

Consultee/ Commenter	Comments received	Proposed response/ action
1. Canal and River Trust (CRT)	<p>Information Item 4 Biodiversity survey and report</p> <ul style="list-style-type: none"> <li>This section specifically highlights requirements in relation to proposals affecting or within 50 m of canals. Under 'What information is required' it is recommended that survey information required should also include a requirement to consider whether invasive species are present and if so, to include proposals for their control/eradication from the site and identification of mitigation measures to prevent their spread during development (e.g. excavation of contaminated soils).</li> <li>The list of suggested reference documents should include the Environment Act 2021 and other documents already referenced should be checked to ensure they are the most up-to-date versions.</li> </ul> <p>Information Item 8 Flood Risk Assessment</p> <ul style="list-style-type: none"> <li>Under 'What information is required' consideration of impacts from and on canals should be specifically referenced as requiring inclusion in flood risks assessments.</li> </ul> <p>Information Item 9 Foul and Surface Water Drainage Scheme and Sustainable Drainage</p> <ul style="list-style-type: none"> <li>This section specifically references proposals for new buildings/dwellings within canal buffer zones; this is taken to be a reference to the areas consulted upon with the Canal &amp; River Trust and this could be clarified within the document.</li> <li>Under 'What information is required' the wording relating to protection of railway assets is also relevant to protection of canal assets- e.g. SUDs could affect canal embankments and cuttings in exactly the same way as detailed for railway embankments and cuttings. It is also advised that soakaways and attenuation basins should generally be sited at least 10m away from the canal edge and suggest that this could also be included. Surface water drainage in close proximity to canals should generally also be removed from site via a closed sealed pipe system and SUDS should carry surface water/foul waters</li> </ul>	<p>For Information Item 4, Biodiversity survey and report:</p> <ul style="list-style-type: none"> <li>Under 'What information is required' include a requirement to consider whether invasive species are present and if so, to include proposals for their control/eradication from the site and identification of mitigation measures to prevent their spread during development (e.g. excavation of contaminated soils).</li> <li>Add the Environment Act 2021 to the list of suggested reference documents</li> </ul> <p>For Information Item 8, Flood Risk Assessment:</p> <ul style="list-style-type: none"> <li>Under 'What information is required' consideration of impacts from and on canals to be included as requiring inclusion in flood risks assessments.</li> </ul> <p>For Information Item 9, Foul and Surface Water Drainage Scheme and Sustainable Drainage:</p> <ul style="list-style-type: none"> <li>Under 'What information is required' include reference to protection of canal assets including embankments and cuttings.</li> <li>Include requirement for soakaways and attenuation basins to generally be sited at least 10m away from the canal edge.</li> <li>In relation to what a sustainable drainage strategy should identify, include reference to whether culverts have sufficient capacity to accept the increased flows without risk of surcharging.</li> <li>Include consideration of the feasibility of discharging surface water to canals, as this can often offer a practicable option, subject to obtaining the Trust's prior consent.</li> </ul> <p>For Information Item 13, Land Contamination Assessment — Preliminary Risk Assessment:</p> <ul style="list-style-type: none"> <li>Under 'What information is required' include reference to consideration of canals as potentially sensitive receptors to contaminants.</li> <li>Under 'Types of application', correct 'coal seems' to 'coal seams'</li> </ul> <p>For Information Item 17, Lighting Assessment:</p>

away from canals in order to minimise risks to the canal infrastructure.

- Drainage strategies should also consider whether, in the case of discharges to watercourses that are subsequently carried under canals via culverts, whether the culverts have sufficient capacity to accept the increased flows without risk of surcharging. Increased flows through culverts due to increased outflows, or surface water runoff from neighbouring developments could affect (i) the structural integrity of the culvert, potentially leading to increased maintenance costs for the Trust and an increased risk of the culvert and canal breaching due to scour effects, and (ii) the performance of the culvert, potentially leading to an increased risk of flooding upstream/downstream of the culvert.
- Where it is stated that Applicants should provide clear evidence when demonstrating why more preferable options within the hierarchy have been discounted, this should include consideration of the feasibility of discharging surface water to canals, as this can often offer a practicable option, subject to obtaining the Trust's prior consent. Early engagement with the Trust is recommended to allow for investigation of this as a potential option.

Information Item 13 Land Contamination Assessment — Preliminary Risk Assessment

- Under 'What information is required' it is suggested that it should be specified that land contamination assessments must consider canals as potentially sensitive receptors to contaminants.
- There is a typographical error under 'Types of application'- where reference is made to 'coal seams under the development site', which should read 'coal seams'.

Information Item 16 Land Stability Assessment

- This section is clear and comprehensive and should assist in ensuring development proposals take proper account of potential risks to canal infrastructure.

- Clarify that “adjacent to or in close proximity of a canal corridor” may vary from site to site depending on circumstances, topography etc.

For Information Item 20, Noise and Vibration Assessment and sound insulation details/ventilation to avoid overheating where windows need to be kept shut to achieve appropriate noise levels internally:

- Under 'What information is required' add that Noise Impact Assessments should take into account the presence/proximity of canal boat moorings when assessing noise impacts near to canals.

For Information Item 28, Transport Assessment:

- Under 'What information is required' add consideration of the impact of increased footfall on canal towpaths.

For Information Item 30, Tree Survey/Arboricultural Impact Assessment/Retained Trees and Root Protection Areas (BS5837:2012):

- Under further assistance', add reference to the Natural England and Forestry Commission 'standing advice' for ancient woodland, ancient trees and veteran trees.

Information Item 17 Lighting Assessment

- This section sets out an appropriate level of required information for a proper assessment to be carried out. However, it identifies proposals "adjacent to or in close proximity of a canal corridor" without defining how close this is. In the absence of specifying a set distance, it may be appropriate to clarify that this may vary from site to site depending on circumstances, topography etc.

Information Item 20 Noise and Vibration Assessment

- Under 'What information is required' it should be advised that Noise Impact Assessments should take into account the presence/proximity of canal boat moorings when assessing noise impacts near to canals. Canal boats can be lived on for varying periods of time, depending on whether they are used as permanent residences, holiday accommodation or for leisure purposes; moored boats should therefore be considered to be sensitive receptors when assessing noise impacts.

Information Item 28 Transport Assessment

- Under 'What information is required' as well as considering the impact of increased footfall on railway stations, the potential of increased footfall on canal towpaths should also be considered. The Trust maintains towpaths according to levels of existing use and where this is likely to significantly increase (particularly in cases where the towpath offers an active travel option for commuting or a leisure/recreation route) there is likely to be a need for it to be upgraded to cope with the additional usage and to ensure it remains in a condition that facilitates and encourages such use. In such cases the Trust is likely to seek a developer contribution to cover the cost of increased maintenance liabilities.

Information Item 30 Tree Survey/Arboricultural Impact Assessment/Retained Trees and Root Protection Areas (BS5837:2012)

		<ul style="list-style-type: none"> <li>Under 'What information is required' tree surveys and arboricultural assessments should also reference the Natural England and Forestry Commission 'standing advice' for ancient woodland, ancient trees and veteran trees. There are numerous veteran trees adjacent to the canal within the Trust's land ownership and these can be adversely affected by development if the BS5837:2012 methodology alone is relied on, as this caps the maximum Root Protection Area (RPA) at 15m radius, which may not always be adequate for veteran trees; this point is acknowledged in the standing advice.</li> </ul>	
2. The Coal Authority	Coal	The Planning team at the Coal Authority are pleased to see that at Information Item 5 the need for the submission of a Coal Mining Risk Assessment is included on the Validation List. They also welcome the setting out of the policy driver, information requirements and signposting to further information to assist developers and applicants.	<p>For Information Item 5, Coal Mining Risk Assessment:</p> <ul style="list-style-type: none"> <li>➤ No amendments proposed.</li> </ul>
3. County Council Lead Local Flood Authority		<ul style="list-style-type: none"> <li>Notes that the requirements in relation to surface water drainage will change following the imminent introduction of Schedule 3 of the Flood and Water Management Act.</li> <li>Would add to Section 9 for major developments, if multifunctional sustainable drainage systems are not being provided, what evidence is there that such techniques are not possible?</li> <li>In Section 9, types of application, 'Major developments' except a change of use where no increase in permeable area is proposed, this should be 'impermeable area.'</li> <li>Do not agree with the statement, 'SuDS must not be used as a means of SW mitigation within 30m of a railway boundary'. SuDS in this area will require additional technical requirements and approval from Network Rail as with other constraints on a site.</li> <li>Further assistance documents to be added in Section 9 – Non-Statutory Technical Standards for SuDS and CIRIA SuDS Manual (C752) 2015.</li> </ul>	<p>For Information Item 9, Foul and Surface Water Drainage Scheme and Sustainable Drainage:</p> <ul style="list-style-type: none"> <li>➤ Under 'Types of Applications', amend the reference to 'permeable area' to 'impermeable area.'</li> <li>➤ Under 'Where to look for further assistance', add Non-Statutory Technical Standards for SuDS and CIRIA SuDS Manual (C752) 2015.</li> </ul>

<p>4. Historic England</p>	<ul style="list-style-type: none"> <li>• With respect to Section 12 it is recommended including a bullet point under the 4th column that sets out how the proposed site contributes to the significance of the heritage asset and its relationship and what level of harm is anticipated. Where harm is anticipated then the Heritage Assessment should set out the avoidance/mitigation measures and any enhancement opportunities that are available.</li> <li>• Consideration should be given to setting as is referenced, however, it is not just whether there is a visual relationship between a proposed site and a heritage asset but other issues to consider such as how the asset is experienced in its setting through issues such as noise, lighting, air quality, traffic etc. See Good Practice Advice Note 3 for further details.</li> <li>• Heritage Assessments should also contain suitable photo montages and viewpoint analysis where appropriate.</li> <li>• It is requested that the applicants consider the relationship between heritage assets if there are several heritage assets in a vicinity and how any proposed development may impact on this relationship.</li> <li>• The cumulative impacts of several developments within an area should also be considered and whether areas of a heritage assets setting have already been compromised by previous development, then this would make the remaining setting more important to protect.</li> <li>• Where Heritage Assessments are undertaken, it is recommended that they are prepared by an appropriate and qualified professional to ensure they are produced in a robust manner.</li> <li>• It will be useful to mention that there are still requirements for other heritage processes such as Scheduled Monument Consent and Listed Building Consent and an applicant will need to check if relevant.</li> <li>• If required, it could be included that Historic England offers a pre-application service and include the link to their website. <a href="https://historicengland.org.uk/services-skills/our-planning-services/charter/Our-pre-application-advisory-service/">https://historicengland.org.uk/services-skills/our-planning-services/charter/Our-pre-application-advisory-service/</a></li> </ul>	<p>For Information Item 12, Heritage Asset Statement:</p> <ul style="list-style-type: none"> <li>➤ Add a further bullet point to the list of things to be included in the Statement, referring to suitable photo montages and viewpoint analysis where appropriate</li> <li>➤ Include reference to Historic England’s pre-application service and include the link to their website.</li> </ul>
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<p>5. County Ecologist</p>	<p>Information Item 4 Biodiversity survey and report</p> <ul style="list-style-type: none"> <li>• The third column in the table headed: 'Types of applications and geographic location(s) that require this information' was originally itself part of a table designed to clarify which species surveys were required as can be seen Biodiversity and Geological Conservation Validation Checklist (staffordshire.gov.uk) . It loses a lot of information presented in any other way, and should preferably be included in its original form.</li> <li>• Regarding Great Crested Newts – the NatureSpace scheme model has Impact Risk Zones (IRZs) approved by Natural England as part of the District Licensing process. This probably means they should be regarded as a material consideration and should be referred to here.</li> <li>• Biodiversity Net Gain – this will be a mandatory requirement from November (April 2024 for 'small' sites) and it may be worthwhile to detail these requirements here, with policy / legal reference to Environment Act and amendment/s to T&amp;CPA. For validation, submission of appropriate completed Defra metric in full supported by site plans that support any on-site mitigation will be needed.</li> </ul> <p>Information Items 14, Landscape/Visual Impact Assessment, and 15, Landscape Masterplan</p> <ul style="list-style-type: none"> <li>• Where 'Planning for Landscape Change' is listed, it might be useful to add 'or subsequent version', or similar wording.</li> <li>• Where links are provided for further assistance they need to be checked and updated where necessary, it is noted that some links in the landscape section for the Landscape Institute come up with an error page.</li> </ul> <p>Rights of Way</p> <ul style="list-style-type: none"> <li>• There is almost nothing in the document about public rights of way which are a key consideration for any planning development. Across the District there are examples of developments which have taken place with approved planning permission where public rights of way have then become obstructed. Please note that it is a criminal offence to obstruct</li> </ul>	<p>For Information Item 4, Biodiversity survey and report:</p> <ul style="list-style-type: none"> <li>➤ Reference to be added to Great Crested Newts and Impact Risk Zones.</li> <li>➤ Given that Biodiversity Net Gain is not yet a mandatory requirement, it is not considered appropriate to make reference to it now.</li> </ul> <p>For Information Items 14, Landscape/Visual Impact Assessment, and 15, Landscape Masterplan:</p> <ul style="list-style-type: none"> <li>➤ As indicated above a check of all links to documents within the List of Local Validation Requirements should be carried out and links updated if necessary</li> </ul> <p>Rights of Way:</p> <ul style="list-style-type: none"> <li>➤ The comments regarding public rights of way are noted and these matters will be highlighted in discussions about proposed developments that take place with officers as necessary. It is not, however, considered appropriate to introduce a new information requirement and there are no information items within the LLVR under which such reference could be added.</li> </ul>
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	<p>a public right of way and a key consideration for any developer and the planning authority is whether the proposal will impact on the path network. Information in respect of public rights of way should be taken from Staffordshire County Council's Definitive Map and Statement and not the Ordnance Survey or any other mapping data. The Definitive Map and Statement is the legal record of the alignment of a public right of way, whatever its physical state on the ground may be. I should also add that there are going to be applications to add or amend routes on the Definitive Map which will affect some planning applications. These should be brought to the applicant's attention through either their searches or when consulting with SCC.</p> <p><i>Archaeology/Historic Environment</i></p> <ul style="list-style-type: none"> <li>• There are no issues to raise, however, the inclusion of proposals directly affecting a historic farmstead now requiring a Heritage Asset Statement is welcomed.</li> </ul>	
6. National Highways	<p>The following amendments should be made:          -References to Highways England amended to National Highways          -References to the DfT Circular 02/2013 amended to Dft Circular 01/2022</p>	<p>In various Information Items:</p> <ul style="list-style-type: none"> <li>➤ All references to Highways England to be amended to National Highways</li> <li>➤ References to the DfT Circular 02/2013 to be amended to Dft Circular 01/2022</li> </ul>
7. Natural England	<p>Designated Sites</p> <ul style="list-style-type: none"> <li>• It is advised that it is made clear that further information may be required to assess impacts on designated sites and that proposals that could impact on Habitats Sites will require a Habitats Regulations Assessment. (<a href="https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site">https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site</a>)</li> </ul> <p>Biodiversity net gain</p> <ul style="list-style-type: none"> <li>• Biodiversity net gain becomes compulsory in November 2023 for developments in the Town and Country Planning Act 1990, unless exempt. It will apply to small sites from April 2024. It is advised that this is added to cover the requirements for this.</li> </ul>	<p>For Information Item 4, Biodiversity survey and report:</p> <ul style="list-style-type: none"> <li>➤ As indicated above, given that Biodiversity Net Gain is not yet a mandatory requirement, it is not considered appropriate to make reference to it now.</li> </ul>

<p>8. NatureSpace Partnership</p>	<p>Information Item 4 Biodiversity survey and report</p> <ul style="list-style-type: none"> <li>• It is suggested that a sub-heading of section 4 is implemented to highlight that there is a specific means of assessing impacts for great crested newts.</li> <li>• It is recommended that great crested newt/pond information from Section 4 is removed and replaced with new text.</li> <li>• In the column 'Locations', information on great crested newts must be provided specifically as part of the biodiversity report where this species is likely to occur based on the Impact Risk Zone map and the presence of suitable habitat(s).</li> <li>• In the column 'Requirements', A Preliminary Ecological Appraisal should accompany each application which assesses potential impacts to great crested newts by identifying waterbodies and habitat within 500m of the application site (this should include Habitat Suitability Index assessment of ponds wherever possible). Where suitable waterbodies and/or habitat are identified, then further information (presence/absence surveys such as eDNA of ponds) will be required in order to rule out impacts to great crested newts (however, no detailed surveys are required if the district licensing scheme option is chosen). If impacts to ponds or habitat are identified then the applicant must demonstrate how these impacts can be mitigated through one of the licensing options available. If impacts to habitat are low and the risk to individual great crested newts is considered low, then a non-licensed method may be suitable consisting of Reasonable Avoidance Measures (RAMs) or a Precautionary Working Method Statement (PWMS).</li> <li>• In the column 'Where to look for further assistance', the following links are recommended to be added:</li> </ul> <p>For more information about the district licensing scheme option:  <a href="http://www.naturespace.com">www.naturespace.com</a>  <a href="#">Great crested newts: District Level Licensing for development projects, Natural England, March 2021</a>  Natural England's Great Crested Newts: Surveys and mitigation for development projects (<a href="https://www.gov.uk/guidance/great-crested-newts-advice-for-making-planning-decisions">https://www.gov.uk/guidance/great-crested-newts-advice-for-making-planning-decisions</a>)</p>	<p>For Information Item 4, Biodiversity survey and report:</p> <ul style="list-style-type: none"> <li>➤ Delete current reference to great crested newt/pond information and add recommended text</li> <li>➤ Include recommended links</li> </ul>
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9. Sport England	Sport England recommends that planning applications affecting playing field land should provide sport specific information in line with a checklist of supporting plans and statements.	<p>For Information Item 21, Open Space Assessment:</p> <ul style="list-style-type: none"> <li>➤ Sport specific information is already required and it is not considered necessary to add any further requirements.</li> </ul>
10. Staffordshire Police	<p>Information Item 7 Design Review – Include links to ‘Secured by Design’ documents and to ‘National Protective Security Authority’ website</p> <p>Information Item 17 Lighting Assessment – Include link to ‘Lighting Against Crime’ document</p> <p>Information Item 21 Open Space Assessment – Include link to ‘The Value of Public Space: How High Quality Parks and Public Spaces Create Economic, Social and Environmental Value’</p> <p>Information Item 22 Parking Provision Details – Replace Building for Life 12 link with link to more current document, replace link to Bicycle Association, Sustrans and Secured by Design publication with relevant link from Secured by Design website and provide a more direct link for Chartered Institution of Highways and Transportation and Institute of Highways Engineers Guidance Note about residential parking</p>	<p>For Information Item 7, Design Review:</p> <ul style="list-style-type: none"> <li>➤ Include link to ‘Secured by Design’ document</li> <li>➤ Include link ‘National Protective Security Authority’ website</li> </ul> <p>For Information Item 17 Lighting Assessment:</p> <ul style="list-style-type: none"> <li>➤ Include link to ‘Lighting Against Crime’ document</li> </ul> <p>For Information Item 21 Open Space Assessment:</p> <ul style="list-style-type: none"> <li>➤ Include link to ‘The Value of Public Space: How High Quality Parks and Public Spaces Create Economic, Social and Environmental Value’</li> </ul> <p>For Information Item 22 Parking Provision Details:</p> <ul style="list-style-type: none"> <li>➤ Replace Building for Life 12 link with link to Building for a Healthy Life</li> <li>➤ Replace link to Bicycle Association, Sustrans and Secured by Design publication with relevant link from Secured by Design website</li> </ul>