drainage system, for all major development.
	Surface water disposal from site should be detailed, again as early as possible such as at outline stage. Discharge of surface water into a foul or combined sewerage system causes capacity related issues and they wish to liaise and proactively work with developers with as much lead time as possible to resolve them.	16. Information item 9 'Foul Sewage Statement' should refer under 'What heading is required' that it should be demonstrated that surface water will not be discharged into a foul or combined sewerage and encourage liaison with the relevant Utility Company when designing the drainage system.
8. Natural England (NE)	No comment	17. No amendment required
9. Coal Authority (CA)	The link to the Exemptions list links through to an old version on information item 5 'Coal Mining Risk Assessment'	18. Agreed - the link should be amended to ensure that it is to the up to date list of exemptions
	The link through to the building on or within influencing distance of the mine entries in the draft document under 'Where to look for further assistance' of information item 5 does not work	19. Agreed - the link should be amended to ensure that it works.
10. Highway Authority (HA)	Reference to the following required <ul style="list-style-type: none"> <li>• Dimensions of visibility splays should be detailed on a scaled plan</li> <li>• Access, parking, turning and servicing should be clearly delineated on a scaled plan</li> </ul>	20. The 'What Information is required' section of information item 18 'Parking Provision Details' should be amended to include reference to the need to provide such information.
11. County Council Ecologist	Reference to Conservation of Habitats and Species Regulation 2010 should be replaced by Conservation of Habitats and Species Regulation 2017 and reference to The Conservation (Natural Habitats etc.) Regulations can be deleted under 'Where to look for further assistance' of information item 4 'Biodiversity survey and report'	21. Agreed – such amendments should be made
	It may be helpful to reference good lighting design where bats may be a consideration by reference to guidance under information item 4 and information item 14 'Lighting Assessment'	22. Agreed – link to document should be added in the 'Where to look for further assistance' section of information items 4 and 14
	Reference is made to no net loss to biodiversity under information item 4 'Biodiversity survey and report'. The Government has now indicated its intention to mandate net gain, and NPPF also has clear indications that net gain is sought. Whilst the mechanisms of the mandatory net gain is not yet known reference should be made to the need to achieve	23. Agreed – text should be amended as follows  <i>It should be demonstrated that adverse impacts on important habitats and species have been avoided where possible and that unavoidable impacts have been fully mitigated or that, where mitigation is not</i>

	net gain to avoid the Local Validation List becoming outdated too soon.	<i>possible, compensation is proposed that results in no net loss of biodiversity or to achieve net gain if/when this becomes mandatory.</i>
12. United Utilities (UU)	It would be more appropriate to split the issues of flood risk and surface water management (currently information item 8) into two separate information items i.e. an information item for Flood Risk Assessment and a separate one for Foul and Surface Water Drainage Scheme and Sustainable Drainage Strategy to appropriately embed the intentions of national policy.	24. Agreed – the information items should be separated and a new information item created ‘Foul and Surface Water Drainage Scheme and Sustainable Drainage’
	<p>The requirement for a Sustainable Drainage Strategy should be for the following ‘Types of Applications and Geographic Location(s)’</p> <ul style="list-style-type: none"> <li>• Major developments (except a change of use where no increase in permeable area is proposed)</li> <li>• Residential development of 5 or more properties (except a change of use where no increase in permeable area is proposed)</li> <li>• Development on land of 0.5ha or more in critical drainage areas</li> <li>• Developments in flood risk locations</li> </ul>	25. Agreed – the ‘Types of Applications and Geographic Location(s)’ for the new ‘Foul and Surface Water Drainage Scheme and Sustainable Drainage’ should be as requested
	<p>The Sustainable Drainage Strategy is to set out how surface water from a development site will be managed sustainably under both current and future conditions, and to support the proposed approach with appropriate evidence, such as infiltration results and drainage calculations with relevant plans and drawings. The Sustainable Drainage Strategy must also set out how sustainable drainage components are intended to be constructed, managed and maintained to ensure that the sustainable drainage system will continue to perform throughout the lifetime of the development. A sustainable drainage strategy should identify:</p> <ul style="list-style-type: none"> <li>• Current Drainage system, capacity and discharge rate</li> <li>• Infiltration Tests carried out to BRE 365</li> <li>• New surface water system, capacity, storage and discharge rate</li> <li>• Proposed outfalls for surface water</li> <li>• Existing drainage arrangements showing existing operational surface water connections on previously-developed sites</li> <li>• Details of adoption</li> <li>• Maintenance and management information for un-adopted sections</li> <li>• Topographical changes to the landscape</li> <li>• Other mitigation measures e.g. Finished Floor Levels</li> <li>• Demonstrate compliance with the requirements of any applicable</li> </ul>	26. Agreed – the ‘What information is required’ for the new ‘Foul and Surface Water Drainage Scheme and Sustainable Drainage’ should be as requested

	<p>SuDS guidance</p> <ul style="list-style-type: none"> <li>• If the proposal is part of a number of phases, the strategy should demonstrate access to/from interconnecting phases</li> </ul> <p>A surface water strategy would seek to demonstrate a full investigation of the surface water hierarchy and highlight options that are preferred to the public combined sewer for the discharge of surface water. Applicants should provide clear evidence when demonstrating why more preferable options within the hierarchy have been discounted.</p>	
	<p>In line with paragraph 5 of the National Planning Practice Guidance (PPG) and paragraph 182 of the NPPF would wish to see the requirement for a noise and odour assessment for proposed developments situated in close proximity to an existing waste water treatment works as there are a number in the Borough that could be a potential source of noise and odour if new sensitive receptors are proposed within close proximity</p>	<p>27. Agreed – paragraph 182 of the NPPF relates to the effective integration of new development with existing businesses and community facilities to avoid unreasonable restrictions being imposed as a result of the development (although waste water treatment works is not cited as an example of what this includes) and it is considered that this provides the required policy driver to justify the inclusion of a new information item relating to the need for an odour assessment. In addition development near waste treatment works should be added to the 'Types of Applications and Geographic Location(s) that require this information' for information item 16 'Noise and Vibration Assessment'</p>
	<p>A Utilities Assessment which includes a Drainage Statement is required for:</p> <ul style="list-style-type: none"> <li>• All new residential development</li> <li>• Development in flood zones and critical drainage areas</li> </ul> <p>This should be in the form of a statement, with associated plans to show:</p> <ul style="list-style-type: none"> <li>• Existing drainage arrangements showing any details of on-site infrastructure</li> <li>• Topography of the site and identify how this affects the proposed outfalls for surface water</li> <li>• Any diversions and any connections as part of the development; and</li> <li>• Details of adoption, highlighting compliance with applicable SuDS guidance.</li> </ul> <p>This is in line with National Planning Policy Framework paragraphs 8a) 'coordinating the provision of infrastructure'.</p>	<p>28. Not agreed – paragraph 8(a) of the NPPF refers to the economic objective, which is one of three overarching objectives in achieving sustainable development. It is not considered to be a suitably clear policy driver for the inclusion of the requested information item. In addition it is considered that it would not be "reasonable, having regard in particular to the nature and scale of the proposed development" to require such information for all new residential development and as such would not be in accordance with Development Management Procedure Order 2015</p>
	<p>Maintaining and improving water quality and the treatment of water and</p>	<p>29. Not agreed – there is not a clear policy driver to justify the</p>

	<p>wastewater in the face of population growth, changing environmental legislation and climate change pressures will be an ongoing challenge for the development industry over the coming years. They recommend consideration of the requirement for a sustainability statement to ensure water (and energy) efficiency measures are fully considered in the design of new development. New development can become more resilient to climate change by encouraging water efficiency measures including water saving and recycling measures to minimise water usage. Such a proactive approach is designed to mitigate and adapt to climate change, taking into account the long-term implications for water supply in the [borough/region].</p>	<p>requirement for this information item at this time.</p>
13. Local Lead Flood Authority (LLFA)	<p>Reference to the Staffordshire County Council Sustainable Drainage Systems (SuDS) Handbook should be included under 'What information is required' as well as under 'Where to look for further assistance' of information item 8 'Flood Risk Assessment and Sustainable Drainage', as this sets out both the national non-statutory technical standards for SuDS (defra, March 2015) and our local standards, with a checklist of required information.</p>	<p>30. Agreed – reference to the Handbook should be added as requested.</p>
14. Highways England (HE)	<p>Reference to DfT Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development' should be added to 'Where to look for further assistance' in respect of information item 3 'Air Quality Assessment'; item 8 'Flood Risk Assessment and Sustainable Drainage'; item 14 'Lighting Assessment'; and item 16 'Noise and Vibration Assessment'</p>	<p>31. Agreed – link to document should be added in the 'Where to look for further assistance' section of all the relevant information items.</p>
15. Staffordshire Wildlife Trust (SWT)	<p>The detailed information provided under 'Types of Applications and Geographic Location(s) that require this information' of information item 4 'Biodiversity survey and report' is particularly useful and is reflective to the Staffordshire County Council's detailed validation document. The SCC document also provides a number of summary tables covering triggers for protected species survey and assessment, requirements for designated sites and priority habitats and species survey season. The use of use of summary tables is particularly useful as a quick reference resource to supplement written guidance, particularly for protect species surveys and could be included/appended as part of the revised local list. If this is not feasible, reference could be considered to the SCC document and</p>	<p>32. Agreed that a link to the summary tables should be included in the 'Where to look for further assistance' section of this information item.</p>

	supporting guidance under further information.	
	Reference to a Preliminary Ecological Appraisal should be included under 'What information is required' section of information item 4 in place of reference to an initial ecological assessment and should make reference to achieving a biodiversity net gain	33. Agreed - reference to Preliminary Ecological Appraisal should be included and reference to biodiversity net gain will be included as set out at suggested amendment 23 above).
	The order of the links included under 'Where to look for further assistance' should be reviewed	34. Agreed – the order of the links shouldbe amended to reflect SWTs suggestion.