

WIRRAL COUNCIL

PLANNING COMMITTEE – 2JULY 2009

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

THE VALIDATION OF PLANNING APPLICATIONS – PROPOSED VALIDATION CHECKLIST

1.0 EXECUTIVE SUMMARY

- i. To inform members of the changes proposed to the Local Planning Authority Validation Checklist.
- ii. Members approve the national and local checklists as amended following consultation and that they be adopted for use by the Technical Services Directorate.

2.0 BACKGROUND

- 2.1 A report was presented to Members on 12th March 2009 outlining the introduction of a mandatory standard planning application form. The new form known as the 1APP is used by all local planning authorities in England
- 2.2 The report outlined the information that was required by Wirral Borough Council in response to these changes to the process of submitting planning applications and included the statutory requirements for the validation of planning applications. A set of draft validation checklists was included in the appendices to the report.
- 2.3 The validation checklist is intended to provide greater certainty to applicants and agents about the nature and extent of information required for the validation of applications. This will help to avoid unnecessary delay and confusion. Applications that do not satisfy the minimum levels of information will be deemed invalid and will not be processed.
- 2.4 The guidance notes accompanying the checklists have the following aims –
 - To stress the importance, for applicants and their agents of entering into pre-application discussions with the Local Planning Authority for the majority of development proposals
 - To outline the procedures for the validation of planning applications by the Local Planning Authority.
 - To provide guidance on the scope of materials that should be supplied with applications for planning permission and other submissions.
 - To outline the benefits of a validation checklist in helping the Local Planning Authority achieve good standards of importance.

3.0 VALIDATION CHECKLIST – PROPOSED STATEMENTS REQUIRED

- 3.1 The Validation Checklist comprises of two sections, the first is the national statutory requirements and the second, a list of local requirements that each local authority may use and tailor to specific needs.
- 3.2 This report includes at appendix A, the statutory requirements and at appendix B the local requirements that are specific to Wirral and contain individual checklists for each type of development. This list has been amended to take account of consultation responses.

4.0 CONSULTATION

- 4.1 Consultation has taken place on both checklists with a wide range of internal and external customers who use the planning service. These include regional planning organisations, civic societies, planning agents and other internal departments.
- 4.2 The consultation process ran from 6th April to 18th May. The lists drew a series of comments, which are summarised below

English Heritage – Planning statements, Listed Building Appraisals, Conservation Area Appraisals or Heritage Statements should take account of the “impact on” and the “setting of” the historic environment, which includes individual historic assets. For Example applications for planning permission for development may affect the setting of a listed building, scheduled monument, battlefield, conservation area, registered park or archaeological remains. They may also have an impact on the surrounding environs and these issues need to be addressed in ant appraisal. There should be a statement of the significance of the historical and archaeological interest of a site as well as a state of justification for the works.

Environment Agency – We note that applicants and agents are encouraged to contact statutory consultees at the earliest stages. We welcome the opportunity to discuss potential development with regards to our interests.

Contaminated Land – The potential to controlled waters needs to be fully investigated with regards to the contamination. The definition of controlled waters can be found under section 104 of the Water Resources Act.

Flood Risk – The flood risk sequential test will need to be undertaken for proposals located within flood zones 2 and 3. Should a Flood Risk Assessment be required the applicant should ensure this is undertaken at the conceptual stage in order to ensure the FRA influences the final design. We suggest that mention is made that our flood risk standing advice can be found on our website.

Highways Agency – The Agency would welcome early involvement in the preparation of planning applications that might effect the Strategic Road Network so that any need for additional information that may emerge during the course of the process can be identified at an early stage. However, there will be cases where the Highways agency is not included in the scoping and preparation process. It is these cases where there may be insufficient information for the Agency to properly assess the impact a proposed development will have on the SRN, and consequently could impact on the timeliness of the decision making process. In order to speed up delivery, it would assist the Highways Agency and your Council if applications which impact on the SRN are required to provide conformation from the Highways Agency that the scope and detail of these documents is sufficient for the purposes of assessing the application within the statutory timeframes. Also, where the proposals include work being undertaken within the Highway Boundary, HA conformation that the proposals are in principle acceptable combined with an agreed Stage 1 Road Safety Audit.

- 4.3 Climate Change Impact Assessment - As part of the Government ‘s objective and target to reduce the effect of new developments on climate change, information on how to combat such effects should be submitted with planning applications. Proposals for new buildings, conversions and extensions requires the submission of a report detailing how the proposed development demonstrates a reduction in carbon emissions and incorporates energy efficiency best practice measures in its design, layout and orientation in accordance with the objectives of Planning Policy Statement 22: Renewable Energy and Planning & Climate Change (Supplement to PPS1).

5.0 FINANCIAL and STAFFING IMPLICATIONS

- 5.1 The validation checklist will provide greater detail and certainty to applicants and agents about the nature and extent of information required for the validation of applications. This will help to avoid unnecessary delays and confusion and therefore a less time consuming and more cost efficient operation for Development Control officers.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 6.1 The submission of a "Design and Access Statement" will include details on "Inclusive Access". This should indicate how every person can get to and move through the development on equal terms regardless of age, disability, ethnicity or social grouping.

7.0 COMMUNITY SAFETY IMPLICATIONS

- 7.1 Ensuring that submitted applications are developed to "Secure by Design" standards and achieve the seven attributes for sustainability set out in safer places – the planning system and crime prevention should deliver safer, more sustainable developments with reduced crime.

8.0 LOCAL AGENDA 21 IMPLICATIONS

- 8.1 The submission of a Climate Change Impact Assessment will require applicants to demonstrate how the proposed development demonstrates a reduction in carbon emissions and incorporates energy efficiency best practice.

9.0 PLANNING IMPLICATIONS

- 9.1 The proposed detailed validation checklist will improve the submission criteria through increased information submitted and thereby provide improvements to the quality and speed of processing and determination of planning applications.

10.0 ANTI-POVERTY IMPLICATIONS

- 10.1 There are no anti-poverty implications arising from this report.

11.0 HUMAN RIGHTS IMPLICATIONS

- 11.1 The submission of a design and access statement will include details on "Inclusive Access". This should indicate how every person can get to and move through the development on equal terms regardless of age, disability, ethnicity or social grouping.

12.0 SOCIAL INCLUSION IMPLICATIONS

- 12.1 No known social inclusion implications arising directly from this report.

13.0 ACCESS TO INFORMATION

- 13.1 Once approved, the proposed Validation Checklist will be available on the Council's website with hard copies available from Technical Services Department public reception at the Cheshire Lines Building in Building in Birkenhead, and in the Council's One Stop Shops and libraries.

14.0 LOCAL MEMBER SUPPORT IMPLICATIONS

- 14.1 The proposed Validation Checklists will be of interest to all Members as it affects planning applications within all wards.

15.0 BACKGROUND PAPERS

- 15.1 The background papers used in the preparation of this report are the DCLG guidance – The validation of planning applications

16.0 RECOMMENDATIONS

- 16.1 The adoption of the “local validation requirements” is essential in order to fully benefit from the new arrangements. The Planning Committee is requested to agree the revised Validation Checklist which has been subject to the consultation as outlined above.

THE VALIDATION OF PLANNING APPLICATIONS – PROPOSED VALIDATION CHECKLISTS

Validation Checklists

Background

Current legislation relating to the registration and validation of planning applications comprises:

- The Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004)
- The Town and Country Planning (General Development Procedure) Order 1995 (amended by the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008).

Regulation 4 of The Town and Country Planning (Applications) Regulations 1988 enables a Local Planning Authority to direct applicants to: -

- Supply any further information, and in the case of outline applications, plans and drawings necessary to enable it to determine the application; or
- Provide any evidence in respect of the application as is reasonable to verify any particulars of the application.

Validation

These guidance notes take the form of a formal direction under Regulation 4 that the information set out in the validation checklists within the document may be requested by the Local Planning Authority prior to validation.

The checklists are in two parts:

- National Requirements – The first part of each checklist contains compulsory requirements including some matters that are required by law in any event and other matters that the Local Planning Authority will require in all cases.
- Local Requirements – The second part of each list contains suggested additional information that may be requested or may need to be adapted to circumstances of each application.

If the information that is required by the direction contained in these guidance notes is not included with the application for planning permission the Local Planning Authority will be entitled to declare the application invalid and not register or process it. The LPA will set out its reasons for declaring an application invalid in writing to the applicant.

If an application appears to be valid but is later found to be invalid following registration, the original start date for processing the application should be disregarded. The time from the application to decision should start again on the date in which the application is made valid. This is the only circumstance in which the date should be amended.

It may not be possible for the Local Planning Authority to assess the accuracy of all the submitted information until the case officer has made a visit to the site. e.g. with regard to matters such as accurate plotting of trees. However, if after making a visit such information is found to be lacking or inaccurately presented, the Local Planning Authority may at this point determine that the application is invalid.

If further information is later required beyond that submitted in the original application to enable a decision to be made, it can be requested under Regulation 4 of The Town and Country Planning (Applications) Regulations 1988, Wirral Borough Council has powers to direct Applicants to firstly supply any further information and, full plans and drawings necessary to enable them to determine the applications.

Applications for outline planning permission generally need not give details of any proposed reserved matters under regulation 3(2) of the Town and Country Planning (Applications) Regulations, 1988.

However, where Wirral Borough Council receives an application for outline planning permission but is of the opinion that, in the circumstances of the case, the application should not be considered separately from all or any of the reserved matters, under the provisions of Article 3(2) of the town and Country Planning (General Development Procedure) Order, 1995 the applicant will be informed within **one month (as specified by Article 3 (2) of the GDPO 1995)** of the receipt of the application it is considered that the application cannot be determined unless further details are submitted as specified.

2. Pre-Application Discussions

An essential element of the validation procedure is the encouragement and facilitation of pre-application discussions for all types of application to guide the applicants through the process and to ensure that applicants are aware of the information requirements for validation.

Applicants and Agents are encouraged to contact the Local Planning Authority and where appropriate statutory consultees (e.g. British Waterways, council highways) at an early stage to request pre-application discussions. It is more beneficial if this is done at the concept plan stage before principles have been firmed up. However, these discussions are at their most useful if at least some indicative illustrative material is provided.

Appendix 1

National Statutory Requirements

A comprehensive list of the national statutory requirements is provided below. However, the information required will vary depending on the type of application. The Local statutory requirements checklist in **Appendix 2** of this document should be referred to in conjunction with the following list to ascertain the precise requirements for the type of application being submitted.

The Completed Application Form

If at all possible, this should be submitted electronically, but paper copies will be accepted. Where applications are not submitted electronically, four copies will be required. For complex applications further copies may be requested to assist in the speed with which applications are dealt with.

The Correct Fee

Where a fee is necessary it must be provided in accordance with the statutory fee scale applicable at the time of making the application. If the applicant considers that no fee is necessary, the applicant should specify the reasons for this view. If however no fee is required as the application is a re-submission of a previous proposal, the planning reference number of the previous application should be provided.

Ownership Certificates

Under section 65(5) of the Town and Country Planning Act 1990, an application for planning permission cannot be validated unless the relevant certificates concerning the ownership of the application site have been completed.

All applications, except for approval of reserved matters, discharge or variation of conditions, tree preservation orders and express consent to display an advertisement, must include the appropriate certificate of ownership.

An ownership certificate must be completed stating the ownership of the property. For this purpose an 'owner' is anyone with a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

- **Certificate A** – When the applicant is the sole owner
- **Certificate B** – When the owner is known to the applicant
- **Certificates C and D** – when not all or any of the owners of the site are known.
- **Agricultural Holdings Certificate.** This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for:
 - Reserved matters
 - Renewal of temporary planning permission
 - Discharge or variation of conditions
 - Tree preservation orders; or
 - Express consent to display an advertisement.

A Part 1 Notice is a notice to owners of the application site and must be used if certificate B has been completed and may be required if Certificate C has been completed. The notice must be served on each of the individuals identified in the relevant certificate.

The Location Plan

All applications must include 3 copies of a location plan (unless submitted electronically) based on an up-to-date map at a scale of 1:1250 or 1:2500. In exceptional circumstances plans of other scales may also be required. For complex applications additional copies may be required. Plans should where ever possible show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.

A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

Site Plans and Other Plans

Three copies of the site plan should be submitted. The legislation requires three copies (unless submitted electronically). The site plan should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- a) The direction of North
- b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c) All the buildings, roads and footpaths on land adjoining the site including access arrangements
- d) All the public rights of way crossing or adjoining the site
- e) The position of all trees on the site, and those on the adjacent land that could influence or be affected by the development
- f) The extent and type of any hard surfacing; and
- g) Boundary treatment including walls or fencing where this is proposed.

In addition other plans should be submitted (dependant on the type of application – refer to the relevant list for specific requirements attached as Appendix 1) and may include:

Block Plan of the Site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries.

Copies of plans should show; any site boundaries: the type and height of boundary treatment (e.g. walls, fences etc); the position of any building or structure on the other side of such boundaries

Existing and Proposed Elevations (e.g. at a scale of 1:50 or 1:100)

These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the position of the openings on each property.

Existing and Proposed Floor Plans (e.g. at a scale of 1:50 or 1:100)

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

Existing and Proposed Site Sections and Finished Floor and Site Levels (e.g. at a scale of 1:50 or 1:100)

Such plans drawn at a scale of 1:50 or 1:100 should show cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside an extension would be modified. Levels should also be taken into account in the formulation of design and access statements.

Roof Plans (e.g. at a scale of 1:50 or 1: 100)

A roof plan is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material, vents and their location are typically specified on the roof plan.

Design and Access Statement

A Design and Access Statement must accompany applications for both outline and full planning permission unless they relate to one of the following:

A material change of use of land and buildings, (unless it also involves operational development):

Engineering or mining operations
Householder developments

However, statements **are** required for applications where any part of a dwelling house or its curtilage fall within one of the following designated areas:

1. National Parks
2. Sites of Special Scientific Interest.
3. Conservation Areas
4. Areas of outstanding natural beauty
5. World Heritage sites
6. The Broads

A Design and Access Statement is a short report accompanying and supporting a planning application that should seek to explain and justify the proposal in a structured way. The level of detail required in a Design and Access Statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly. The Design and Access Statement should cover both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with. A Design and Access Statement should be proportionate to the complexity of the application, but need not be long. The requirements of a design and access

statement is set out in article 4C of the GDPO and Department for Communities and Local Government Circular 01/06 – Guidance on Changes to the Development Control System

Further guidance is also provided in the CABA publication “design and Access Statements: How to Write and Use Them” – CABA 2006

The Design and Access Statement should also refer to the Key Planning Objectives set out in the supplement to PPS1: Planning and climate Change providing an assessment on how the development proposed will contribute towards meeting the objectives.

Applications for listed building consent must be accompanied by a Design and Access Statement. In particular, such a statement should address:

- (i) The special architectural or historic interest of the building
- (ii) The particular physical features of the building that justify its designation as a listed building; and
- (iii) The buildings setting.

The legislative requirements are set out in regulation 3A of the Planning (Listed buildings and Conservation Areas) Regulations 1990.

When a planning application is submitted in parallel with another type of application, e.g. an application for listed building consent; a single combined Design and Access Statement should address the requirements of both.

As well as the national statutory requirements for submitting a valid application, the council has prepared a local list of additional requirements based on the government's recommendations. These are set out in part two of this document and MUST be read in conjunction with the above requirements as both must be complied with in order for an application to be considered as valid.

The Design and Access Statement should make reference to:

- Layout plan showing the proposals on the site in the context of existing development. This should show the layout and give details of the character of the development (scale, form, mass, style, designation. etc)
- Levels – existing and proposed
- Visual appraisal and evaluation of the scheme proposed in relation to existing context.
- An access strategy. Not just about level entrances, but a more holistic rationale behind access to and around the development
- A demonstration of how crime prevention measures have been considered in the design of the proposal and how design reflects the attributes of safe, sustainable places is set out in Safer Places – The Planning System and Crime Prevention. Further guidance is available in part two of this document and at www.securebydesign.com.
- Clear proposals for the location of extraction ducts, flues and drain pipes, air conditioning units etc.
- A strategy for dealing with, as appropriate, wheeled bins, trade waste, deliveries, recycling, utility boxes, bicycles, prams etc
- A lighting strategy
- Elevations
- Sections
- Tree and vegetation survey
- Proposals for the hard and soft landscape scheme for the site and a clear rationale as to how it relates to the proposed development.

It would be desirable if the design and access statement also included

- Elevation plans, which include neighbouring buildings or features, that are outside the site to ensure that the development has been considered in the context of its physical surroundings.

- Axonometric or photo montages showing the relationship of the proposal to its surroundings
- Analysis of current movement patterns. This should include locations of local shops, services and bus stops publicly accessible paths and routes.
- Photographs showing the site in its context
- Details of materials to be used with a reasoned justification
- Evidence of the process of analysis – evolution – proposition. This should be demonstrated in relation to the context of the site, (policy, physical and economic) so it is clear that the development proposal has come about through a full understanding of all the factors that affect the site.
- Highway signage and markings proposals.
- Evidence that highway infrastructure proposed has been developed in line with best practice detailed in Manual for Streets.
- A statement about how the development will seek to minimise the production of carbon in construction and during its use.

Validation Criteria for Planning Applications

Appendix 2

Local Requirements

ADDITIONAL INFORMATION REQUIRED BY WIRRAL BOROUGH COUNCIL

The council will consult a wide range of internal and external users of the planning service including regional planning organisations, neighbouring authorities, civic societies, planning agents and other internal departments.

Following the consultation process, the council will take into account any responses and amend the scheme where appropriate and in accordance with the agreement of the Councils Planning Committee.

The following list refers in detail to the specific requirements set out on Wirral's validation checklists. The list also contains links where appropriate to national and local planning policies, plus advice on how documents, plans and assessments should be compiled.

Affordable Housing Statement

In line with PPS3, Wirral requires details relating to the provision of affordable housing. From April 2008, applicants seeking planning permission for new residential development on sites where more than 15 new dwellings are proposed, will expect 40% of the provision to be affordable to people falling within the lowest quartile of incomes within the area. Provision for on-site and off-site provision will be considered.

The statement should include the number and mix of residential units with numbers of habitable units, the floor space of habitable areas of residential units: plans showing the location of units and the number of habitable rooms and/or bedrooms; and the floor space of the units. If the different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. Further advice is available in Planning Policy Statement 3 and Wirral UDP Policy HSG2 Affordable Housing and UDP Policy HS6 Principle for Affordable Housing.

The Council would also welcome the provision of a Draft Section 106 Agreement alongside any planning application to allow negotiations to proceed at the earliest stage possible.

Applicants are required to justify proposals where fewer than 40% of the dwellings proposed. The justification will need to take the form of a financial assessment, which the Council will seek to verify independently, that such a scheme will not be financially viable to provide affordable housing to the level required. The cost of this independent assessment will be borne by the applicant.

Air Quality Assessment

Air Quality Assessment will be required for all proposals that impact on air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures. Thresholds are set out within the relevant checklists.

Further advice on the completion of these documents including scoping may be obtained from the Councils Environmental Health Department, Planning Policy Statement 23 Planning and Pollution Control.

Archaeological Assessment

An Archaeological Assessment will be required when any proposed development includes new building or ground disturbance on or adjoining a site of architectural interest, as set out by Wirral's UDP Policies CH24 Development Affecting Scheduled Ancient Monuments and Policy CH25 Development Affecting Non – Scheduled Remains. Applicants are advised to discuss any further requirements with the Merseyside Planning Archaeologist prior to making their planning submission and additional information is available from the English Heritage website.

Biodiversity Survey and Report

Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts. This may require applicants to gain independent advice from an ecological consultant.

Information will be required from applicants to enable formal screening as required by the 1994 Habitats Regulations as amended where a development likely to affect a Natura 2000 site (such as the North Wirral Foreshore and the Mersey and Dee Estuaries Special Protection Areas). This should include sufficient information to enable the Local Planning Authority to adopt a completed HRA screening report. A qualified ecological consultant should undertake screening reports

Applications for development that will affect areas designated for their biodiversity interests (e.g. Sites of Special Scientific Interest – SSSIS, Special Areas of Conservation SAC Special Protection Areas SPA Ramsar Sites, Local Nature Reserve LNR and Sites of Biological Importance SBI) should include assessments of impact proposals for long-term maintenance and management. This information might form part of an Environmental Statement, where one is necessary.

Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts.

Government planning policies for biodiversity are set out in Planning Policy Statement 9 Biodiversity and Geological Conservation. A Government Circular Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system, accompany PPS9. (ODPM Circular 06/2005, Defra Circular 01/2005 and Planning for Biodiversity and Geological Conservation; A guide to Good Practice. Material produced by other organisations may also provide a useful reference resource for local planning authorities when developing local lists.

Wirral has a range of its own UDP Policies on Nature Conservation. In the event that any developments are likely to have effects on the interests of acknowledged importance as set out above, applicants are advised at the earliest possible stage to discuss the implications with Cheshire Wildlife.

Climate Change Impact Assessment

As part of the Government 's objective and target to reduce the effect of new developments on climate change, information on how to combat such effects should be submitted with planning applications. Proposals for new buildings, conversions and extensions requires the submission of a report detailing how the proposed development demonstrates a reduction in carbon emissions and incorporates energy efficiency best practice measures in its design, layout and orientation in accordance with the objectives of Planning Policy Statement 22: Renewable Energy and Planning & Climate Change (Supplement to PPS1).

The assessment should detail the elements of the scheme that address sustainable development issues and in particular the need to reduce carbon emissions and improve energy efficiency. Such details should include details of specific measures to minimise water and energy usage and the generation of waste and include the potential for renewable energy generation by the provision of micro-renewable technologies, such as wind, hydro, solar, biomass, photovoltaic and heat pumps.

The Climate Change Impact Assessment may include elements otherwise included in documents submitted as part of the Local Requirements for Validation. For example, some information will overlap with details submitted with the Sustainability Checklist. Details should be included regarding any potential flood risk, for example sustainable drainage methods. This is required in addition to where the submission of a Flood Risk Assessment is required.

Further guidance is provided in the following documents:

Planning Policy Statement: Delivering Sustainable Development (PPS1)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement1.pdf>

Supplement to PPS1: Planning and Climate Change
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/153119.pdf>

Planning Policy Statement 22 - Renewable Energy (PPS22)
<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps22/>

Building A Greener Future – Towards Zero Carbon
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/153125.pdf>

A Code for Sustainable Homes
<http://www.communities.gov.uk/planningandbuilding/buildingregulations/legislation/codesustainable/>

Conservation Areas (see Heritage Statement)

Applications in conservation areas are tested against the criteria set out in Planning Policy Guidance Note 15 Planning and the Historic Environment (PPG 15), which states that proposals must preserve or enhance the character and appearance of the area. Conservation Area Appraisals have been produced and are available on the council's web site. A high standard of design will be required in Conservation Areas.

Contaminated Land Report

Brownfield sites and some Greenfield sites have the potential to be contaminated and therefore may pose a risk to current or future site occupiers, buildings on the site and to the environment. A contaminated land assessment may therefore be required. Planning Policy Statement 23 Planning and Pollution Control and Wirral's UDP Policy PO5 Criteria for the Development of Contaminated Land now requires applicants to consider the state of the land at the application stage on any sites where there will be a sensitive end use (e.g. residential, schools and allotments) regardless of previous use. Under PPS23 such applications will need to include a desktop study, site walk over and preliminary risk assessment relating to land contamination.

Where contamination is known to exist, in addition to a desktop study, a site investigation survey will be required incorporating a site-specific human health and environmental risk assessment with written remediation scheme to manage identified risks. This shall be submitted to the Local Planning Authority for approval.

Design Out Crime Assessment

1. Wirral will require the submission of a Design Out Crime Assessment for all major applications, and with the agreement of Architectural Liaison Officer's, any application that has the potential for public order issues. This will enable officers to hold these types of applications invalid until such a DOCA has been submitted.
2. These will include all new residential applications for 5 or more units
 - All A3 & A4 & A5 uses – new build
 - All taxi/minicab offices
 - All night clubs/discos
 - All amusement arcades
 - All commercial applications over 1000 sq. ms floor space
 - All hotels/hostels
 - All schools
 - Any other applications with any potential for public order issues.
3. Details of what a DOCA should include for applications submitted on the Wirral will be formulated with the ALO, although a demonstration of how crime prevention measures have been considered in the design of the proposal and how design reflects the attributes of safe, sustainable places is set out in Safer Places – The Planning System and Crime Prevention. Further guidance is available in part two of this document and at www.securebydesign.com.

Daylight/Sunlight Assessment

In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or buildings including associated gardens or amenity space then applications may also need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in, for example BRE guidelines on daylight assessment.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 1999 as amended set out the circumstances in which an Environmental Impact Assessment is required.

Where an EIA is required, Schedule 4 to the regulations sets out the information that should be included in an Environmental Statement. The information in an Environmental Statement has to be taken into consideration when the local planning authority decides whether to grant planning consent. It may be helpful for a developer to request a screening opinion from the local planning authority before submitting an application.

The need for such an assessment is most commonly confined to large scale agricultural, Industrial or minerals related developments, or other significant infrastructure projects. In the overwhelming majority of cases an EIA will not be required. When an EIA is not required, the local planning authority may still require environmental information to be provided.

Flood Risk Assessment

At the planning application stage an appropriate Flood Risk Assessment may be required to demonstrate how flood risk from all sources of flooding to the

development itself and flood risk to others will be managed now and taking climate change into account.

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. A FRA will also be required for any development other than minor development in a designated critical drainage area, which has been notified to the Local Planning Authority by the Environment Agency.

Even householder development can be subject to risk from flooding. It is vital that new extensions are built and designed to minimise the risk of flooding. We will refrain from determining planning applications in Flood Zones 2 and 3 unless the FLA is provided.

The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) and address the requirement for safe access to and from the development in areas at risk of flooding.

You can find out if your application is within a flood risk zone by checking the Environment Agency Web Site.

The FRA should form part of an Environmental Statement when one is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) regulations 1999 as amended. Planning Policy Statement 25 Development and Flood Risk provides comprehensive guidance for both local planning Authorities and applicants and Wirral's UDP policies WAT1 – Development and flood risk and WA2 Development and Land Drainage.

Foul Sewerage Treatment Statement

A foul sewerage assessment should include a description of the type, quantities and means of disposal of any trade waste or effluent. All new buildings need separate connections to foul and storm water sewers. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s).

It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. The use of soakaways will require satisfactory percolation tests to have been undertaken.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification.

Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than public highway, then notice may need to be served on the owners of that land.

An application should indicate how the development connects to the existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and also needs connection to foul and service water drainage and disposal.

Guidance on what should be included in a non-mains drainage assessment is given in DETR Circular 03/99 and Building Regulations Approved Document Part H and BS6297.

Heritage Statement (Including Historical, Archaeological Features and Scheduled Ancient Monuments)

Where a development will affect land that is within or close to the setting of heritage assets, a written statement that includes plans showing historic features, including, a Scheduled Ancient Monument (SAM), listed buildings and structures, historic parks and gardens, historic battlefields and scheduled ancient monuments or site of known archaeological importance or in other areas that are the subject of major development proposals or significant infrastructure works, the application will be expected to be accompanied by a Heritage Statement. The statement should describe the archaeological content or assess the potential and detail of any appropriate measures of investigation, mitigation and protection to be undertaken.

For applications for listed building consent, a written statement that includes a schedule of works to the listed building(s), an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. A structural survey may be required in support of an application for listed building consent.

For applications within or adjacent to conservation area, an assessment of the impact of the development on the character and appearance of the area WILL be required.

Landscaping Details

If the development involves landscaping (hard and soft) applications must be accompanied by a detailed scheme and include proposals for long-term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals, which follow from the design concept in the Design and Access Statement. At full planning or outline application stage a design plan for landscape should be produced showing the location of existing landscape elements to be retained and new areas of landscape proposed. Specification for landscaping proposals is set out in UDP Policy GR5, SPGs 16 and 17.

Lighting Assessments

Proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a listed building or conservation area, or open countryside, where external lighting would be provided or made necessary by the development, should be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design.

Materials Statement

Details of the proposed materials must be clearly specified. This requirement refers specifically to details of bricks, tiles and window types. Samples of materials may be required particularly where the materials are unfamiliar or where modern or contemporary materials are proposed. Hard materials for external spaces should also be considered, as they will impact on the visual appearance and function of a development. A statement on materials should be included in the Design and Access Statement.

Noise Impact Assessment

Applications for developments that raises issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician. Further guidance is provided in **Planning Policy Guidance 24 Planning and Noise**.

Photographs and Photomontages

These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should

be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.

Planning Obligations – Draft Head(s) of Terms

Planning obligations are private agreements negotiated between local planning authorities and persons with an interest in a piece of land (or “developers”), and are intended to make acceptable development which would otherwise be unacceptable in planning terms.

Where Local Development Framework policies give details of likely section 106 requirements, a statement of the proposed Heads of Terms may be submitted with the application. Further advice is available in ODPM Circular 05/2005 “Planning Obligations” and the model section 106 agreement, both of which are available on the Communities and Local Government website.

Planning Statement

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority and wider/statutory consultees undertaken prior to submission. Alternatively, a separate statement of community involvement may be appropriate.

Retail Assessments

Government guidance is currently contained in **Planning Policy Statement 6 Planning for Town Centres and Retail Developments (PPS6)** supplemented by ministerial statements.

Where a development is proposed outside a town centre the assessment should include the need for the development, an assessment of whether there are any sequentially preferable sites for the development proposed and an assessment of the potential impacts on the vitality and viability of other centres, which may be affected by the proposal. The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal

Site Waste Management Plan

Proposed new development should be supported by a site waste management plans of the type encouraged by the code of practice published in 2004 by the Department of Trade and Industry now The Department for Business Enterprise and Regulatory Reform. **Site Waste Management Plans: guidance for construction contractors and clients.** These do not require formal approval by planning authorities, but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the re-use and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed.

Statement of Community Involvement

Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation set out in the local planning authorities 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.

Structural Survey

Where a proposal involves a barn conversion, alteration to a listed building or building of historic importance, a structural survey will be required. This should give an appraisal of the structural stability of the building, together with a schedule of the work that is required to convert the building and a method statement for carrying out the work. This should be accompanied by coloured plans indicating the repairs and alterations required. An independent specialist consultant should carry out the survey.

Additionally, if it is proposed to demolish all or part of a Listed Building/structure, a structural survey will be required. This will need to confirm the status of the building clarifying that the demolition is the only available option in the event that the historic fabric either cannot be retained or is beyond meaningful repair.

Sustainable Urban Drainage Systems (SUDS)

In many cases, details of sustainable urban drainage systems will be required to be submitted as part of the application. These must be shown on plans detailing the soak away system to be used and the drainage points and channels.

Within larger developments swales and balancing ponds may be incorporated which can become important green space and habitat areas. These need careful design both from an engineering and landscape design perspective.

Sustainability Checklist

The submission of a sustainability checklist will be required with all major applications including outline applications. This is in order that an assessment can be made of how proposals have identified ways of reducing the impact of the development on present and future generations. This could include the provision of renewable energy sources, recycling of materials from demolished buildings, use of sustainable sourced building materials, buildings sited and designed to maximise solar gain, reuse of buildings for longer life span, measures to recycle water etc,

Telecommunication Development

Planning applications for mast and antenna development by mobile phone network operators should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the phone structure, and technical justification and information about the proposed development.

Planning applications should be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-ionizing Radio Protection (ICNIRP). Further guidance on the information that may be required is set out in **The code of practice on Mobile Network Development and the Council's SPD1 Designing Development by mobile phone operators.**

Town Centre Impact Assessments

Government guidance for town centre uses such as retail, leisure, entertainment, intensive sport, recreation, offices, arts, culture, tourism, hotels etc, is currently contained in **Planning Policy Statement 6 Planning for Town Centres and Retail Developments (PPS6)** and any future guidance that replaces this policy statement.

In assessing such proposals, applicants will be required to demonstrate

- the need for the development (paragraphs 3.8 – 3.11)
- that the development is of an appropriate scale (paragraph 3.12)
- that there are no more central sites
- that locations are acceptable (paragraph 3.24 – 3.27)

Transport Assessment

Where developments will have significant transport implications, Transport Assessments should be prepared. The coverage and detail of the Transport Assessment should reflect the scale of the development and the extent of the transport implications of the proposal.

For smaller schemes, the TA should simply outline the transport aspects of the application.

For developments likely to generate HGV traffic, details of likely numbers of vehicles and likely routes to the primary route network should be included.

For major proposals, the assessment should illustrate accessibility to the site by all modes and the likely split of types of journey to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts.

These assessments enable local planning authorities to better assess the application and provide a basis for discussion on details of the scheme, such as the level of parking, the siting of buildings and entrances, and the need for further measures to improve access arrangements to the site.

Further guidance can be found in **Guidance on Transport Assessment**, (March 2007) published by the Department for Transport.

Travel Plan

A travel plan should be submitted alongside planning applications, which are likely to have significant transport implications. 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.

The travel plan should have a strategy for its implementation that is appropriate for the development proposal under construction. It should identify the travel plan coordinator, the management arrangements for the plan – e.g. a steering group and the development timetable. The strategy should also include activities for marketing and promoting the plan to occupiers, users, visitors and residents of the site.

Further advice is available in **Using the planning process to secure travel plans: best practice guidance for local authorities, developers and occupiers** and **Making Travel Plans Work (DfT 2007)**

Trees – Arboriculture Impact Appraisal

Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculture.

Full guidance on the survey information, protected plan and method statement that should be provided with an application is set out in the current BS5837 “Trees in relation to construction – Recommendations”. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

Ventilation/Extraction Statement

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within Use Classes A3 (i.e. Restaurants and cafes, hot food takeaways, general business and industrial, etc. This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

D Green

DIRECTOR OF TECHNICAL SERVICES

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