

ADDENDUM TO APPENDIX 1 OF AGENDA ITEM 9

Comments received from Environmental Health Division	Proposed response/ action
Information item 3 'Air Quality Assessment' should be revised to reflect best practice and guidance	<p>35. Agreed that the suggested amended text/links under the headings 'Types of applications and geographic location(s) that require this information' and 'Where to look for assistance' should be amended as requested.</p> <p>Agreed that the suggested text under the heading 'What information is required' replaces the existing text although it is noted that no such guidance will then be provided.</p>
Introduction of a new information item 'Aviation and Telecommunications Statement' for wind turbines >11m tall or a rotor diameter >2m	36. Not agreed – 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 or secured through a condition of planning permission, but this should not form part of the validation requirements.
Information item 11 'Land Contamination Assessment' relocation of <i>"To discuss this in further detail contact the Environmental Protection Team"</i> From under heading 'Types of applications and geographic location(s) that require this information' to 'Where to look for assistance' + inclusion of link to a webpage under development 'Environmental Health – Planning Advice and Requirements'	37. Agreed – information item should be amended as requested.
Introduction of a new information item 'Construction Management Plan' for all developments greater than 5 dwellings	<p>38. Not agreed for the following reasons:</p> <ul style="list-style-type: none"> • the NPPF does not provide a policy driver for such an information item; • impacts arising during construction work are not material to the determination of a planning application and as such the provision of a Construction Management Plan cannot be said to be relevant, necessary and material as which the NPPF indicates is necessary for inclusion as a local validation requirement; and • the requirements would not be reasonable having regard to the nature and scale of the proposed development and as such would be contrary to the Development Management Procedure Order 2015
Introduction of a new information item 'Environmental Impact Assessment (EIA)/ Environmental Statement (ES)	39. Not agreed – 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.
Amendment to information item 16 'Noise and Vibration Assessment' to include reference to sound insulation details/ventilation	40. Agreed that the 'What information is required' and 'where to look for assistance' sections should be amended as requested.
Amendment to the 'Types of applications and geographic location(s) that require	41. Not agreed - it would not be reasonable to require such information for all

<p>this information' for information item 16 to include</p> <ul style="list-style-type: none"> • Use classes A1, A2, A3, A4, A5, B1, B2, B8, C1, C2, C2A, C3, C4, D1, D2 and sui Generis. • change of use to A3, A4, A5 • conversion of buildings to residential use • new residential development nearby to licensed premises • any application for an entertainment and licensed premise • Other developments (including day nurseries, sports facilities, smoking areas, places of worship) can generate noise and may warrant a noise impact assessment / noise mitigation scheme, this will be determined on a site to site basis. <ul style="list-style-type: none"> • Wind Turbines • Solar Farms • Diesel generating farms • Mineral operations and mineral extraction 	<p>of the listed developments as there is no regard to the nature and scale of the proposed development or whether they are close to noise sensitive/noise generating uses or activities and as such it would be contrary to the Development Management Procedure Order 2015.</p> <p>Such information can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.</p>
<p>Replacement of 'What information is required' and 'Where to look for further guidance' for information item 16 with new text/guidance</p>	<p>42. Agreed – new text/guidance should be included in revised list</p>
<p>Introduction of a new information item 'Servicing' for all Hot Food Takeaways , Retail uses, Industrial Uses, Warehousing, Hospitals, Care Facilities , Apartment blocks</p>	<p>43. Not agreed – it would not be reasonable to require such information for all of the listed developments as there is no regard to the nature and scale of the proposed development or whether they are close to noise sensitive/noise generating uses or activities and as such it would be contrary to the Development Management Procedure Order 2015</p>
<p>Introduction of a new information item 'Commercial developments that will cause odorous emissions'</p>	<p>44. Not agreed - 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 or secured through a condition of planning permission, but this should not form part of the validation requirements.</p>
<p>Introduction of a new information item 'Applications involving external seating areas, play areas, MUGAs and requirement to provide a list of additional information which includes, for example, requirement to provide details of tables, chairs and other ancillary equipment; whether they would be stored within the unit, confirmation of whether or not proposed external seating area would be table service; confirmation that no amplified sound or an music would be played in the external area.</p>	<p>45. Not agreed – the NPPF does not provide a clear policy driver that justifies the provision of this information for the types of development identified as a validation requirement. Such information can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.</p>
<p>Introduction of a new information requiring an Operating Schedule and dispersal procedure from premises in Class A3/A4/A5 uses, to prevent crime and disorder</p>	<p>46. Not agreed – the NPPF does not provide a clear policy driver that justifies the provision of this information for the types of development identified as a</p>

and public nuisance, and confirmation that the proposals have been discussed with the Licensing Section of Staffordshire Police;	validation requirement. Such information can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.
Introduction relating to applications involving taxi bases	47. Not agreed – the NPPF does not provide a clear policy driver that justifies the provision of such an information item. The information referred to can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.
Amendments to information item 5 'Coal Mining Risk Assessment' <ul style="list-style-type: none"> Under the heading 'Types of applications and geographic location(s) that require this information' specifying that the information item relates to full applications (excluding change of use), outline applications and applications for the winning or working of minerals will require a Coal Mining Risk Assessment if they fall within a Coal Mining Referral Area rather than by referring the reader to the Coal Authority's exemption list. Amending the text under 'What information is required.' 	48. Not agreed given that the Coal Authority have not raised any objections and it is considered that there is no justification to make the suggested amendments therefore
Introduction of a new information item requiring an Energy Statement for all planning applications for major development.	49. Not agreed – in the absence of any Development Plan policies which specify that such information must be provided the NPPF does not provide a clear policy driver that justifies the provision of such an information item. The information referred to can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.
Introduction of a new information item requiring a Health Impact Assessment for all planning applications for requiring an EIA.	50. Not agreed – The requirement to undertake Environmental Impact Assessments and what such Assessments should cover is governed by specific legislation and is already a requirement in respect of certain applications. This is not a 'local' requirement, therefore. In addition in the absence of any Development Plan policies which specify that such information must be provided the NPPF does not provide a clear policy driver that justifies the provision of such an information item.
Amendments to information item 14 'Lighting Assessment' <ul style="list-style-type: none"> Under the heading 'Types of applications and geographic location(s) that require this information' specifying that the information item Proposals for external lighting including floodlighting and lighting in connection with a publicly accessible development or proposal in the vicinity of a residential property, listed building, conservation area, a site of nature conservation 	51. Agreed – new text/guidance should be included in revised list

<p>value (SSSI, LNR, SINC, SLINC, PSI) or area which is currently unlit and contributes to the wider network of dark corridors for wildlife.</p> <ul style="list-style-type: none"> Amending the text under 'What information is required' and 'Where to look for further guidance' 	
<p>Introduction of a new information item requiring a Shadow Flicker Assessment for all wind turbine applications with the nearest sensitive receptor within 10 rotor diameter distance of the proposed wind turbine(s)</p>	<p>52. Not agreed – the NPPF does not provide a clear policy driver that justifies the provision of such an information item. The information referred to can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.</p>
<p>Introduction of a new information item relating to an Odour Impact Assessment.</p>	<p>53. Not agreed – the NPPF does not provide a clear policy driver that justifies the provision of such an information item. The information referred to can still be required to support an application if justified or secured through a condition of planning permission, but this should not form part of the validation requirements.</p>
<p>Introduction of a new information item relating to Electric Vehicle Charging and Low/Zero Emissions Fuelling and Provision for Commercial Vehicles for all development where parking provision is provided and Warehousing/Distribution Centres/Garage Forecourts/Lorry Parks.</p>	<p>54. Not agreed – the suggested item seeks to specify the level of provision of electric vehicle parking points and thereby attempts to set policy. The list of local validation requirements cannot set policy and it would not be appropriate to attempt to do so in respect of this matter.</p>