



LOCAL VALIDATION CRITERIA

Consultation Draft

February 2016

To be used for all applications excluding discharge of conditions and applications for Lawful Development Certificates. Please be aware that re-submitted reports may require updating prior to submission, as they may be deemed to be out of date

This document has been produced and revised in accordance with the Government publication “Guidance on information requirements and validation” issued in March 2010, the Town and Country Planning (Development Management Procedure) (England) (Amendment No.3) Order 2012, and the National Planning Policy Framework which states that Local Planning Authorities should publish a list of their information requirements for applications which are proportionate to the nature and scale of development proposals, reviewed on a frequent basis, and only requested when the information is relevant, necessary and material to the application in question.

	Validation Item and Location Required	Policy Driver	Types of Application to which this Requirement Applies	Information Required and Links to Further Advice
L1	<p>Affordable Housing Statement</p> <p>Borough wide</p>	<p>National Planning Policy Framework (Particularly Section 6)</p> <p>Housing Choice SPD</p> <p>East Staffordshire Local Plan Policy SP17</p>	<p>All applications for 4 or more dwellings*</p> <p>* Affordable housing is not required from Self-build Plots of up to 250 square metres in size, from Retirement Housing, or from Market Housing for Rent</p>	<ul style="list-style-type: none"> Statement must include details of number of proposed affordable dwellings, tenure, size, type and location. <p>Further Advice</p> <p>Link to Housing Choice SPD</p> <p>National Planning Practice Guidance</p>
L2	<p>Air Quality Assessment</p> <p>Air Quality Management Areas</p>	<p>National Planning Policy Framework (Particularly Section 11)</p> <p>Air Quality Strategy 2007.</p> <p>The Environment Act 1995 (Part IV).</p> <p>The Air Quality (England) Regulations 2000</p> <p>The Air Quality</p>	<p>Applications that are likely to give rise to emissions to air of pollutants for which there is a national air quality objective, or for which there may otherwise be a significant impact upon local air quality meeting the criteria set out in the adjacent guidance column.</p>	<p>An Air Quality Assessment must accompany all planning applications which include:</p> <ul style="list-style-type: none"> Proposals that will give rise to a significant change in either traffic volumes, typically a change in annual average daily traffic or peak traffic flows of greater than $\pm 5\%$ or $\pm 10\%$ depending on local circumstances. The new guidance recommends that an Air Quality assessment should be required if there is a change of $\pm 5\%$ within or close to an Air Quality Management Area, outside it is $\pm 10\%$. For roads with an annual average daily traffic flow of 10,000+ and vehicle speeds change by $\pm 10\text{kph}$ then an Air Quality assessment would also be required. Proposals that significantly alter traffic composition (i.e. an increase in the number of HGVs of 200 movements or more per day).

	<p>Standards Regulations 2010.</p> <p>Development Control: Planning For Air Quality (2010 Update)</p> <p>Habitat Directive 92/43/EEC</p>	<p>Applications likely to be affected by poor air quality (e.g. new residential development in area of existing poor air quality)</p>	<ul style="list-style-type: none"> Proposals that include significant new car parking, which is taken to be 100 spaces outside of an Air Quality Management Area and just 50 within one. Previously there was a blanket approach of 300 spaces. This should also include proposals for new coach or lorry parks. Proposals that include biomass boilers or biomass-fuelled CHP plant, regardless of whether they are in an Air Quality Management Area or not. The new guidance also recommends that consideration should be given to the impacts of centralised boilers or CHP plant burning other fuels (e.g. gas or oil) within or close to an Air Quality Management Area. Air Quality assessments are also required for large, long term construction sites that would generate large HGV flows (>200 movements per day) over a period of a year or more. Introduction of new exposure close to existing sources of air pollutants, including road traffic, industrial operations, agricultural operations etc <p>NB1 Air quality can be a concern if it is likely to adversely impact on an area, particularly if in a known area of poor air quality (i.e. Air Quality Management Area). Concerns can also arise where a development is likely to hamper the implementation of an air quality action plan and in particular lead to a breach of European Union legislation.</p> <p>NB2 A separate Air Quality Assessment may not be required where it will be submitted as part of a formal EIA for a major development (see L5).</p> <p>Further Advice</p> <p>Details of Air Quality Management Areas within East Staffordshire can be emailed to you on request: dcsupport@eaststaffsbc.gov.uk</p>
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L3	<p>Archaeological Asset or Scheduled Ancient Monument Assessment</p> <p>Borough wide on or adjacent to relevant heritage assets</p>	<p>National Planning Policy Framework (Particularly Paragraph 128)</p> <p>Ancient Monuments and Archaeological Areas Act 1979</p>	<p>All development which might potentially affect sites of archaeological importance or areas recorded on the Monuments Record.</p>	<p>Applications for development which may potentially affect archaeological remains should as a minimum include a Desk Based Assessment summarising the following:</p> <ul style="list-style-type: none"> • Justification for development affecting a Scheduled Ancient Monument or other archaeological remains of potential national importance • The historic development of the site and surrounding area • The nature and extent of the above and below ground remains known/ likely to be present • The impact that the proposed development is likely to have on surviving assets. <p>Further Advice</p> <p>To establish if the site falls within or near a heritage asset of</p>

				<p>archaeological interest please follow this link to the Council's Online Mapping Service</p> <p>Applicants should check whether a development proposal may affect archaeological remains/assets, by consulting Staffordshire County Council Archaeology on 01785 277290</p> <p>DCLG Historic Environment Planning Practice Guidance</p> <p>See the Institute of Archaeologists standards and guidance about archaeological assessments and evaluation.</p> <p>Historic England</p> <p>Scheduled Monument descriptions can be found on the National Heritage List for England website.</p> <p>Staffordshire County Council Historic Environment Record</p> <p>The requirement for a full Historic Environment Desk-Based Assessment (DBA) should be discussed at an early stage with ESBC planners and the Staffordshire County Council Historic Environment Team (her@staffordshire.gov.uk). The DBA should be undertaken by an appropriately experienced organisation and should follow the guidance laid out in the Institute for Archaeologists (IfA) standard and guidance for '<i>Historic Environment Desk-Based Assessments</i>' (2012).</p>
L4	<p>Ecological and biodiversity survey</p> <p>Borough wide</p>	<p>National Planning Policy Framework (Paragraphs 9, 109 and 118-119)</p> <p>Wildlife and Countryside Act 1981(as amended).</p> <p>Protection of Badgers</p>	<p>Any development which might affect designated nature conservation sites e.g. Sites of Special Scientific Interest (SSSIs), Special Area of Conservation</p>	<p>Ecological survey reports should include:</p> <ul style="list-style-type: none"> • a description of the proposal; • a preliminary ecological appraisal (PEA) (including desk study and field survey as necessary) of the development site and any other areas likely to be affected by the proposals; • evaluation of features (including geological and geomorphological features) and assessment of the likely impacts of the proposal;

	<p>Act 1992.</p> <p>Habitats Regulations 2010.</p> <p>Circular 6/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System</p> <p>Natural and Environment and Rural Communities Act 2006</p> <p>The Conservation of Habitats and Species Regulations 2010</p> <p>The Conservation of Habitats and Species (Amendment Regulations) 2012</p> <p>EU Water Framework Directive</p> <p>Humber River Basin Management Plan</p>	<p>(SACs), Regionally Important Geological Sites (RIGs), Local Nature Reserves (LNRs), Sites of Biological Importance (SBIs), Biodiversity Alert Sites (BAS) and/or impact on protected species and other important wildlife interests (e.g. the conversion of redundant buildings).</p> <p>All planning applications with the potential to destroy, damage or adversely affect any site, habitat or earth heritage feature should be supported by an impact assessment to a nationally recognised standard.</p> <p>All planning applications on sites where protected or important species have been recorded, reported or can reasonably be expected to be present should be supported by</p>	<ul style="list-style-type: none"> discussion of mitigation, compensation and enhancement measures – the mitigation strategy should be proportionate to the perceived impacts and should include clear, site-specific prescriptions rather than vague, general or indicative possibilities and should be feasible and deliverable. <p><u>Where Preliminary Ecological Appraisals conclude the need for further assessments these should be carried out and submitted at the same time. Surveys need to be carried out at the appropriate time of the year.</u></p> <p>Surveys should be completed at an appropriate time of the year by suitably qualified and experienced ecological consultants and should comply with published guidance and best practice.</p> <p>A protected species is one which received legal protection through UK or European legislation, including:</p> <ul style="list-style-type: none"> The Conservation of Habitats and Species (Amendment) Regulations) 2012 The Wildlife and Countryside Act 1981 (as amended) The Protection of Badgers Act 1992 <p>Important habitats and species are defined as:</p> <ul style="list-style-type: none"> Habitats or species which are the subject of national or local Biodiversity Action Plans Habitats or species listed by the Government as habitats or species of principal importance for the conservation of biodiversity in England (section 41, Natural Environment and Rural Communities Act 2006) <p>Where proposals are likely to result in the loss or damage to SBIs or BASs clear justification should be based on comprehensive, relevant and up to-date data with reference to the national, regional or local contexts of the site and must accompany all planning applications.</p>
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survey work to properly demonstrate presence or absence.

If an SBI or BAS is damaged or destroyed, compensatory provision of equivalent value will be required.

Ecological surveys should consider the impact of the proposals on meeting the Water Framework Directive objectives particularly where development proposals have a watercourse flowing through the site, either in an open or culverted channel. The assessment should consider the current ecological status of the water body (as defined by the Humber River Basin Management Plan) and identify measures that could be taken to improve its current status and bring it towards its required status. It should ensure that the development proposals do not pose an obstacle to the meeting of its targets.

Further Advice

If a development is likely to impact on an internationally or nationally designated site, applicants are also advised to seek advice from [Natural England](#) about the scope of the assessment (0300 060 0723).

Further guidance on survey standards, evaluation and impact assessment, and mitigation standards can be obtained using [NATURAL ENGLAND GUIDANCE](#).

Natural England offers pre-application advice on certain developments. To further understand this service please follow this link [Natural England Discretionary Advice Service](#). Natural England also provides [Standing Advice](#) in respect of protected species and mitigation.

Guidance specific to [Staffordshire can be found in Staffordshire Requirements for Biodiversity and Geological Conservation](#) and [Staffordshire Ecological Records](#) and should be used to inform application submissions:

[Staffordshire Wildlife Trust \(01889 880100\)](#)

			<p>Guidelines for Preliminary Ecological Appraisal</p> <p>Survey data will only be acceptable if it the survey is carried out at the appropriate time of year. For precise guidance in respect of particular species please follow this link: Timing of Surveys</p> <p>National Planning Practice Guidance</p>	
L5	<p>Environmental Impact Assessment (EIA) Screening Opinion / Scoping Opinion</p> <p>Borough wide</p>	<p>Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.</p> <p>Circular 02/99: Environmental Impact Assessment.</p> <p>EIA Directive 2011/92/EC.</p> <p>National Planning Policy Framework</p>	<p><u>Where an EIA is mandatory</u></p> <p>Developments that are likely to have a significant effect on the environment by virtue of their nature, size and location and are listed under Schedule 1 of the EIA Regulations (e.g. integrated industrial chemical plants, large scale thermal and nuclear power stations, and metal production plants).</p> <p><u>Where an EIA may be required</u></p> <p>Developments included in Schedule 2 of the EIA Regulations.</p> <p>All applications over <u>the thresholds set out in Schedule 2</u> will be screened by the Local Planning Authority to determine whether an</p>	<p>Where an EIA is required an Environmental Statement in the form set out in Schedule 4 to the Regulations must be provided.</p> <p>Where an EIA is required, the applicant should seek a scoping opinion from the Local Planning Authority and an Environmental Statement should be submitted alongside the planning application.</p> <p>Further Advice</p> <p>All development types are set out in Annex I and II of the EIA Directive (available in link below):</p> <p>Link to European Commission Environment Website</p> <p>For a Screening Opinion or Scoping Opinion you should submit:</p> <p>A) a brief description of the nature and purpose of the proposal and its possible environmental effects, giving a broad indication of their likely scale;</p> <p>B) a plan indicating the proposed location of the development which should:</p> <ul style="list-style-type: none"> • Be based on an up to-date map. • Be drawn to an appropriate metric scale e.g. 1:1250 or 1:2500. • Clearly show edges of site boundaries with a red line. (Include all land necessary to carry out the proposed development – e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around

			<p>Environmental Statement is required, including assessment of any relevant cumulative impact. This screening can be requested prior to an application being submitted.</p>	<p>buildings).</p> <p>Magic.gov.uk Geographic Information about the Natural Environment</p> <p>Natural England Agricultural Land Classification</p> <p>National Planning Practice Guidance</p>
<p>L6</p>	<p>Flood Risk Assessment</p> <p>Development within Flood Zones 1 where site is 1 hectare or more in size.</p> <p>Flood Zones 2 and 3</p>	<p>Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.</p> <p>Circular 02/99: Environmental Impact Assessment.</p> <p>EIA Directive 2011/92/EC.</p> <p>National Planning Policy Framework</p>	<p>Planning applications on sites of 1 hectare or more in Flood Zones 1, 2 and 3.</p> <p>All new development (including minor developments and changes of use) in Flood Zones 2 and 3.</p> <p>All new development In Flood Zone 1 where there are critical drainage problems as notified to the Local Planning Authority by the Environment Agency.</p> <p>New development and changes of use to more vulnerable use in terms of flood risk.</p>	<p>A Flood Risk Assessment (FRA) must demonstrate:</p> <ul style="list-style-type: none"> • whether any proposed development is likely to be affected by current or future flooding from any source; • that the development is safe and where possible reduces flood risk overall; • whether it will increase flood risk elsewhere; and • the measures proposed to deal with these effects and risks. • designs which reduce flood risk to the development and elsewhere, by incorporating sustainable drainage systems and where necessary, flood resilience measures; and identifying opportunities to reduce flood risk, enhance biodiversity and amenity, protect the historic environment and seek collective solutions to managing flood risk. • Sequential and Exception tests may be required for all development in Flood Zones 2 and 3 other than minor development and changes of use. <p>For householder and minor extensions in Flood zones 2 and 3, please submit the form below with the application:-</p> <p>Environment Agency - Householder and Minor Extensions</p> <p>The Sequential Test should ascertain whether there is any other land available for such a development which lies at a lower risk of flooding. This should be undertaken in conjunction with the Local Planning Authority and be based upon information presented within the Council's Strategic Flood Risk Assessment. This work should be carried out as soon as possible in the development process, ideally</p>

				<p>prior to the commissioning of a detailed FRA in order to ascertain whether the principle of development in this location is acceptable.</p> <p>For individual developments on sites allocated in development plans through the Sequential Test, applicants need not apply the site-specific Sequential Test.</p> <p>Further Advice</p> <p>For further advice on when Flood Risk Assessments will be required and the details required in specific circumstances please have regard to the Environment Agency's Standing Advice.</p> <p>If you are unsure whether your site is likely to be affected by flooding, please click the link below:-</p> <p>Environment Agency - Flood maps</p> <p>The National Planning Policy Framework and accompanying Technical Guidance provide comprehensive guidance for applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development.</p> <p>PPS25 Practice Guide</p> <p>National Planning Practice Guidance</p>
L7	<p>Foul and Surface Water Drainage Assessment</p> <p>Borough wide</p>	<p>National Planning Policy Framework (Paragraphs 99-104)</p> <p>Water Industry Act 1991.</p> <p>EU Water Framework Directive</p>	<p>All applications for the construction of new dwellings and commercial or industrial properties</p>	<p>Details of connections to foul and surface water sewers must be shown on application drawings.</p> <p>Please be aware that connections to surface water drains in most cases are unacceptable and soakaways will have to be considered.</p> <p>In circumstances where soakaways cannot be used the Local Planning Authority would require submission of porosity tests.</p> <p>Ideally, details setting out how Sustainable Urban Drainage Systems (SUDS) are proposed to be incorporated in the scheme to alleviate sewer/flooding problems by preventing or minimising surface water</p>

		Humber River Basin Management Plan <u>East Staffordshire Local Plan policy SP27</u>		entering the sewerage system should be provided. Further Advice DETR Circular 03/99 Building Regulations Approved Document Part H: Technical Guidance to the NPPF BS6297 National Planning Practice Guidance
L8	Fume Extraction (Flue Equipment/ Chimney) Borough wide	National Planning Policy Framework (Paragraphs 17, 109, 110 and 120-124) Noise Policy Statement for England, March 2010. East Staffordshire Local Plan <u>Policy SP24</u> East Staffordshire Design Guide	All applications for proposals which include or involve the cooking of food on a commercial scale and all applications for commercial and industrial activities that produce fumes, vapours, gases, odours, particulate matter or use volatile chemicals.	Elevations to show position, location and height (where external). Proposed external finishes and fixings. Means of vibration isolation. Extraction fan acoustic performance (including noise emission in terms of sound power and sound pressure levels, and narrow-band and/or one-third octave band frequency spectra). Predicted odour and/or particulate concentrations. Further Advice Applicants are advised to seek specialist expertise and to discuss their proposals in the first instance with East Staffordshire Borough Council's Pollution Team on 01283 508524 or Commercial Team on 01283 508578 (if in connection with food premises) at an early stage
L9	Health Impact Assessment	National Planning Policy Framework (section 8) East Staffordshire	This is required for strategic major applications (i.e. 50 dwellings or more or 10,000sq.m. commercial	All applications will need submitted information on how the proposal has considered the health and well being of the users and residents of the scheme, particularly demonstrating how healthy lifestyles and social interaction will be achieved once the scheme is completed. For significant developments the Health Impact Assessment should also include an assessment of local health facilities which will be

L10		Local Plan policy SP34	floorspace)	subject to consultation with health providers through the application process.
	Heritage Statement Borough wide	National Planning Policy Framework (Particularly Section 12) Conservation Area Character Appraisals and Documents The Hedgerow Regulations 1997	All development proposals that affect a heritage asset or its setting. Heritage assets include listed buildings, conservation areas, scheduled monuments, archaeological sites, registered parks and gardens, and any non-designated assets which have a local architectural, historic, archaeological or artistic interest. Hedgerow removal proposals may also require a heritage statement where they form part of a significant historic landscape or area of archaeological potential	Applications for development within or adjacent to a designated conservation area or other heritage asset should include a statement summarising the key characteristics of the development and its impact on the character and appearance of the area. This may form part of the Design and Access Statement. The statement should evaluate the development in terms of the following:- <ul style="list-style-type: none"> • How the proposal contributes positively to the special interest, character and appearance of the conservation area. • Loss or alteration of property or feature e.g. wall, which makes a positive contribution to the special interest, character and appearance of the area. • Impact of any proposed new buildings on the special interest, character and appearance of the area. • Justification for the scale, massing, siting, layout, design and choice of materials, and impact of these on the special interest, character and appearance of the area. • Justification for the proposed use and impact on the special interest, character and appearance of the area in terms of anticipated levels of traffic, parking and other activity that would result. Applications for development affecting a statutorily listed building or its setting should include a statement summarising the key characteristics of the development and its impact on the character and appearance, or setting of the building. Such an assessment should include appropriate photographs and schedule of works for new or restored features of architectural and historic importance. The statement should evaluate the development in terms of the following:-

				<ul style="list-style-type: none"> • Statement of significance of the historic building and its setting. • The current status of the building and the contribution it makes towards the character of the surrounding area with reference to the current listing description. • The impact of the proposal on the special architectural or historic interest of the building and/or its setting – such as proposed alterations, extensions or demolition. • Justification for any proposed change of use, and impact of the proposed use and any physical alterations required to adapt the building for the new use. • Justification for demolition of all or part of a building including a marketing report where demolition is proposed on economic grounds, and a structural report when proposed on the basis that the building is structurally unsound. • Justification for “enabling development” required to fund the conservation, repair, restoration or adaptation of a building (where relevant). • Mitigation for loss of all or part of a building such as preservation by record or relocation elsewhere. <p>Applications for development affecting an undesignated heritage asset should include a statement summarising the key characteristics of the development and its impact on the character and appearance or setting of the heritage asset. This may form part of the Design and Access Statement.</p> <p>Further Advice</p> <p>Where a Character Appraisal or Conservation Area Document has been prepared for the Conservation Area, applicants will be expected to have regard to this when evaluating the impact of a proposal on the area and its setting:</p> <p>Conservation Area Documents</p> <p>Please see link to listed building descriptions here:-Heritage Gateway</p>
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				Staffordshire County Council Extensive Urban Surveys Historic England Staffordshire County Council Historic Environment Assessments The Hedgerow Regulations 1997: A Guide to the Law and Good Practice. National Planning Practice Guidance
L11	Housing Needs Survey	National Planning Policy Framework (section 6) East Staffordshire Local Plan policies SP1, SP4, SP16, SP17 and SP18	All applications for sites of 4 new build dwellings or areas greater than 1.400 m2 outside settlement boundaries which are not classed as agricultural workers dwellings	All applications must be supported by a Housing Needs Survey. A housing needs survey should be no earlier than 3 years before the date of the planning application. For reserved matters applications where the outline was approved prior to October 2015, survey results must be provided with the reserved matters application. Housing Choice SPD
L12	Land Contamination Assessment (Desk Study) Borough wide	National Planning Policy Framework (Particularly Section 12) Conservation Area Character Appraisals and Documents	All applications (excluding householder developments) where land contamination can reasonably be expected to be found	The assessment should examine the likelihood of the presence of land contamination, its nature and potential risk to the proposed development, and what further measures are required to ensure the site is suitable for use. Applications for development on sites of 'potentially contaminating uses of land' should be supported by a Preliminary Risk Assessment (PRA), which should: <ul style="list-style-type: none"> • Include discussion of former uses and site setting; • Draw conclusions of the risks posed i.e. the possible sources of contamination, possible contaminant pathways and potential 'Controlled Waters' receptor; • Include consideration of options to deal with risks posed e.g. breaking the pollutant linkage.

				<p>Further Advice</p> <p>Applicants should follow the risk management framework provided in ‘Model Procedures for the Management of Land Contamination’ (Environment Agency CLR11, 2004) when dealing with land affected by contamination.</p> <p>Applicants may wish to refer to the Environment Agency ‘Guiding principles for land contamination’ for the type of information that is required to assess risks to ‘Controlled Waters’ from the development sites. The Local Authority can advise on risk to other receptors, such as human health.</p> <p>Pollution Team advice on contaminated land</p> <p>Environment Agency Documents Relevant to contamination</p> <p>National Planning Practice Guidance</p>
L13	<p>Landscaping Scheme</p> <p>Borough wide</p>	<p>National Planning Policy Framework (particularly Section 11)</p> <p>East Staffordshire Local Plan <u>Policies SP1, SP23, SP24, SP25, DP1, DP3</u> East Staffordshire Design Guide</p>	<p>Major applications: 10+ houses and creation of 1,000m² floor area which include any external space</p>	<p>Development proposals will be required to be supported by a landscape strategy which should indicate:</p> <p>Extent and type of existing and proposed planting areas (including details of National Forest planting where appropriate);</p> <p>Extent and type of hard-surfacing;</p> <p>Location and type of boundary treatment;</p> <p>Earthworks and ground level changes;</p> <p>Measures for ongoing protection and maintenance of landscaping;</p> <p>Integration with proposals for ecological enhancement.</p> <p>Further Advice</p> <p>East Staffordshire Design Guide</p> <p>Historic England Landscape Advice</p>

				National Landscape Character Areas
L14	Lighting Assessment Borough wide	National Planning Policy Framework (Paragraph 125) East Staffordshire Local Plan <u>Policies SP24 and DP10</u>	All applications where lighting is proposed	Details of the lighting scheme including an assessment that will cover matters such as light spillage, hours of illumination, light levels, column heights, specification and colour of fittings and fixings; and means of shielding from the highway and neighbouring properties. National Planning Practice Guidance
L15	National Forest Planting National Forest Area	National Planning Policy Framework East Staffordshire Local Plan <u>Policy SP26</u>	All housing development over 0.5ha, industrial, commercial and leisure development over 1ha	Development proposals will be required to be supported by an indicative scheme showing the following: <u>Sites over 0.5 ha: 20% of National Forest planting on site</u> <u>Sites over 10ha and Sustainable Urban Extensions: 30% of the development area to be woodland planting and landscaping</u> Where National Forest planting cannot be provided entirely on the site a financial contribution through a planning obligation will be expected (see L16). National Forest Guide for Developers and Planners
L16	Noise and Vibration Assessments and Appraisals Borough wide	Noise Policy Statement for England, March 2010. National Planning Policy Framework (particularly Paragraph 123) Calculation of Road Traffic Noise, 1988.	All applications likely to have an impact on noise and/or vibration-sensitive development or locations (e.g. residential or office proposals) All applications that	The Noise Impact Assessment should outline the potential sources of noise generation, and how these may have a negative effect on local amenity. The assessment should also outline how the developer intends to overcome these issues. Sound insulation details normally relate to the type of glazing to be installed, but can include walls, floors or ceilings and may need to include details of any proposed ventilation where the glazing may need to be closed to safeguard the internal acoustics environment. Further Advice

		<p>Calculation of Railway Noise, 1995.</p> <p>World Health Organisation Guidelines for Community Noise.</p> <p>World Health Organisation Night Noise Guidelines for Europe.</p> <p>National Noise Actions Plans.</p> <p>Environmental Protection Act 1990.</p> <p>Clean Neighbourhoods Act 2005.</p> <p>Licensing Act 2003.</p> <p>Noise Act 1996.</p>	<p>introduce or expose noise and/or vibration-sensitive development into areas and locations where noise and/or vibration is likely to have an adverse impact.</p>	<p>Applicants are advised to seek specialist expertise and to discuss their proposals in the first instance with East Staffordshire Borough Council's Pollution Team on 01283 508524 at an early stage in the design and planning process to establish whether a Noise and Vibration Appraisal is required to be submitted alongside the planning application. Additional technical information in support of proposed noise surveys will be available from the Pollution Team.</p> <p>Guidance, procedures, recommendations and information to assist in the completion of a suitable noise and/or vibration survey and assessment may be found in the policies and guidance set out below.</p> <p>World Health Organisation Guidelines for Community Noise.</p> <p>World Health Organisation Night Noise Guidelines for Europe.</p> <p>Explanatory Note to Noise Policy Statement for England</p> <p>British Standards BS4142, BS8233, BS7445.</p> <p>Dft Circular 02/2013 – see Paragraphs 45 to 48 and Annex A:A1</p> <p>National Planning Practice Guidance</p>
<p>L17</p>	<p>Open Space Assessment</p> <p>Borough wide</p>	<p>National Planning Policy Framework (particularly Paragraphs 73 and 74)</p> <p>Supplementary Planning Document Open Space</p> <p>East Staffordshire Local Plan <u>Policy</u></p>	<p>All applications for 10 or more dwellings or for proposals affecting an existing area of public open space</p>	<p>Developments are required to provide open space, or make a contribution to open space in the area (as governed by the adopted Supplementary Planning Document on Open Space).</p> <p>Where open space facilities are proposed to be provided on-site or in-kind they must be defined in the application and the following details provided in a statement to accompany the planning application:</p> <ul style="list-style-type: none"> • How the facility will be initially installed and subsequently maintained to the submitted specification for at least 10 years; • A maintenance specification for the works; • How it will meet all other requirements within the Open Space

		<u>SP32</u>		<p>SPD.</p> <p>Where a development proposal will result in the loss of existing open space an assessment demonstrating that the existing open space provision is surplus to requirements should be submitted.</p> <p>Further Advice</p> <p>Where open space facilities cannot be provided entirely on-site or can only be provided on-site in part, a financial contribution through a Planning Obligation (See V16) will be expected.</p> <p>Link to Open Space SPD</p> <p>Sport England Validation Guidelines</p> <p>National Planning Practice Guidance</p>
L18	<p>Planning Obligation (Section 106 Agreement or Unilateral Undertaking) Draft Heads of Terms</p> <p>Borough wide</p>	<p>Section 106 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 Section 12.</p> <p>Government Circular 05/2005.</p> <p>Supplementary Planning Documents Housing Choice and Open Space</p> <p>East Staffordshire Local Plan Saved Policy <u>SP1, SP9, SP10, SP17, SP20, SP26, SP32 and</u></p>	<p>All applications above the thresholds set out in the adjacent guidance column.</p>	<p>A draft agreement under Section 106 should accompany all planning applications above the thresholds set out below and as a minimum should cover the following heads of terms depending on the size of the scheme:</p> <p>RESIDENTIAL</p> <p>Development of 4 or more dwellings (unless an exception referred to in L1):</p> <ul style="list-style-type: none"> • Contribution towards affordable housing <p>Development of 7-10 dwellings (only required if floor space of all dwellings totals 1000m2 or more):</p> <ul style="list-style-type: none"> • Contribution towards the provision of school places. • Contribution towards the provision of bins. <p>between 11 and 24 dwellings:</p>

		<u>SP33</u>		<ul style="list-style-type: none"> • Contribution towards the provision of school places. • Contribution towards or provision of open space. • Contribution towards the provision of bins. • <u>Contributions towards public realm improvements for applications in Burton and Uttoxeter town centres</u> <p>25 dwellings or more:</p> <ul style="list-style-type: none"> • Contribution towards or provision of Affordable Housing. • Contribution towards the provision of school places. • Contribution towards or provision of open space. • <u>Contribution towards town centre public realm improvements for applications in Burton and Uttoxeter town centres</u> • Contribution towards or provision of National Forest Planting in relevant area (see L13 and provided site area exceeds 0.5 hectare) • Provision of a Residential Green Travel Plan. • Contribution towards the provision of bins. <p>Development of a site over 0.5ha:</p> <ul style="list-style-type: none"> • Contribution towards or provision of National Forest Planting in relevant area (see L13) <p>NB. See above for additional requirements related to number of dwelling thresholds.</p> <p>NON-RESIDENTIAL Development of 1000m² or more of new floorspace and/or the site area exceeds 1ha:</p> <ul style="list-style-type: none"> • Contribution towards, or provision of National Forest Planting in relevant area (see L13) • Provision of a Green Travel Plan. • <u>Town centre public realm improvements for applications in Burton and Uttoxeter town centres</u>
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				<p>This list is not exhaustive and any other relevant and necessary matters that cannot be secured through the normal planning process may be included within a planning obligation if they are required in order for the development to be deemed acceptable in planning terms e.g. provision of refuse containers and highway works.</p> <p>The draft heads of terms will need to be accompanied by up to-date land title information, and an undertaking to pay the reasonable costs of the Council on a Solicitors letterhead.</p> <p>If there are known and justifiable financial constraints limiting commitment to S106 obligations please see L28 below relating to viability assessments.</p> <p>Further Advice</p> <p>Full details of the key heads of terms, and the draft undertaking to pay the cost of the Council, are available on the Council's website by clicking the following link:</p> <p>Section 106 Obligations and Information</p> <p>Waste Storage and Collection Guidance for New Developments</p> <p>National Planning Practice Guidance</p>
L18	<p>Planning and Sustainability Statement</p> <p>Borough wide</p>	<p>National Planning Policy Framework</p> <p>East Staffordshire Borough Council Statement of Community Involvement 2007</p> <p><u>East Staffordshire</u></p>	<p>All major applications, and major change of use applications</p>	<p>The statement should identify the context and need for a proposed development and should include an assessment of how the proposed development accords with relevant national and local planning policies. For example, it should show how the development complies with and supports the following:</p> <ul style="list-style-type: none"> • Key requirements of national policy guidance; • General principles/fundamental aims of the Development Plan. • Policies set out in 'Made' Neighbourhood Plans¹

¹ At February 2016 there were 7 'Made Neighbourhood Plans': Anslow, Horninglow and Eton, Branston, Outwoods, Yoxall, Tatenhill & Rangemore and Stretton Development Control, P.O. Box 8045, Burton upon Trent, Staffordshire DE14 9JG
Website: www.eaststaffsbc.gov.uk Email: dcsupport@eststaffsbc.gov.uk Telephone: (01283) 508606

		<p><u>Local Plan</u></p> <p><u>Made Neighbourhood Plans</u></p>		<p>• M4(2) building regulations</p> <p>It should also include details of consultations with the Local Planning Authority and wider community/statutory consultees undertaken prior to submission, alternatively, a separate statement of community involvement may be appropriate (see L19).</p>
L20	Statement of Agricultural Need	National Planning Policy Framework	All new agricultural development requiring planning permission	<p>An application should be accompanied by a statement demonstrating the need for the development. The statement should include the following information:-</p> <ul style="list-style-type: none"> • Size of agricultural holding; • Details of any additional rented land (including duration/details of the rental agreement); • Details of other buildings used as part of the holding, including those on rented land (details should include the floor space of the building and what each part of the building is currently used for); • Precise details of the proposed use of the development, including details of the floor area of buildings; • Details of the number of animals kept at the site (where relevant); • Details of those employed on the holding, and whether this is on a full or part time basis and their only source of income. <p>Statement of Agricultural Need Standard Form available to download</p>
L21	Statement of Conformity with Statement of Community Involvement and Pre-application consultation	<p>National Planning Policy Framework</p> <p>East Staffordshire Borough Council Statement of Community Involvement (2013).</p>	All applications for major development	<p>Statement should set out how the applicant has complied with the requirements for pre-application consultation set out in the Local Planning Authority's adopted statement of community involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.</p>

<p>L22</p>	<p>Structural Survey</p> <p>Borough wide</p>	<p>National Planning Policy Framework</p> <p>Supplementary Planning Document – Re-use of Redundant Buildings 2010</p> <p>TPO Regulations and Best Practice Guide</p> <p>BS 5837: Trees in relation to construction</p>	<p>All applications where conversion or replacement of buildings is proposed.</p> <p>Applications where the demolition of a listed building or structure is proposed.</p> <p>Applications where felling of a protected tree is proposed due to impact on adjoining buildings or structures.</p>	<p>The survey should be carried out by a qualified structural surveyor and include full details of the structural integrity of all elements of the building to be converted or demolished and outline any repairs or demolition works necessary to facilitate the conversion.</p> <p>Surveys supporting proposals to fell a protected tree should provide evidence of how the tree has affected the nearby structure and what remedial action has been considered in concluding that the tree should be removed.</p> <p>Further Advice</p> <p>Further details can be found in the Supplementary Planning Document – Re-use of Redundant Buildings - click the following link:-</p> <p>Link to Rural Buildings SPD</p>
<p>L23</p>	<p>Telecommunication Supporting Information</p> <p>Borough wide</p>	<p>National Planning Policy Framework (Paragraphs 42-46)</p>	<p>All applications, including prior notification, for telecommunications equipment</p>	<p>Full details of alternative sites considered for the equipment, including any consultations undertaken with local residents/stakeholders.</p> <p>Statement that mast installations, when operational, will comply with the International Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines.</p> <p>All applications should be supported by relevant photomontages and existing and proposed coverage.</p> <p>Further Advice</p> <p>Code of Best Practise on Mobile Phone Network Development (DCLG)</p> <p>DfT Circular 02/2013 – Highways Agency Telecom Mast Registration</p>

L24				Procedure at Annex A: A5 to A7.
	Town Centre Uses/Retail Impact Assessment Borough wide	National Planning Policy Framework (Paragraphs 42-46) <u>East Staffordshire Local Plan policy SP21 Managing Town and Local Centres</u>	<p>A sequential assessment (Paragraph 24 of the NPPF) is required for main town centre uses that are not in an existing centre and are not in accordance with an up to-date development plan.</p> <p>An Assessment addressing the impacts in Paragraph 26 of the NPPF is required for all planning applications for retail and leisure developments over the following thresholds:</p> <p>Burton – 1,500 sq.m gross of more of convenience retail floorspace, or 750 sq.m gross or more of comparison retail floorspace</p> <p>Uttoxeter – 750 sq.m</p>	<p>A Sequential Assessment should look at whether there are any sequentially preferable sites that exist and demonstrate why such sites are not practical in terms of their availability, suitability and viability.</p> <p>Impact Assessments should assess, in summary, the following:-</p> <ol style="list-style-type: none"> 1. The impact on existing investment within centres; 2. The impact on the vitality and viability of town centres; 3. The impact on allocated sites outside town centres; 4. The impact of the proposal in-centre trade/turnover and trade in the wider area; 5. Current and future consumer expenditure capacity in the catchment area; 6. Whether the proposal is of an appropriate scale and what effects it may have on locally important impacts. <p>The NPPF states that an impact assessment should include assessment of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area up to five years from the time the application is made. For major schemes, where the impact will not be realised in five years the impact should also be assessed up to ten years from the time the application is made.</p> <p>Further Advice</p> <p>National Planning Practice Guidance</p>

			<p>or more of convenience retail floorspace, or 500 sq.m gross of more of comparison retail floorspace</p> <p>2500 square metres gross floorspace, or any locally set floor space threshold not in an existing centre and not in accordance with an up to-date development plan.</p> <p>An impact assessment will also be required for applications in an existing centre, not in accordance with the development plan which would substantially increase the attraction of a centre to the detriment of other centres</p>	
L25	Transport Assessment	National Planning Policy Framework (Paragraphs 17 and	All applications likely to generate very significant traffic	Transport Assessments should: <ul style="list-style-type: none"> • Detail existing and proposed vehicle movements to and from the

<p>Borough wide</p>	<p>29-41) Manual for Streets. East Staffordshire Local Plan Policy <u>SP1, SP35</u> Circular 02/2007: Planning and the Strategic Road Network. Dft Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development</p>	<p>movements associated with developments above the thresholds set out in the adjacent guidance column.</p>	<p>site;</p> <ul style="list-style-type: none"> • Provide analysis of how the proposal will affect existing transport conditions; • Illustrate accessibility to the site by all modes of transport including likely modal shift; • Detail measures to improve access by public transport, walking and cycling, so as to reduce the need for parking; and • Detail any necessary highway mitigation works. <p>Applicants are advised to seek specialist expertise and to discuss their proposals with Staffordshire County Council (Highways) at an early stage in the design process.</p> <p>Where development proposals require work within the Strategic Highway Network boundary an agreed Stage 1 Road Safety Audit, a Non – Motorised User Audit and confirmation from the Highways England should also be provided within the application submission.</p> <p>Further Advice</p> <p>Guidance on the contents and thresholds for Transport Assessments and Traffic Statements are available in Appendix B of the DFT guidance:</p> <p>Applicants are advised to seek specialist expertise and to discuss their proposals with Staffordshire County Council’s Highway Authority on 01785 276640 at an early stage in the design process.</p> <p>If any proposals have an impact on the strategic road network you should engage with the Highways Agency at an early stage (0121 678 8284).</p> <p>Guidance on Transport Assessments and Traffic Statements is available in the links below:-</p> <p>Guidelines for Transport Assessments and Travel Plans</p>
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L26	<p>Travel Plan</p> <p>Borough wide</p>	<p>National Planning Policy Framework (Paragraphs 17 and 29-41)</p> <p>Dft Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development</p>	<p>A Travel Plan should be submitted alongside planning applications which are likely to have significant transport implications (see Transport Assessments above).</p>	<p>A (draft) travel plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. Details of how traffic implications of a development will be managed should be provided, including details of the travel plan coordinator and the management arrangements for the plan (e.g. a steering group and the development timetable). The plan should also include activities for marketing and how it will be promoted to occupiers, users, visitors and residents of the site.</p> <p>Further Advice</p> <p>The scope and need for a Travel Plan should be agreed with the Local Highway Authority (and the Highways Agency where there is a material impact on the Strategic Road Network) prior to the submission of an application.</p> <p>Guidance on Travel Plans is available in link below:-</p> <p>National Planning Practice Guidance</p> <p>Applicants are advised to seek specialist expertise and to discuss their proposals with Staffordshire County Council's Highway Authority on 01785 276640 at an early stage in the design process.</p> <p>Dft, 2007, Making Residential Travel Plans Work</p> <p>DfT Circular 02/2013 – See Paragraphs 23 and 28 to 30.</p>
L27	<p>Tree Survey/Assessment</p>	<p>The Town and Country Planning Act 1990 (as amended)</p> <p>The Town and</p>	<p>All applications relating to works to protected trees.</p>	<p>A detailed description of the proposed works e.g. crown thinning, reduction, lifting, and felling, and the reasons for it. Where pruning works are proposed precise detail of the extent of work should be submitted e.g. 30% crown thinning or raise crown by 1 metre. Vague terms such as lopping/pruning are not acceptable.</p>

	<p>Borough wide</p>	<p>Country Planning (Tree Preservation) (England) Regulations 2012</p> <p><u>National Planning Practice Guidance</u></p> <p>National Planning Policy Framework (Particularly Section 11)</p>		<p>Where felling is proposed the assessment must identify the physical condition of the tree and any other supporting information justifying the removal of the tree e.g. structural survey where damage to a building or structure is alleged (See V20), and written arboricultural advice relating to the health or safety of the tree(s).</p> <p>Digital photographs of the existing tree(s) should be provided.</p> <p>Further Advice</p> <p><u>National Planning Practice Guidance</u></p> <p>Anyone carrying out work to a tree, even under an exception, should ensure they do not contravene laws protecting wildlife. If in doubt they are advised to seek advice from the authority or <u>Historic England</u> on how to proceed.</p>
<p>L28</p>	<p>Tree Survey</p> <p>Borough wide</p>	<p>The Town and Country Planning (Tree Preservation) (England) Regulations 2012</p> <p>National Planning Policy Framework (particularly Section 11)</p> <p><u>East Staffordshire Local Plan policy DP8</u></p>	<p>All applications where development will affect existing trees on and within the vicinity of the site.</p>	<p>A Tree survey and plan as specified in BS.5837:2012</p> <p>Information on:</p> <ol style="list-style-type: none"> 1. which trees are to be retained (including any necessary works to accommodate the development e.g. crown reduction, need for raft foundations) and which are to be removed; 2. Means of protecting retained trees during construction works. 3. assessment of trees' suitability to provide habitat for protected species <p>The information at 1 and 2 should be prepared by a suitably qualified and experienced Arboriculturalist.</p> <p>The information at 3 should be prepared by a suitably qualified and experienced ecologist or by reference to the following document in respect of bats: <u>Bat Surveys Good Practice Guidelines</u>.</p> <p>Further Advice</p>

				BS 5837: Trees in relation to construction Natural England Standing Advice on Protected Species
L29	Utilities Statement	National Planning Policy Framework (particularly Section 11 <u>and 13</u>) <u>East Staffordshire Local Plan SP9 Infrastructure Delivery and Implementation</u>	This is required for strategic major applications (i.e. 50 dwellings or more or 10,000sq.m. commercial floorspace)	Details to demonstrate that the availability of utility services including gas water, electricity, foul drainage and water supply and/or upgrading of facilities, and routing of such services through submission of a plan or statement.
L30	Viability Assessment Borough Wide	National Planning Policy Framework (particularly Section 6)	Where an applicant is proposing that they cannot provide the full range of Section 106 requirements (including affordable housing), due to financial viability issues	The assessment should be based on an 'open book' approach and include the following: <ul style="list-style-type: none"> • Purchase cost of the application site and when it was purchased • Detailed cost of construction including any abnormal costs and off site infrastructure • Predicted sale value/income from the finished site • Cost of Section 106 including affordable housing costs • % profit on cost both with and without the full Section 106 obligations <p>In cases of dispute the Borough Council will request a check of the Viability Assessment by the District Valuer or similarly qualified body and will expect the applicant to fund this check.</p> <p>Further Advice</p> National Planning Practice Guidance
L31	Wind Turbine	National Planning Policy Framework	All applications proposing wind	All applications for wind turbines (which include single turbines through to wind farms) will need to be submitted with a noise impact

<p>Noise Data</p>	<p>(Paragraphs 93, 97 and 98)</p> <p>Overarching National Policy Statement for Energy (EN-1)</p> <p>National Policy Statement for Renewable Energy Infrastructure (EN-1 Section 5.11 and EN-3 paragraph 2.7.52 to 2.7.62 and footnotes 32 to 34).</p>	<p>turbines</p>	<p>assessment to demonstrate the impact on sensitive receptors.</p> <p>National Policy sets out what is acceptable in terms of noise impacts from a wind turbine, but it does not specify the methodology in determining this impact.</p> <p>The choice of assessment methodology is complex and is it is therefore critical that any noise impact assessment is agreed in the first instance with East Staffordshire Borough Council's Pollution Team on 01283 508524. This will not only assist with agreeing the methodology and standards for which to undertake an assessment, but will also aid to minimise delays when consulted on an application or the possibility of an application being recommended for refusal due to insufficient information being submitted.</p> <p>It is unlikely that manufacturer's noise data alone will be sufficient to fulfil this requirement.</p> <p>Further Advice</p> <p>Applicants are advised to seek specialist expertise and to discuss their proposals in the first instance with East Staffordshire Borough Council's Pollution Team on 01283 508524 at an early stage in the design and planning process.</p> <p>National Planning Practice Guidance</p>
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