

# **Local planning validation requirements for Minerals, Waste and County Council planning applications**

**June 2019**

## 1.0 INTRODUCTION

1.1 The purpose of this document is to provide guidance to developers on the information required to be submitted with planning applications in order for applications to be considered valid. In 2008 an amendment to the Town and Country Planning (General Development Management Procedure) Order 1995 introduced a mandatory standard national application form and associated information requirements for the validation of planning applications. Since then additional guidance has been provided in the Town and Country Planning (Development Management Procedure) (England) Orders 2013 and 2015, as well as the National Planning Practice Guidance, a web-based resource first published in March 2014 and regularly updated.

1.2 All information requirements within a local validation list must pass the following tests as set out below;

- **necessity** – based on statutory requirements and local and national planning policy
- **precision** – it should be made clear under what circumstances information is needed, e.g. the type of development/application
- **proportionality** – maybe reasonable to identify threshold and triggers as to when information is required
- **fitness for purpose** – clarity on the type of information required to satisfy the particular requirement
- **assistance** – identify where assistance can be obtained with any queries regarding the local list

1.3 Article 11 of the Town and Country Planning (General Development Management Procedure) Order 2015 sets out further updated tests in terms of the information required to validate planning applications and states that any information required to ensure a planning application is valid must be compliant with the following tests;

- *is reasonable having regard, in particular, to the nature and scale of the proposed development; and*
- *are about a matter which it is reasonable to think will be a material consideration in the determination of the application*

1.4 This document reflects the most recent guidance on local validation requirements. In accordance with the Town and Country Planning (General Development Management Procedure Order) 2015, once adopted the document should be reviewed at least every two years to ensure it remains relevant and fit for purpose.

- 1.5 Cumbria County Council's Development Control Team manage planning applications related to **minerals, waste and the County Councils own developments**. County Council developments encompass all proposals involving county council premises - schools, fire stations, some highway schemes and bridge repairs proposed as part of highway improvements or maintenance.
- 1.6 Planning applications for householder, residential, commercial and all other types of development are dealt with by the district councils unless the site lies in a National Park. The national park authorities deal with all planning applications that are within their boundaries (including minerals and waste proposals).
- 1.7 This document focusses on the validation requirements for applications for full planning permission. Minerals proposals in particular will often involve applications to vary or remove conditions on an existing planning permission (known as section 73 applications). There is also the process for Review of Old Minerals Permissions (known as ROMP applications) whereby the County Council will consider a scheme of new updated conditions in relation to an existing planning permission.
- 1.8 Other applications submitted to the county council could include lawful development certificates, applications for approval of details reserved by condition, non-material amendment applications following the granting of planning permission, outline planning applications and reserved matters applications following approval of outline planning permission (this would only apply to built development), applications for listed building consent, prior notification of proposed demolition and prior notification of solar PV equipment on the roofs of non-domestic buildings. These applications may have fewer validation requirements depending on the nature of the proposal. Planning application forms and guidance notes for all these development types can be found on Cumbria county council's website:- [Cumbria.gov.uk/planning-environment/DC/applications/forms.asp](http://Cumbria.gov.uk/planning-environment/DC/applications/forms.asp). For further advice on what information is required to accompany these applications, please contact the Development Control team.
- 1.9 There are standard national validation requirements which will need to be submitted for all planning applications (as laid down in the Town and Country Planning (Development Management Procedure) (England) Order 2015. In addition there is a list of suggested additional information which local planning authorities may request as part of their validation process. The range of information and level of detail required will vary according to the type and scale of development being proposed.

- 1.10 This document comprises two sections. The first section describes the pre-application and validation process for all planning applications, sets out the national validation requirements for all planning applications, and then outlines the full range of additional information that may be required. It is intended this section will be the reference resource for all applicants to find out when additional information is likely to be requested, what level of information should be provided, and where additional guidance on a particular topic may be found (for example, reference to the relevant sections of planning policy and guidance or suggested resources and contacts for additional information).
- 1.11 The second section will then provide separate validation checklists for each type of planning application received. This means applicants can see exactly what information may be requested for their particular proposal and then refer back to the guidance in Part 1 for the sections that are relevant. The checklists will serve as useful reference documents and will also provide applicants with the opportunity to explain why they consider a particular information request is not justified which will also speed up the validation process (there is also a validation dispute procedure under the General Development Procedure Order 2015, at part 3, article 12).

## **PART 1**

### **2.0 PRE-APPLICATION AND VALIDATION PROCESS.**

#### **Pre-application Advice Service**

- 2.1 The Development Control team provides a pre-application service for applicants to obtain advice on potential minerals and waste developments through discussion with planning officers before submitting a planning application. This advice covers what the relevant considerations for such an application are likely to be and the information that is likely to be required to accompany a planning application. It will generally include an officer view as to whether or not planning permission is likely to be granted.
- 2.2 Applicants are encouraged to use the pre-application service as this can assist in speeding up the process of registration and validation by ensuring the planning application submission is complete, and can prevent refusal of an application because of inadequate or insufficient information. The need for specialist input can be identified early on (for example, regarding ecology, highways) and there is opportunity to improve draft proposals before submission to make them more acceptable
- 2.3 This also means that applicants can be advised how their proposals will be assessed against the relevant planning policies and guidance. If the advice is that the proposal is not acceptable and cannot be supported by the County Council, the applicant can save the time and costs of finishing an application and paying the fee if they do not wish to pursue the submission of an application.
- 2.4 Further information on this service, including fees and the protocol for pre-planning application discussions can be found on the council website:- [Cumbria.gov.uk/planning-environment/DC/applications/PreApp\\_Advice.asp](http://Cumbria.gov.uk/planning-environment/DC/applications/PreApp_Advice.asp).

#### **Screening and Scoping Opinions for EIA Development**

- 2.5 Applicants are encouraged to submit a request for a Screening Opinion to the council at an early stage (ideally as part of their Pre-Application Advice enquiry) to establish whether their proposal is likely to be considered EIA development requiring the submission of an Environmental Statement with the planning application. If EIA development is confirmed, then a Scoping Opinion request would clarify the extent and scope of technical assessments required to be included in the environmental statement. Further guidance on the EIA process can be found by consulting the Environmental Impact Assessment Regulations 2017.
- 2.6 Where appropriate, the council would consult with Natural England as part of its pre-application advice service. This will allow applicants to receive advice

prior to submission on the likelihood of EIA/HRA being a requirement for their application, so they can take the timetable and need for specialist ecology input into account when preparing their planning application.

### **Submission and Validation**

- 2.7 The council encourages planning applications to be made online via the Planning Portal wherever possible. Online submissions help to speed up the process and reduces the use of paper and postage costs for applicants. In order to submit an application via the Planning Portal, you will first need to register to set-up a user profile. This is a quick and easy process, please see [PlanningPortal.co.uk](http://PlanningPortal.co.uk).
- 2.8 The Planning Portal website provides the facility for submission of all applications except those for new or review of minerals applications (ROMPS). Minerals proposals (*i.e. new development on or adjacent to an existing mineral site or new proposals for opening up a quarry*). For such Minerals Proposals a Minerals Application form should be completed. For submissions made via the planning portal then please note that in order to direct your application to the county council (***rather than the local district or borough council***) you must select that the application "is for Waste Management" or "comes under Regulation 3" (***i.e. is a County Council Development***) at Step 2 of "starting an online application".
- 2.9 The council will not register or validate an application if it is incomplete (i.e. if all the information that is relevant to the application listed in the appropriate validation checklist is not provided in a completed form). We will seek to take a proportionate view on the level of information required and will only request further details where this is genuinely necessary for the application to be properly considered and on matters which are reasonably considered to be material planning considerations in relation to the planning application. If in any doubt as to what is required prior to submission please contact the Development Control team for clarification.
- 2.10 If, following registration (a planning application will be registered when it is considered to be valid), an application is subsequently found to be invalid, the time period for determination will be suspended until such a time as it becomes valid and the period for determination of the application will begin from the date the application is considered to be valid.
- 2.11 The council may request any additional information, including further plans and drawings, they consider necessary to enable the application to be properly assessed and determined. This may include additional evidence to verify information already submitted. Applicants may also wish to make some changes to plans to address issues raised by officers and consultees.

- 2.12 However, the opportunity to make significant changes to an application after it is considered valid, is limited. Significant changes (for example, revised plans which require additional periods of consultation) may not be accepted if the re-consultation cannot be carried out and a decision made within the 8, 13 or 16 week target period. Planning applications for development which constitutes EIA development is subject to a 16 week target determination period.
- 2.13 Where an application has been validated but needs significant alteration to make it acceptable, or where pre-application advice to overcome problems has not been followed, the council may consider the application as submitted and this may result in a recommendation for refusal of planning permission. Prior to a recommendation of refusal being made on an application the agent/applicant will be informed and given the opportunity to withdraw the application. If appropriate, a fresh application could then be submitted for a revised scheme and there would normally be no fee for the first resubmission within 12 months of the date of submitting the original application.

### **3.0 NATIONAL VALIDATION REQUIREMENTS**

- 3.1 The following requirements are the minimum to validate any application for planning permission in accordance with the standard national validation requirements. Standard national validation requirements are stated in article 7 of the General Development Management Procedure (England) (Order) 2015.

#### **Completed application form**

- 3.2 The standard 1APP form on the Planning Portal can be used for applications for full planning permission, including for waste proposals.
- 3.3 For new Minerals proposals (including associated Minerals Waste), a separate Minerals Application form should be completed. In addition there is a Supplementary Information Form which needs to be completed. This asks more detailed questions on minerals extraction, processing, disposal of mining and quarry waste, minerals exploration and oil and gas, and includes a mandatory section for all proposals on the environmental effects of the development. This section lists a range of potential impacts and asks for confirmation that relevant documentation to address that issue has been submitted with the application.
- 3.4 The application forms and guidance notes for completing them can be found on the council's website.

#### **Ownership and agricultural holdings declaration**

- 3.5 Both these declarations form part of the standard planning application form. The relevant Ownership Certificate should be completed (A, B, C or D) depending on whether the applicant is the sole owner of the site, and if not whether all owners are known and have been notified.
- 3.6 The Agricultural Holdings Certificate must be completed in all cases, whether or not the site includes an agricultural holding.
- 3.7 A standard form for serving notice on Owners or Tenants can be found online at:- [Cumbria.gov.uk/planning-environment/dc/applications/forms.asp](http://Cumbria.gov.uk/planning-environment/dc/applications/forms.asp)

#### **Location Plan identifying application site**

- 3.8 All planning applications must be accompanied by a location plan at a scale of 1:1250 or 1:2500 with the scale and direction of north clearly labelled on the plan. Location plans should consist of or be based upon Ordnance survey extracts where possible and wherever possible, at least two named roads should be included within the plan to ensure the site location can be readily identified. The application site should be edged in red and any other land



owned by or controlled by the applicant edged in blue. All land necessary to carry out the proposed development should be included within the land edge red (for example, access route from the public highway, landscaping works/screening, landfill gas monitoring boreholes).

- 3.9 For Minerals and Waste applications a scale of 1:50,000 may be more appropriate for a location plan but ideally should not be larger than 1:10,000.

### **Site Plan**

- 3.10 All applications should usually contain a site plan at a scale of 1:500 or 1:200 with the scale and direction of north clearly labelled on the plan. The site plan should include 'any information which is necessary to describe the development', as described in article 7 of the Town and Country Planning (General Development Management) (England) Procedure Order 2015. Site plans should be based on Ordnance survey maps.

- 3.11 However, details to be shown on the Site Plan are likely to include the following:

- all buildings, roads and land within or adjoining the site, including points of access;
- any public rights of way, underground services or overhead lines crossing the site;
- position of any trees or hedges on the site or on adjacent land which could be affected by the development;
- extent and nature of any hard or soft landscaping areas;
- details of boundary treatments;
- the position of any existing watercourses, culverts, drainage ditches or ponds within or bounding the site showing, where appropriate, the direction of flow.

- 3.12 For Minerals and Waste proposals the site plan would normally be at a scale of 1:2500 although larger scale plans may be appropriate in some cases. In addition to the above, site plans for Minerals and Waste proposals would also be expected to include the following as appropriate:

- any land within or adjoining the site which has been used for mineral working or associated development, including the position of working/tipping faces, areas restored and any planning permission references where known;
- Existing contours at appropriate levels (intervals of no less than 10 metres) within and normally for a distance of at least 250m outside the site to illustrate the relationship of the site to the surrounding topography. For oil and gas, greater distances of at least 500m outside the site are necessary;

- location and size of any proposed plant, machinery and buildings;
- location and height of any outside bays;
- location and height of any stockpiles, soil storage mounds and screening bunds;
- maximum extent of any soil stripping and storage or other changes to ground level

### **Additional Plans**

3.13 For development proposals involving buildings existing and proposed floorplans and elevations will be required. These should be drawn to a scale of 1:50 or 1:100. These should clearly show:

- all sides of the proposal (blank elevations should also be included)
- details of proposed building materials (including material and finish of windows and doors); types of boundary treatment (e.g. fencing); details of any ventilation equipment
- where existing walls or buildings are to be demolished these should be clearly shown
- in the case of extensions show details of the existing building as well as the proposed development
- where a proposal involves a change in ground levels, existing and finished floor levels to include details of foundation, eaves and ridge height
- for new buildings show how they will relate to existing site levels and neighbouring development (with reference to a fixed datum point)
- on sloping sites, show how the proposals relate to existing ground and/or how surrounding ground levels would be modified

3.14 Where appropriate, a roof plan should also be provided showing detail of roofing material, roof shape, including details of any ventilation or fenestration (e.g. roof lights). Roof Plans should also be to a scale of 1:50 or 1:100.

### **Correct fee for the application**

3.15 The correct fee for any given application can be calculated by consulting the latest Guide to the Fees for Planning Applications in England - as set by the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended).

3.16 Alternatively, you can access a Fee Calculator on the Planning Portal:- [1app.planningportal.co.uk/FeeCalculator/Standalone?region=1](http://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1). You do not need to have a Planning Portal account to use this service.

### **Design and Access Statement (where required)**

- 3.17 Not all planning applications will require a Design and Access Statement. Where one is required, it should include an outline of the design principles and concepts which have been applied to the development. The circumstances under which a design and access statement is required can be found with the General Development Procedure Order 2015.
- 3.18 A design and access statement is required for the following applications;
- major planning applications;
  - applications within a designated area (Conservation Area or World Heritage Site) for the provision of development where the floor space is 100 sq. metres or more ;
  - applications for listed building consent
  - applications for waste development, material change of use, engineering and minor operations, do not need to be accompanied by a design and access statement
- 3.19 A design and access statement is essentially a concise report which provides a framework to explain how the proposed development is a suitable response to the site and its setting. These statements are useful aids to decision makers and allow third parties to better understand the analysis that has underpinned the design of the development proposal.

## 4.0 LOCAL VALIDATION REQUIREMENTS

- 4.1 Below is a list of the various additional information/requirements which may be necessary for validation of planning applications received by the county council.
- 4.2 The following paragraphs set out in more detail for each item, when the information may be required, the level of detail that needs to be provided, and where additional policy or technical guidance can be found to assist in preparing for the submission of that information.
- 4.3 The key planning policy documents referred to are the revised [National Planning Policy Framework](#) (*NPPF* – updated July 2018 & February 2019); the [National Planning Practice Guidance](#) (an on-line resource first published in March 2014 and regularly updated, including incorporation of Minerals Planning Guidance in October 2014 (*NPPG*)); the [Cumbria Minerals and Waste Local Plan 2015-2030](#) (adopted September 2017) (*CMWLP*); [National Planning Policy for Waste](#) (published October 2014) (*NPPW*). The above documents will be updated periodically – all relevant updates are usually available online.
- 4.4 Please refer to the individual checklists in **Part 2** of this document to confirm the different validation requirements for Minerals, Waste or County Council planning applications.
- [Air quality assessment](#)
  - [Biodiversity and Geodiversity: habitat assessment and species surveys](#)
  - [Bird strike assessments](#)
  - [Blasting scheme](#)
  - [Coal mining risk assessment](#)
  - [Cumulative impact assessment](#)
  - [Daylight/sunlight assessment](#)
  - [Dust impact assessment](#)
  - [Drainage details – foul and surface water](#)
  - [Economic statement](#)
  - [Environmental Impact Assessment](#)
  - [Flood Risk Assessment](#)
  - [Geotechnical assessment](#)
  - [Health Impact Assessment](#)
  - [Heritage Statement](#)
  - [Landscape and Visual Impact Assessment](#)
  - [Landscaping Proposals](#)
  - [Land contamination survey/risk assessment](#)
  - [Lighting assessment](#)
  - [Minerals need assessment](#)

- [Noise assessment](#)
- [Planning Obligations](#)
- [Planning Statement](#)
- [Public rights of way statement](#)
- [Statement of Community Involvement](#)
- [Transport Statements/Assessments/Travel Plans](#)
- [Tree Survey](#)
- [Utilities Assessment](#)
- [Ventilation and extraction details](#)
- [Waste Management Plan](#)

## **Air Quality Assessments**

### When required

For any application that will result in:

- Emissions to air such as dust from extraction/blasting or other operational processes, odour, stack emissions, biological treatment sites and traffic.
- Where development is proposed inside or adjacent to an air quality management area (AQMA).

### Information needed

- Reports should include both existing baseline data and modelling assessment – if necessary, monitoring location points to be agreed with the county council prior to submission.

### Policy drivers/further guidance<sup>6</sup>

- Cumbria Minerals and Waste Local Plan (CMWLP) (2015-30) – policy SP13 (Climate Change), DC2 (General Criteria), DC5 (Dust)
- Environment Act 1995 - Part IV (Local Air Quality Management)
- The Air Quality (Amendment) Standards Regulations 2016
- National Planning Policy Guidance (NPPG) – paragraph 007-Ref.ID:32 -007-20140306
- National Planning Policy Framework (NPPF) – section 14 (meeting the challenge of climate change, flooding and coastal change)

## **Biodiversity: Habitat and species surveys and reporting**

### When required

- Where a development proposal is likely to adversely impact on designated sites (a designated site is as defined on the Natural England website [www.magic.gov.uk](http://www.magic.gov.uk)), protected or priority species or habitats, or other important biodiversity or geological features that may be affected. This includes internationally designated sites such as Special Protection Areas (SPA), Special Area of Conservation (SAC), RAMSAR sites, nationally designated sites such as Sites of Special Scientific Interest (SSSI) and

National Nature Reserve (NNR); and locally designated sites such as County Wildlife Site (CWS) and Local Nature Reserve (LNR).

- The initial habitat survey should establish (including from relevant data search) whether any protected or priority (BAP) species are known to be present on the site, in which case the relevant species surveys will need to be carried out as a matter of course.

In addition, all development proposals including works as set out in the table below will trigger the need for a protected species survey.

Proposed development which includes the modification, conversion, demolition or removal of buildings and structures (especially roof voids) involving the following: <ul style="list-style-type: none"> <li>• Permanent agricultural buildings</li> <li>• Buildings with wooden cladding or hanging tiles within 200m of woodland or water</li> <li>• Pre-1960 buildings within 200m of woodland or water</li> <li>• Pre-1919 buildings within 400m of woodland or water</li> <li>• Tunnels, mines, kilns, ice houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures</li> <li>• Bridges, aqueducts and viaducts</li> </ul>
Lighting of Churches and listed buildings or flood lighting within 50 metres of woodland, water or hedgerows / lines of trees with an obvious connection to woodland or water
Works affecting woodland, or hedgerows / lines of trees with an obvious connection to woodland or water
Works that involve the felling or lopping of veteran trees, trees with obvious cracks, holes and cavities or trees with a diameter greater than 1m at chest height
Works affecting gravel pits, quarries, natural cliff faces, or rock outcrops with crevices or caves
Major proposals within 500 metres of the perimeter of a pond, or 200 metres of rivers, streams, canals, lakes or other aquatic habitats
Major proposals within 500 metres of the perimeter of a pond, or 200 metres of rivers, streams, canals, lakes or other aquatic habitats

#### Information needed

- A comprehensive habitats and/or species survey, assessment and mitigation report will be required to accompany the application in the circumstances above. The survey, which should meet the CIEEM Guidelines for Ecological Appraisal (January 2018) and report should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines / methods where available. Further information on appropriate survey methods can be found in

the Technical Guidance Series published by the Chartered Institute of Ecology and Environmental Management (CIEEM).

- Survey reports are expected to identify and describe impacts likely to harm protected species and/or their habitats, designated sites, priority habitats and other listed biodiversity features identified by the survey (direct and indirect effects during construction and afterwards). Where harm is likely, evidence must be submitted assessing the impact of the proposals and that addresses long-term maintenance and management.
- The county council will be working to the British Standard for Biodiversity – Code of practice for planning and development (BS 42020:2013). All Minerals and Waste Planning applications are expected to ensure that any pertinent biodiversity issues are addressed fully in accordance with BS 42020:2013. The British Standard is the benchmark and key reference document which is used by the council planning officers, planning consultants and ecological consultants working within Cumbria in relation to planning matters. Core concepts within BS 42020 which the council will be looking for in all planning matters relate to:
  - demonstration that the mitigation hierarchy has been applied,
  - use of competent professionals working in accordance with current best-practice
  - provision of up-to-date survey information and reporting which stands up to scrutiny
  - the clear description, understanding and reporting of ecological impacts
  - It is our aim that the widespread adoption of, and working in accordance with BS 42020, will help to provide certainty and clarify to applicants and the council alike from pre-application discussions through to determination, as well as during construction and post-construction ecological monitoring and management.

If a European site may be affected (Special Area of Conservation, Special Protection Area or Ramsar site), the submitted documents must contain sufficient information to inform a Habitats Regulations Assessment to be completed in accordance with Part 6 Regulation 63 (1) of The Conservation of Habitats and Species Regulations 2017. In addition, in accordance with Part 6 Regulation 63 (2), the applicant is required to provide sufficient information to enable the Local Planning Authority to complete their assessment. It is therefore advised that applicants submit their own Habitats Regulations Assessment (shadow HRA).

#### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy SP15 (Environmental Assets), DC16 (Biodiversity & Geodiversity)
- National Planning Policy Framework – section 15 (conserving and enhancing the natural environment)
- National Planning Policy Practice Guidance – paragraph 007 Ref ID: 8-007-20140306

- The Conservation of Habitats and Species Regulations 2017
- BS 42020: 2013 Biodiversity – Code of practice for planning and development

## **Birdstrike Assessment**

### When required

- Applications for any open quarrying, landfill and sewage disposal and treatment plant and outfall sites, new areas or lateral extensions to existing sites whose working or proposed restoration has the potential to attract a notable increase in birds. Also, facilities intended for the handling, compaction, treatment or disposal of household or commercial wastes, via the creation of nature reserves, lakes, ponds, wetlands and marshes, which attract gulls and waterfowl or landscaping/restoration schemes that involve extensive planting of tree/bush species that can attract substantial bird activity. Similarly wet working and/or winter flooding of any voids also need to be considered as a potential hazard as they may encourage species hazardous to aircraft.
- Proposals falling within the 13km safeguarding zone around: Carlisle Airport (which encompasses practically all of Carlisle City Council's administrative boundary and northern tip of Eden) or Walney Island Airfield (Barrow Borough Council's administrative boundary; the southern tip of Copeland Borough and south-western edge of South Lakeland - beyond Ulverston).
- A Birdstrike Hazard Management Plan' is a mandatory requirement where some increase in the water area is unavoidable in these zones

### Information needed

- Scope of the assessment to be agreed with the council – particular attention should be directed to landscaping schemes and identify strike risks. A hazard management plan may be required and should set out which species need to be controlled and methods for deterring them

### Policy drivers/further guidance

- Town and Country Planning Act 1990
- Town and Country Planning (safeguarded aerodromes, technical site and military explosives storage areas) Direction 2002 – updated December 2016

## **Blasting Scheme**

### When required

- Where blasting with explosives is proposed in relation to minerals development.



### Information needed

- An assessment of the environmental effects relating to ground vibration, air over pressure, noise, dust and fly rock shall be submitted, with details of proposed mitigation and control measures. Improvement/maintenance of regression line modelling for existing sites and the procedure to establish, develop and improve the regression line model for new sites

### Policy drivers/further information

- Cumbria Minerals and Waste Local Plan – policy DC4 (Quarry Blasting)
- National Planning Policy Framework – section 17 (Facilitating the sustainable use of minerals)
- Quarries Regulations 1999

## **Coal Mining Risk Assessment**

### When required

- An assessment will be required where any proposed development falls within or partly within, the Coal Authorities ‘development high risk areas’ (formerly known as Coal Mining Development Referral Areas).

### What information is required

- A desk-based report produced by a qualified and competent person (Coal Mining Risk Assessment). The Coal Authority can be contacted for further guidance on production of this type of assessment. The report should include information on the following:
  - Site specific coal mining information to include past, present and future underground mining
  - Details of shallow coal workings – both recorded and probable
  - Mine entries – shafts and adits
  - Mine gas risks
  - Any recorded safety hazards
  - Past and present surface mining sites
  - Identification of risks of the coal mining features to the new development
  - The report should provide an informed assessment of how any identified risks have influenced the design of the development and whether the permission of the Coal Authority will be required for any on site investigations and when such permission will be obtained. Further information and guidance can be obtained from the National Planning Policy Framework (NPPF) and the Development Management Procedure Order 2015.

## **Cumulative Impact Assessment**

### When required

- In some cases a proposed development may itself have environmental impacts that would be acceptable on their own, but which may exacerbate adverse impacts caused by other developments. Such cumulative impacts can derive from either a number of developments with similar impacts being operational at the same time, or from a number of concurrent developments in an area with different impacts or from a succession of similar developments over time. Minerals and Waste proposals will need to demonstrate that where cumulative impact presents a potential issue, this has been adequately assessed and addressed in their planning application.
- In some cases the Cumulative Impact Assessment may form part of another supporting document such as Environmental Impact Assessment and/or Landscape Visual Impact Assessment.

### What information is required

An assessment of the cumulative impact of the combined activities in respect of the:

- amenity and health of local communities,
- economy,
- environment (habitats, species, landscape character, cultural heritage, air quality, water resources & flooding, agricultural resources),
- traffic (type, size and numbers of vehicles generated, from site preparation to final restoration and potential impacts on the highway network and safety)

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy DC6 (Cumulative Impacts)

## **Daylight /Sunlight assessments**

### When required

- In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space, then applications may also need to be accompanied by a daylight/sunlight assessment.
- This is more likely in the case of proposals for built development that is close to residential property but may also be required where infrastructure associated with Minerals and Waste development proposals has potential to impact on neighbouring property.

### Information needed

- The assessment should identify the impact of the proposals on neighbouring properties/uses in terms of shadow cast/overshadowing impacts. Sufficient

information would be required to enable the existing and expected levels of sunlight to be determined.

#### Policy drivers/further guidance

- National Planning Policy Framework – section 12 (Achieving well-designed places)

### **Drainage Details– Foul and Surface Water**

#### When required

- All development proposals will be expected to provide details of foul and surface water drainage arrangements - whether connecting to existing systems or developing new ones – and to confirm that the proposed drainage scheme has sufficient capacity to cope with the demands of the new development and takes into account forecasted increased flows due to climate change.
- Drainage assessments may be incorporated in the Flood Risk Assessment where one is required.

#### Information needed:

- A Surface Water Drainage Assessment and Scheme/Strategy should include a description of the type, quantities and means of storage/disposal of any surface water run-off. It should demonstrate that surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event at any point during or after development. It must demonstrate that the development will not impact neighbouring land during its life or within its proposed restoration scheme
- Schemes should aim to incorporate ‘sustainable drainage systems’ (SuDS) unless it can be demonstrated through percolation tests that ground conditions are suitable for soakaways to be fully effective.
- For proposals involving the disposal of trade waste or the disposal of foul sewage effluent, a more detailed foul drainage assessment will be required including details of the method of storage, treatment and disposal.
- Scale plans of the drainage arrangements will also need to be provided.

#### Policy drivers/further information

- Cumbria Minerals and Waste Local Plan – policies DC19 (Flood Risk) and DC20 (The Water Environment)
- National Planning Policy Framework – section 14 (meeting the challenge of climate change, flooding and coastal change)

- National Planning Practice Guidance – paragraphs 079 (Ref.ID:079-20150415) and 080 (Ref.ID:080-20150323)
- Sustainable Drainage Systems: Non-technical standards (DeFRA March 2015)

## **Dust impact assessment**

### When required

- Referred to in the National Planning Policy Guidance as a Dust Assessment Study. Mainly applicable to applications for new Minerals and Waste development but may also be required for applications for lateral and temporal extensions of existing facilities, where dust impact is a recognised issue, or for changes to operations. Where dust emissions are likely to arise, operators are expected to prepare a dust assessment study, which should be undertaken by a competent person.

### Information needed

- Establish baseline conditions of the existing dust climate around the site of proposed operations
- Identify site activities that could lead to dust emission without mitigation
- Identify site parameters which may increase potential impacts from dust
- Proposed mitigation measures
- Make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints

### Policy drivers/further information:

- Cumbria Minerals and Waste Local Plan – policy DC5 (Dust)
- National Planning Policy Framework – section 17 (Facilitating the sustainable use of minerals)
- National Planning Practice Guidance – paragraphs 023-032 (27-201403060)

## **Economic Statement**

### When required

- For all major proposals which will have a significant impact in terms of employment and job creation, details should be provided of the anticipated benefits. For some more complex proposals there may need to be consideration of whether the effect of job creation/skills upgrading as a result of the new development, would have any adverse impact in terms of attracting staff away from other local services and industries.

- For Minerals Proposals please refer to the separate topic Minerals Need and Viability Assessment which addresses issues of land banks and financial viability.

#### Information needed

- Demonstrating how proposals will contribute to the delivery of economic development and regeneration strategies at regional, sub-regional and local levels.
- Identifying any regeneration benefits from the proposed development, including; details of any new jobs that might be created or supported; any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal.
- Details should be provided on the number and type of jobs that will be retained or created as a result of the development and any skills/training provision that will be delivered. If appropriate, consideration of the wider socio-economic impact of attracting employees away from existing services and industries and how this gap in local workforce/skill set can be addressed.

#### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy SP14 (Economic Benefit)
- National Planning Policy Framework – section 6 (building a strong, competitive economy)

### **Environmental Impact Assessment (EIA) / Environmental Assessment (EA)**

#### When required

- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out the circumstances/criteria under which an EIA is required. An EIA is required to accompany all applications for Schedule 1 developments and may be required for some Schedule 2 developments.
- Developers should request a Screening Opinion at an early stage to avoid delays on major development proposals.

#### Information needed

- The Regulations require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures. Schedule 4 of the regulations set out the information that should be included in an Environmental Statement.

- A Scoping Opinion should be sought from the council regarding the level and nature of information required to be included in any environmental statement for EIA development

#### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – SP15 (Environmental Assets); DC16 (Cumulative Impact)
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- National Planning Policy Guidance – para 003 (Ref.ID: 4003-20170728); para.11 (Ref.ID:27-011-20140306); para.122 (Ref.ID:27-122-20140306)

### **Flood Risk Assessment**

#### When required

- For any development of 1ha or greater in any flood zone category.
- Any new development which lies within Flood Zones 2 or 3 or, for major applications, in designated critical drainage areas or where the Environment Agency, Internal Drainage Body or other relevant bodies have indicated there may be a drainage problem.
- An FRA may also be required for significant extensions or increases in areas of hard surfacing within the floodplain or adjacent to a main river. Any applications for engineering operations or land raising which may significantly increasing surface water run-off to watercourses and soakaways may also require a flood risk assessment.

#### Information needed

- The flood risk assessment does not need to be carried out in a specific format, however, it must contain information about the site, and how the risk of flooding as a result of the development will be managed and controlled, including any mitigation measures and evacuation procedures. The assessment should contain information about the proposed drainage system and management of surface water runoff.

#### Policy drivers/further information

- Cumbria Minerals and Waste Local Plan – policy SP13 (Climate Change); DC19 (Flood Risk)
- National Planning Policy Framework – section 14 (meeting the challenge of climate change, flooding and coastal change)
- National Planning Practice Guidance – paragraphs 29 - 42
- Cumbria County Council's Strategic Flood Risk Assessment
- Further information and guidance can be obtained from the Environment Agency

## **Geotechnical Assessment/Appraisal – includes land/slope instability**

### When required

- A geotechnical assessment will be required where the proposal is on land or adjoining land which is known to be unstable or potentially unstable. This will include any proposals which involve major soil and spoil movements (including the creation of bunds) and where significant changes to ground levels are required to accommodate the development proposal.

### Information needed

- Information is required in terms of the physical capability of the land and its current structure and composition.
- The assessment should include a Land Stability and/or Slope Stability Risk Assessment as appropriate.
- Any areas of instability or potential hazards should be identified through appropriate survey work and intrusive investigations of the site and the possible effects of the development on neighbouring land investigated and assessed.
- Appropriate and realistic remediation measures should be identified within the assessment.
- Where reports show there is potential for instability details of arrangements for monitoring ground water shall be submitted together with details of any necessary remediation details to prevent landslips.

### Policy drivers/further guidance

- National Planning Policy Guidance – paras.001 – 012 (20140306) including Flowchart on land stability in development management; para.003 Ref ID: 27-033-20140306
- Geological information on specific sites can be obtained from the British Geological Survey
- Further information on the responsibility of operators in terms of land stability can be found in the Quarries Regulations 1999 and Mines and Quarries Act 1954.

## **Health Impact Assessments**

### When required?

- Where development proposals have potential to impact on the health and well-being of communities and health infrastructure. This could be through the effects of air and water pollution; the socio-economic impact (e.g. jobs created or lost); or through placing additional burden on healthcare services by increasing population.
- The HIA can be a freestanding report or can be incorporated into another required appraisal such as an EIA. If within an existing report it is good practice to set out as a separate chapter. It may be that in the case of non-

EIA developments a separate HIA is more commonly required if the assessments on pollution, socio-economic impact etc. are not being produced in other supporting documents.

#### Information needed

- The HIA should appraise the potential positive and negative impacts of a proposal on new communities and adjacent existing communities, identify any differential distribution of impacts on health among groups within the population, and suggest actions to minimise any potential negative health impacts and maximise potential positive health impacts.
- Considerations should include how the proposal supports physical activity and promotes healthy lifestyles (e.g.- access to open space and recreational facilities; promoting walking/cycling as a transport choice); potential pollution and other environmental hazards which might lead to an adverse impact on human health; what are the positive and negative socio-economic impacts (e.g. new job creation, displacement of existing workforce, need for increased skills and training); whether any increase in resident population or migrant workforce would place a strain on local healthcare services; an assessment of whether different sectors of society are more or less likely to benefit from or be disadvantaged by the impacts identified.

#### Policy drivers/further guidance

- National Planning Policy Framework
- National Planning Practice Guidance (2014)– paras 001 – 005 (Ref.ID:53-001-20140306)
- 2017 Environmental Impact Assessment Regulations.

### **Heritage Statement**

#### When required

- Any proposal which will impact upon a designated heritage asset, or its setting. A designated heritage asset is a listed building, scheduled monument, conservation area, registered park and garden, and registered battlefield
- Any proposal which will impact on archaeological assets, whether designated or not, or has the potential to impact upon currently unknown archaeological assets.

#### Information needed

- The statement should be proportionate to the scale of development, proximity to heritage assets and likely impact. It will need to identify and describe any heritage assets within or in close proximity to the application site; consider any potential impact the development may have either directly on the heritage



asset, or on its wider setting, and demonstrate how the potential impacts have been avoided or minimised in the final scheme design.

- Assessment may include consideration of the visual impact of development on the appearance and setting of heritage assets (whether buildings or landscape). The assessment may be desk-based initially but could lead to further investigative work being required (e.g. geophysical survey; trial trenching) in order for impact to be fully assessed prior to determination of the application.
- A heritage statement would normally consist of three parts; an assessment of the significance of the heritage asset, an assessment of the impact on the heritage asset and a justification and mitigation statement for the impact of the proposal on the heritage asset.
- Where some level of harm to heritage assets cannot be avoided, the developer should provide justification for the impact and make recommendations for mitigation or, if sufficient justification is provided, compensation for its loss.

#### Policy drivers/further guidance:

- Cumbria Minerals and Waste Local Plan – policy SP15 (Environmental Assets) and DC17 (Historic Environment)
- National Planning Policy Framework - section 16
- National Planning Practice Guidance – paragraph 008-013 (Ref.ID:18a-008-20140306)
- Cumbria Historic Environment Record

## **Landscape and Visual Impact Assessment**

### When required

- Any development proposal which has potential to adversely impact on the character and appearance of the surrounding landscape, having regard to public viewpoints and the sensitivity of the landscape.
- In most cases a full Landscape and Visual Impact Assessment will be required to be prepared in accordance with the latest Landscape Institute guidelines.
- In some cases a Landscape Visual Appraisal may be sufficient. This is still prepared by a landscape architect to industry standards but focusses more on the capacity of the landscape to accommodate the proposed development. It does not need to include the full technical assessment of significance and magnitude of visual impact.
- For minor developments, this could be achieved by providing photographs from identified public viewpoints to provide an informal assessment.

### Information needed:

- The LVIA report will need first to identify the Zone of Theoretical Visibility with reference to public viewpoints close to the site and in the wider landscape. It will need to take into account long distance views. The report should then identify the landscape characteristics of the site and surrounding area; consider its capacity for accommodating change and identify the viewpoints from which the development proposals can be seen. An assessment is then made of the magnitude and significance of the change on the landscape the development will bring about on each viewpoint and then on the landscape overall.
- Where appropriate the LVIA may recommend mitigation in the form of revised site layouts, landscape screening and bunding to make the proposals acceptable in terms of landscape impact.
- The LVIA will include photographs of the application site from public viewpoints but photomontages may also be incorporated to demonstrate the initial impact of the development and then at subsequent stages as any proposed landscape planting matures.
- The extent of LVIA or LVA required should be confirmed with the council prior to submission either as part of the Pre-application Advice Service or Scoping Opinion for EIA development

### Policy drivers/further guidance:

- Cumbria Minerals and Waste Local Plan – DC18 Landscape and Visual Impact; DC 22 Restoration and Aftercare
- National Planning Policy Framework
- Cumbria Landscape Character Guidance and Toolkit
- Landscape Institute Guidelines on Landscape Visual Impact Assessment 3<sup>rd</sup> Edition (2013)
- EIA regulations 2017

## **Landscaping proposals**

### When required

- Details of any proposed landscape planting should be included on the submitted Site Plans. Where landscape planting/screening is integral to the development proposals (for example, as identified within a LVIA report) then a detailed landscape strategy will also be required. In some cases this could be secured by planning condition but for more complex applications, full details may be required in order to assess suitability of the scheme prior to determination. Often a Landscape Strategy is included as part of the submitted LVIA.

### Information needed

- Details of all existing landscape features to be retained, and proposed new planting/landscaping features, including size and type of species. A detailed landscape strategy should also include information on how the landscape planting will be protected and maintained once planted.

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy DC18 (Landscape and Visual Impact) and DC 22 (Restoration and Aftercare)
- National Planning Policy Framework
- Cumbria Landscape Character Guidance and Toolkit

## **Land Contamination Survey / Risk Assessment**

### When required

- A survey would be required where there is a likelihood of land contamination from past uses of the land or as a result of the new development disturbing existing contamination. Past or present uses which could lead to land contamination may include industry activity, chemical and fuel storage, treat and disposal of waste and sites located close to existing landfill sites (usually within 250 metres).

### What is required

- Initially, a Phase 1 desktop survey of the site would be required – this would provide an investigation into the history of the site in terms of its past and present uses and should identify potential sources, pathways and receptors for pollutants. The survey would mainly draw information from historical information regarding the site. Depending on the findings of the Phase I study, an intrusive Phase II site investigation maybe required which requires physical examination of the site and land and include examination of the ground structure beneath the surface.
- Depending on the findings of the Phase II report, a detailed programme of remediation works may be recommended that has to be carried out prior to development commencing or certain stages of development completing.
- The survey and risk assessment should be prepared by a competent and qualified person.
- A Phase 1 report will be required to validate the planning application. Subsequent reports may be secured by planning condition although depending on timescales can be submitted for consideration during determination of the application.

### Policy driver/further guidance

- Cumbria Minerals and Waste Local Plan – policy SP16 (Restoration and Aftercare) and DC21 (Protection of Soil Resources).
- National Planning Policy Framework

## **Lighting Assessment**

### When required

- When proposals involve external lighting which has potential to impact on either neighbouring property, or on the visual amenity of the area (including on dark skies). Installation of external lighting on buildings may only require submission of details with the application for consideration. Where more significant new lighting is proposed, such a floodlighting, or lighting on car parks, open land or yards a Lighting Assessment prepared by a suitably qualified lighting engineer will be required.
- Lighting Assessment may also form part of an Ecological Assessment where there is potential for adverse impact on Protected Species, in particular bats.

### What is required

- Details on the type and location of external lighting proposed, including lux levels. Hours of operation. An assessment of the light spill and its impact on both nearby properties (especially residential) and on the wider setting, giving particular consideration to lighting in the countryside and other dark sky areas.
- The assessment should include consideration of less intrusive lighting schemes if appropriate, and details of any measures taken to reduce the potential for light pollution or disturbance.

### Policy drivers/further guidance

- National Planning Practice Guidance – para.001 – 007 (Ref.ID:31-001-20140306)
- Lighting in the Countryside: Towards Good Practice (1997)
- Institute of Lighting Engineers “Guidance Notes for the Reduction of Obtrusive Light.”

## **Minerals Need Assessment**

### When required

- All proposals for minerals extraction should include a need assessment, having regard to the current aggregate land bank figures and demand.

### Information needed

- The developer will need to demonstrate there is a market need for their product and how their proposal fits with the current aggregate land bank figures and market demand. Whilst there is no maximum land bank level for aggregates, the county council as minerals planning authority needs to manage a steady supply and ensure that reserves are not released too early should they be required to meet regional and national needs at a later stage. Where a land bank is below the minimum level this indicates a more acute need for the mineral to be extracted.
- To demonstrate the need for minerals extraction to be permitted in an area where an adequate land bank already exists, the following issues should be addressed in any statement:
- Are there significant future increases in demand that can be forecast with reasonable certainty;
- Is the location of the consented reserve inappropriately located relative to the main market area;
- Does the nature, type or quality of the aggregate make it particularly suitable for use within a particular district or to serve a separate market;
- Are there any known constraints on the availability of consented reserves that might limit output over the Plan period
- Any other exceptional or site-specific circumstances which require the proposal to come forward

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy SP7 (Minerals Supply), DC12 (Criteria for Non-Energy Minerals Development)
- National Planning Policy Framework – section 17 (facilitating the sustainable use of minerals)
- National Planning Practice Guidance paragraphs 080 – 085 (ID Ref: 27-080-20140306)
- Cumbria County Councils Local Aggregates Assessment (LAA) – produced annually and published on the Council website

### **Noise assessment**

#### When required

- Any development which is likely to generate significant noise above background levels or regular movements of larger vehicles. It would commonly be required with minerals applications due to the nature of that operation, but could equally apply to noise associated with construction of new buildings, or the introduction of a new/more intensive activity near to sensitive receptors.

### What is required

- Establish baseline conditions of the existing noise climate around the site of the proposed operations at the times the site is proposed to operate
- Identify site activities that could lead to unacceptable noise emission without mitigation
- Proposed mitigation measures
- Make proposals to monitor and report noise emissions to ensure compliance with the appropriate environmental standards and to enable an effective response to complaints

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan - policy DC3 (Noise)
- National Planning Policy Framework – section 17 (facilitating the sustainable use of minerals)
- NPPG – paras.001 – 009 (Ref/ID: 001-20140306); paras. 019 – 022 relating to minerals development specifically (Ref.ID: 27-020-201540306)

## **Planning Obligations – Draft Heads of Terms**

### When required

- Where development proposals would otherwise be unacceptable but are capable of being made so. Planning obligations should only be used where it is not possible to address impacts or make the development acceptable through imposition of a planning condition(s).
- S106 Planning Obligations are likely to include measures to secure long term management of environmental assets (e.g. woodland and/or ecological management plans), or to provide necessary infrastructure to mitigate the impact of development and make it acceptable, such as highway and transport improvements; flood and surface water management schemes and provision of green infrastructure.
- In exceptional circumstances (as set out in Policy SP17) financial guarantees may be entered into with regard to quarry restoration schemes.

### Information needed

- A short statement providing details of the proposed Heads of Terms or matters to be controlled/included in the legal agreement

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy SP17 (Section 106 Obligations)
- National Planning Policy Framework

## **Planning Statement**

### When required?

- For all development, a detailed description of the proposed development and an assessment of how the scheme fits with relevant national and local planning policy will be required. For some applications it may be sufficient to include a section on policy analysis within the Design and Access Statement. For major applications and complex proposals a more detailed Planning Statement would be expected, possibly cross referencing other supporting documentation submitted with the application to demonstrate compliance with policy.

### Information needed:

- Essentially the purpose of the Planning Statement is to identify national and local planning policy relevant to the development proposals and demonstrate how the policies are being complied with, or whether there are circumstances to justify approval of the application contrary to adopted policy.
- It is recognised that the scale and level of detail provided within the Planning Statement would be proportionate to the nature of the development proposals and that some planning policy assessment will also be provided within other supporting documents required.

### Policy drivers/further guidance

- National Planning Policy Framework (NPPF)

## **Public Rights of Way Statement**

### When required

- Any development proposal that may affect a public right of way either by obstructing it or potentially causing inconvenience or other risk to its users.

### Information needed

- A statement should detail how the development or proposal affects the public right of way and how the scheme will incorporate the right of way, any requirements for a diversion to its route, whether any improvements can be made to the right of way.
- If closure of the right of way would be needed, details of the timescales and period of closure would be useful

### Policy drivers/further guidance:

- Cumbria Minerals and Waste Local Plan – policy DC 2 (General Criteria)
- National Planning Policy Framework – paragraph 75

- Further information on the definitive routes of public rights of way and procedures for closures and diversion can be provided by Cumbria County Council as local highway authority

## **Statement of Community Involvement**

### When required

- For all major development proposals and those accompanied by Environmental Statements, it is expected that the developer will have carried out some consultation and engagement with the local community. The scale and extent of consultation carried out will depend on the nature of the proposal. For smaller or less contentious schemes, a mail drop providing details of the scheme and inviting comments before submission may be sufficient. For more complex or contentious proposals, a greater level of engagement is required which could include public exhibitions, provision of full submission details on a dedicated website and follow-up meetings with feedback.

### Information needed

- The scale and level of detail in the Statement of Community Involvement will be proportionate to the nature of the proposal and extent of consultation carried out. The statement should include details of the consultation carried out (i.e. who was consulted; what information was provided and how; were any public consultation events held); a summary of the responses received, and a commentary on how the response have been taken into account, noting either how additional information or amendments to the scheme have been made, or if a particular issue or comment has not been taken into account further, the justification for doing so. A conclusion to confirm the effect of the public consultation on shaping the final proposal for submission would also be helpful.
- For the purposes of validation, it is not for the county council to comment on whether the extent of community consultation is sufficient, or whether responses have been adequately addressed. However, we do require a clear statement confirming the extent of consultation undertaken and how this has impacted on the final proposal.

### Policy drivers/further guidance

- Town and Country Planning (Development Management Order) 2013
- EIA Regulations 2017
- Details on how the Council will engage with communities when determining planning applications can be found in the Cumbria Minerals and Waste Development Plan Statement of Community Involvement (July 2017)



## **Transport Statements/Assessments and Travel Plans**

### When required

- For minor developments, a Transport Statement should be sufficient which will outline the aspects of the scheme which may impact upon transport but will generally contain less technical data. A Transport Assessment will be required where the proposed scheme is a major development or will result in significant implications for the highway network and significant additional numbers of vehicle movements.
- The need for either a Transport Statement or Assessment would be considered on each individual case, taking into account any policies within the development plan relating to transport statement or assessments; existing intensity of transport use and availability of public transport; proximity to sensitive areas and the cumulative impacts of multiple developments.

### Information needed

- A proportional statement to the scale of the development proposed – a transport statement should include details analysis of the impacts of the proposal, including data on modal split of journeys to and from the site and also the proposed measures to be used to improve access to the site by public transport together with walking and cycling. It is important that the scope of and information to be included in Transport Statements and Assessments are agreed with the county council at an early stage in the planning application process.
- For development proposals likely to generate significant travel movements a Travel Plan will be required to demonstrate how travel generated by the development (including during construction/development phase if appropriate) and in particular how use of sustainable transport options will be encouraged.
- Sometimes a Draft Travel Plan will be included with the planning application submission, but will often be required by planning condition to be submitted for approval prior to the development first coming into use.

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policy DC1 Traffic and Transport
- National Planning Policy Framework –
- National Planning Policy Guidance –paras. 001-006 (Ref.ID:42-001-20140306)
- Cumbria County Council (as local highway authority) can also provide advice on the transport implications of development proposal and the scope of assessment required

## **Tree Surveys**

### When required

- A tree survey will be required for any development proposal which is likely to affect trees within and adjacent to the development site, either directly by loss or damage, or indirectly by developing in close proximity to trees and therefore potentially reducing their lifespan.

### Information needed

- Any tree survey submitted in support of planning applications must be carried out by qualified persons and include a full arboriculture impact assessment and be completed to the latest British Standard 5837. The survey should also include justifications for any trees to be felled and include accurate constraints plans with the extent and crown spreads of all trees accurately plotted.

### Policy drivers/further information:

- Cumbria Minerals and Waste Local Plan – policy DC16 (Biodiversity and Geodiversity)
- National Planning Policy Framework
- Town and Country Planning (Tree Preservation) (England) Regulations 2012

## **Utilities Assessment**

### When required?

- For major schemes (as defined by the General Development Management Procedure Order 2015), a statement should be provided confirming the availability of utility services and their capacity to serve the needs of the proposed development.

### Information needed

- It should be demonstrated that, following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community.
- That proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures.
- That service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains.
- Where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

### Policy drivers/further information

- Contact United Utilities, North West Water, British Gas for details of existing infrastructure and apparatus

### **Ventilation and extraction details**

#### When required

- For proposals including ventilation and extraction equipment. For minor proposals, showing the position of equipment on submitted plans and providing some further detail on the nature of the equipment proposed may be sufficient for validation purposes.
- Where more significant apparatus is proposed further details will be required, particularly in respect of Waste Proposals (e.g. waste transfer stations and recycling facilities).

#### Information needed

- Applicants should include details of the position and design of any equipment, including odour abatement techniques and acoustic noise characteristics where substantial equipment is proposed to be installed. An assessment of the effect of the equipment in managing noise and odour disturbance, together with any potential disturbance the equipment itself may cause should be provided. Consideration of any measures to reduce impact should also be included.

### Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan - policy DC2 (general criteria)
- The Environmental Health department of district councils can provide further guidance on how to manage noise and odour disturbance in development proposals

### **Site Waste Management Plan**

#### When required

- A site waste management plan is a document that describes, in detail, the amount and type of waste from construction projects and how it will be reused, recycled or disposed of. It will be required for proposals involving site excavation or demolition of buildings and structures.

#### Information needed

- The scale and level of detail provided will be proportionate to the nature of the development.

- Details should be provided of any waste arising from the proposals, including estimated quantity, proportion to be retained on site, and method of disposal for waste not retained on site.
- Opportunities for re-use and/or recovery of materials should be identified and developers should demonstrate that measures have been taken to minimise off-site disposal of waste materials.
- Reference should be made to the Waste Hierarchy set out in the Waste Management Plan for England (2013) on which current national and local waste planning policies are based.

Policy drivers/further guidance

- Cumbria Minerals and Waste Local Plan – policies SP2 (Provision for Waste) and SP3 (Waste Capacity)
- National Planning Policy Framework –
- Waste Management Plan for England (December 2013)

## **PART 2 – VALIDATION CHECKLISTS FOR MINERALS, WASTE AND COUNTY COUNCIL PLANNING APPLICATIONS**

This section contains the individual checklists for each application type (Country Council planning applications, minerals and waste applications). These lists can be used to provide quick reference to the information and documentation necessary for each application type. More detailed information and guidance on each requirement is available in part 1 of this document.

**Minerals Development: Checklist for applications for the extraction or processing of minerals, including S73 applications to vary conditions on existing minerals permissions and applications for Review of Old Mineral Permissions**

For an application to be registered as valid it must be accompanied by the relevant forms, plans and supporting documents which are necessary to provide sufficient information for the application to be properly considered and determined.

Unless submitted electronically one original with three copies of the application form, plans and supporting documents must be provided. Application forms for Minerals proposals are only available on the county council website.

All plans should be drawn to a recognised metric scale with the scale and direction of North clearly shown.

For further details on the level of information required, please refer to the council's guidance note – 'Local validation requirements for Minerals, Waste and County Council planning applications' which is detailed under part 1 of this document.

	YES - to confirm	NO - if not provided state reason here	N/A
<b>FORMS</b>			
Completed Minerals and associate waste application form (signed and dated)			
Supplementary information form			
Completed validation checklist (this form)			
<b>CERTIFICATES</b>			
Ownership Certificate completed			
Agricultural Holdings Certificate completed			
<b>PLANS</b>			
Location Plan			
Site Plan			
Block Plan			
Floor Plans( <i>for buildings, plant and structures</i> )			
Elevations ( <i>for buildings, plant and structures</i> )			
Roof Plan ( <i>for buildings, plant and structures</i> )			
Sections and Profiles			
Phasing/Working Plans			
Restoration, Aftercare and Afteruse Plans			
<b>FEE</b>			
Appropriate fee to be calculated			
<b>DESIGN AND ACCESS STATEMENT</b>			
Design and Access Statement if required			
<b>ENVIRONMENTAL IMPACT ASSESSMENT</b>			
Environmental Statement for all EIA development			
Has a Screening Opinion been sought prior to submission?			
Has a Scoping Opinion been sought prior to submission?			

	YES - to confirm	NO - if not provided state reason here	N/A
<b>LOCAL VALIDATION REQUIREMENTS</b>			
Air Quality Assessment			
Biodiversity & Geodiversity Habitat Assessment			
Species Surveys if required			
Birdstrike assessment			
Blasting scheme			
Coal mining risk assessment			
Cumulative impact assessment			
Daylight/Sunlight assessment			
Dust impact assessment			
Drainage details (foul and surface water)			
Economic Statement			
Environmental Statement ( <i>if submitting for non-EIA development</i> )			
Flood Risk Assessment			
Geotechnical assessment			
Health Impact Assessment			
Heritage Statement			
Landscape and Visual Impact Assessment			
Landscaping proposals			
Land contamination survey/risk assessment			
Lighting assessment			
Minerals need assessment			
Noise assessment			
Planning Obligations			
Planning Statement			
Public rights of way statement			
Statement of Community Involvement			
Transport Statement/Assessment			
Travel Plan ( <i>if required</i> )			
Tree Survey			
Utilities assessment			
Ventilation and extraction details			
Site waste management plan			

**Waste Development: Checklist for applications for the Waste proposals, including section 73 applications to vary conditions on existing planning permissions**

For an application to be registered as valid it must be accompanied by the relevant forms, plans and supporting documents which are necessary to provide sufficient information for the application to be properly considered and determined.

Unless submitted electronically one original with three copies of the application form, plans and supporting documents must be provided. The standard 1APP forms on the planning portal can be used for Waste proposals. If submitting via the Planning Portal please select that the application “is for Waste management” to ensure it is directed to the county council.

All plans should be drawn to a recognised metric scale with the scale and direction of North clearly shown.

For further details on the level of information required, please refer to the council’s guidance note – ‘Local validation requirements for Minerals, Waste and County Council planning applications’ which is detailed under part 1 of this document.

	<b>YES</b> - to confirm	<b>NO</b> - if not provided state reason here	<b>N/A</b>
<b>FORMS</b>			
Completed standard application form (signed and dated)			
Completed validation checklist (this form)			
<b>CERTIFICATES</b>			
Ownership Certificate completed			
Agricultural Holdings Certificate completed			
<b>PLANS</b>			
Location Plan			
Site Plan			
Block Plan			
Floor Plans ( <i>for buildings, plant &amp; structures</i> )			
Elevations ( <i>for buildings, plant &amp; structures</i> )			
Roof Plan ( <i>for buildings, plant &amp; structures</i> )			
Sections and Profiles			
Phasing/Working Plans			
<b>FEE</b>			
Appropriate fee to be calculated			
<b>DESIGN AND ACCESS STATEMENT</b>			
Design and Access Statement if required			
<b>ENVIRONMENTAL IMPACT ASSESSMENT</b>			
Environmental Statement for all EIA development			
Has a Screening Opinion been sought prior to submission?			
Has a Scoping Opinion been sought prior to submission?			



	YES - to confirm	NO - if not provided state reason here	N/A
<b>LOCAL VALIDATION REQUIRMENTS</b>			
Air Quality Assessment			
Biodiversity & Geodiversity Habitat Assessment			
Species Surveys if required			
Birdstrike assessment			
Cumulative impact assessment			
Daylight/Sunlight assessment			
Dust impact assessment			
Drainage details (foul and surface water)			
Economic Statement			
Environmental Statement ( <i>if submitting for non-EIA development</i> )			
Flood Risk Assessment			
Geotechnical assessment			
Health Impact Assessment			
Heritage Statement			
Landscape and Visual Impact Assessment			
Landscaping proposals			
Land contamination survey/risk assessment			
Lighting assessment			
Noise assessment			
Planning Obligations			
Planning Statement			
Public rights of way statement			
Statement of Community Involvement			
Transport Statement/Assessment			
Travel Plan ( <i>if required</i> )			
Tree Survey			
Utilities assessment			
Ventilation and extraction details			
Site waste management plan			

**County Council Developments: Checklist for applications for all County Council developments**

For an application to be registered as valid it must be accompanied by the relevant forms, plans and supporting documents which are necessary to provide sufficient information for the application to be properly considered and determined.

Unless submitted electronically one original with three copies of the application form, plans and supporting documents must be provided. The standard 1APP forms on the planning portal can be used for all planning applications relating to County Council development proposals. If submitting via the Planning Portal please select that the application “comes under Regulation 3” (i.e. it is a County Council development) to ensure it is directed to the county council.

All plans should be drawn to a recognised metric scale with the scale and direction of North clearly shown.

For further details on the level of information required, please refer to the council’s guidance note – ‘Local validation requirements for Minerals, Waste and County Council planning applications’ which is detailed under part 1 of this document.

	<b>YES - to confirm</b>	<b>NO - if not provided state reason here</b>	<b>N/A</b>
<b>FORMS</b>			
Completed standard application form (signed and dated)			
Completed validation checklist (this form)			
<b>CERTIFICATES</b>			
Ownership Certificate completed			
Agricultural Holdings Certificate completed			
<b>PLANS</b>			
Location Plan			
Site Plan			
Block Plan			
Floor Plans ( <i>for buildings, plant and structures</i> )			
Elevations ( <i>for buildings, plant and structures</i> )			
Roof Plan ( <i>for buildings, plant and structures</i> )			
Sections and Profiles ( <i>if required for buildings/structures or change in ground levels</i> )			
<b>FEE</b>			
Appropriate fee to be calculated			
<b>DESIGN AND ACCESS STATEMENT</b>			
Design and Access Statement			
<b>ENVIRONMENTAL IMPACT ASSESSMENT</b>			
Environmental Statement for all EIA development			
Has a Screening Opinion been sought prior to submission?			
Has a Scoping Opinion been sought prior to submission?			

	YES - to confirm	NO - if not provided state reason here	N/A
<b>LOCAL VALIDATION REQUIREMENTS</b>			
Air Quality Assessment			
Biodiversity & Geodiversity Habitat Assessment			
Species Surveys ( <i>if required – e.g. bat survey for works affecting roof space or demolition of buildings</i> )			
Daylight/Sunlight assessment			
Drainage details (foul and surface water)			
Economic Statement			
Environmental Statement ( <i>if submitting for non-EIA development</i> )			
Flood Risk Assessment			
Health Impact Assessment			
Heritage Statement			
Landscape and Visual Impact Assessment			
Landscaping proposals			
Land contamination survey/risk assessment			
Lighting assessment			
Noise assessment			
Planning Obligation			
Planning Statement			
Public rights of way statement			
Statement of Community Involvement			
Transport Statement/Assessment			
Travel Plan ( <i>if required</i> )			
Tree Survey			
Utilities assessment			
Ventilation and extraction details			
Site waste management plan			