

NORTH LINCOLNSHIRE COUNCIL

**BUSINESS, INNOVATION, EMPLOYMENT AND SKILLS
CABINET MEMBER**

PLANNING APPLICATION LOCAL VALIDATION CHECKLIST

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 In addition to the national requirements, local planning authorities are encouraged by the Government to consult on and adopt their own Local Lists of information, appropriate for their area that they require to be submitted with planning applications, i.e. a Local Validation Checklist
- 1.2 Following a period of internal consultation and consideration of responses authority is sought to approve a revised 'Local Validation Checklist for North Lincolnshire' for external consultation.

2 BACKGROUND INFORMATION

- 2.1 National Planning Policy Guidance (NPPG) advises on the mandatory information to accompany planning applications and that local planning authorities may request further supporting information provided such requirements are specified on an adopted 'Local List'. Local planning authorities are required to publish this Local List on their website less than two years prior to the application submission. Additional Local requirements should not be insisted on unless they are set out in such an up to date 'Local List'.
- 2.2 Article 11(3) (c) of the Development Management Procedure Order 2015 sets the statutory tests for information requirements as:
- Reasonable having regard, in particular, to the nature and scale of the proposed development; and
 - About a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 2.3 The NPPG also advises that council's should review their local list at least every two years and recommends a three stage process for reviewing and revising local list. The three stage process involves:
- Reviewing the local list to identify drivers (such as statutory requirements and policies within the NPPF OR Local Plans) for each item on the local list.

- Consulting on proposed changes with the local community including applicants and agents.
- Finalising and publishing the revised local list taking into account consultation response.

3 OPTIONS FOR CONSIDERATION

3.1 The original validation checklist was adopted by the council as long ago as May 2008 and implemented from 1st July 2008 onwards.

3.1.1 Option 1 (Preferred Option)

Review and update the Validation Checklist to reflect changes to planning regulations, national and local planning policies and carry out external consultation in accordance with the three staged process outline within the Governments National Planning Policy Guidance.

3.1.2 Option 2

Do not have a Local Validation Checklist and therefore validate planning applications on the basis of the national requirements.

4 ANALYSIS OF OPTIONS

4.1 At present many planning applications that are submitted are legally valid but may contain insufficient information to allow proper consideration of all the material issues that they raise. A well prepared application is an important part of the planning process and helps to speed up decision making.

4.2 An up-to- date 'Validation Checklist' and its implementation will help to ensure an appropriate standard of planning application submission leading to more efficient processes and quicker decisions. It will also lead to greater clarity and certainty for applicants and agents reducing unnecessary delays at the validation stage of the planning application process. The intention is to minimise potential changes to proposals following submission and in turn minimise delay in processing of applications to accord with the NPPF.

4.3 The Government introduced along with national planning application forms, mandatory national requirements consisting of plans and documents. The national requirements are included in part 1 of the 'Validation Checklist' with the local requirements included at part 2.

4.4 Option 1 would ensure that our 'local list' validation requirements are reviewed and updated reflecting changes to planning regulations as well as national and local planning policies. Consultation on the revised Validation Checklist would allow the local community including planning agents to have their say on the extent of information required locally in accordance with the National Planning Policy Guidance.

- 4.5 Consultation carried out under Option 1 would allow the council to test reasonableness of the information required in the validation checklist and responses considered and responded to in accordance with the National Planning Policy Guidance prior to adoption.
- 4.6 In the absence of an up-to-date Validation Checklist, which has not been reviewed in the preceding two years, local requirements should not be insisted on to validate planning applications. Validation would therefore take place against the national requirements. This would mean that planning applications would be legally valid on the basis of a fee, application forms including certificates, plans, and a Design and Access Statement when appropriate. Any supporting information would be requested during the application process resulting in protracted discussions on reasonableness of requests and delays in the determination of planning applications.
- 4.7 Following the internal consultation responses and the amendments made to the checklist, it is proposed to consult externally on the content of the Validation Checklist. Once adopted the validation checklist should assist customers when lodging planning applications providing clarity for all users of the planning application system.

5 RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no resource implications to highlight.

6 OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 Not applicable.

7 OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 7.1 Internal consultation has resulted in revisions to the Validation Checklist. External consultation is now proposed.

8 RECOMMENDATIONS

- 8.1 That the Cabinet Member approves the revised 'Local Validation Checklist' as set out in Appendix 1 for external consultation (stage 2 of the review process).

DIRECTOR OF PLACES

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Background Papers used in the preparation of this report: None



Planning Application Requirements and Validation Checklist

July 2016

North Lincolnshire Council Planning Application Requirements

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1. Introduction

- 1.1 This validation checklist simplifies and clarifies the information required to be submitted with a planning application. The Development Management service considers a wide range of issues and consults with an increasingly interested community with regard to the determination of planning applications. Applicants, developers and their agents have an expectation that the planning system will deliver a high degree of certainty as to what is expected of them when submitting an application and should know what the local planning authority will be able to deliver, particularly in relation to decision times.
- 1.2 Part One of this checklist sets out national information requirements as outlined within the Town and Country Planning (Development Management Procedure) (England) Order 2015 and within National Planning Policy Guidance.
- 1.3 Part Two sets out the additional information that North Lincolnshire Council will require from applicants. This information will also be required before an application will be validated. This is arranged by information type, thresholds for its requirement and a general explanation of the issues that will need to be addressed. The policy driver for the requirement is given and, where appropriate, each section is cross-referenced to further adopted guidance.
- 1.4 This document will be updated as necessary to reflect any changes to the legislative requirements and any changes to local policy approved by the council. In accordance with the National Planning Practice Guidance this local list will be reviewed every two years.

2. Meeting the information requirements

- 2.1 All applications for planning permission must include the information indicated in the relevant section of the Part One and Part Two validation requirements. If your application does not contain the required information as set out in the requirements it will not be registered as a valid application. You will be informed in writing of the requirements necessary to validate it. No further action will be taken until the necessary information is received. If you do not provide the information (or agree a date for its submission with the council) within 28 days of being told that your application is invalid, the whole application will be returned to you.
- 2.2 Pre-application discussions with the planning officer can help to identify what information is required at an early stage and thus minimise delays. The authority does offer a pre-application advice service and operates a duty officer system 9am till 1pm Monday to Friday. Applicants should call 01724 297000 or email planning@northlincs.gov.uk for guidance. Key contacts are provided at Appendix 1 of this document for ease of reference.
- 2.3 If you consider that any element of the required information is not appropriate to your particular case you should provide a written explanation in support of

your opinion. The council will take your written explanation into consideration in deciding whether your application is valid.

2.4 It should be noted that, in addition to the information included in the checklists that is required to make an application valid, the council also has powers to direct an applicant to:

- supply any further information and, except in the case of outline applications, plans and drawings necessary to enable them to determine the application; or
- provide one of their officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

Any request will be made in writing as soon as the need for it becomes clear. This will not affect the validity of your application.

2.5 In some circumstances, you may find it helpful to submit supplementary information that is not required because of the thresholds that have been set, but which is, nonetheless, relevant to your application and helpful to its determination. The council will not refuse to validate an application because there is too much information.

3. Validation disputes and the right of appeal

3.1 If there is disagreement about the information requirements, as set out in this document, and the application is not validated because of the missing information, then you can challenge the decision not to validate. We can only require 'local requirements' information to be submitted that, when having regard to the nature and scale of the proposed development, is likely to be a material consideration in the determination of the application. This ensures the validation process is not just a box-ticking exercise but rather a carefully considered professional judgement.

3.2 Where disagreements arise, applicants are strongly encouraged to first try to resolve the matter informally by contacting the planning team. Alternatively, applicants can submit a formal notice to the council under Article 12(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 setting out why they believe it is unreasonable for the council to insist that the requested information be submitted, given all information requests must be reasonable and proportionate. The key test to apply is 'when having regard to the nature and scale of the proposed development, it is reasonable to think that the matter will be a material consideration in the determination of the application'.

3.3 Article 12(1) notices must:

1. specify which information requirement(s) the notice relates to;

2. set out the reasons why the applicant believes the requirement(s) to be unreasonable; and
 3. request that the council waive the requirement.
- 3.4 The council will respond to an Article 12(1) notice within seven working days by notifying the applicant or agent in writing that it has waived the information requirement(s) and will proceed to determine the application (a validation notice), or it continues to require the information to be submitted (a non-validation notice).
- 3.5 Having received a non-validation notice, the applicant then has the right to appeal against non-determination under Section 78 of the Town and Country Planning Act 1990 when the statutory time period for the determination of the application expires. If the inspector agrees that the necessary information has been provided by the applicant, the application is determined at appeal. If the inspector agrees with the local planning authority, then the inspector is entitled to dismiss the appeal. If the appeal is dismissed then the appellant (applicant) would need to submit a new application to the local planning authority, including the information that the local planning authority outlined was necessary to validate that application.

4. Electronic submission of applications

- 4.1 The council encourages the electronic submission of all planning applications. If you wish to submit in this way, you must do so via the Planning Portal at www.planningportal.co.uk.

5. Planning Performance Agreements

- 5.1 North Lincolnshire Council proactively works with **developers** to consider the optimum means of progressing a planning application through the system. On larger projects this can involve Planning Performance Agreement between developers and the council.
- 5.2 A Planning Performance Agreement is a project management tool which local planning authorities and applicants can use to agree timescales, actions and resources for handling particular applications. It should cover the pre-application and application stages but may also extend through to the post-application stage. Planning Performance Agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and local planning authority, and can also help to bring together other parties such as statutory consultees. A Planning Performance Agreement is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted, and can be a useful focus of pre-application discussions about the issues that will need to be addressed.

PART ONE: NATIONAL INFORMATION REQUIREMENTS

1	Application form
2	Fee
3	Ownership/ agricultural holdings certificates
4	Location plan
5	Environmental Statement (EIA development only)
6	Design and Access Statement
7	Site/block plan
8	Existing and proposed floor plans
9	Existing and proposed elevations
10	Existing and proposed site sections
11	Roof plans

6. Information required for all planning applications

- 6.1 The documentation highlighted in the checklist above is listed within the Town and Country Planning (Development Management Procedure) (England) Order 2015 and within National Planning Policy Guidance. Application forms, fee, ownership/agricultural holding certificates and location plan are required in most instances; the need for a Design and Access Statement, Environmental Statement and additional plans depends on the type of application submitted.
- 6.2 The number of additional drawings required is at the discretion of the local planning authority; however plans will need to be sufficient to describe the proposed development. At the very least, where operational development is taking place, this will include a block plan, floor plan, roof plan and elevation plans of all sides of all buildings proposed and in some instances will include site sections and existing plans of the site.
- 6.3 If you are unsure about what information is required in support of an application, guidance can be found within National Planning Practice Guidance (Making an application) at:
<http://planningguidance.communities.gov.uk/>.
- 6.4 You may submit your application electronically via the Planning Portal (www.planningportal.co.uk); this is North Lincolnshire Council's preferred means of receiving an application. If you choose to submit your application in paper form you need to provide one copy of the application form and all plans, drawings and other documents.
- 6.5 The location plan must have a north point and show at least two named roads. In very few instances it may be acceptable not to show two named

roads on a plan, but sufficient detail must still be included for anyone viewing the plan to be able to locate the site, therefore other features can be shown (e.g. named properties, public buildings, railway lines). All drawings should be produced in metric to an approved scale as listed below, this scale should be annotated clearly on the plan with the paper size at which that scale is applicable along with an appropriate scale bar.

- location plan – 1:1000, 1:1250 or 1:2500
- block plan, floor plan and elevation drawings – 1:50, 1:100, 1:200 or 1:500.

6.6 The acceptance of plans and drawings at other scales is at the discretion of officers and applications can be made invalid.

6.7 Design and Access Statements are required for planning applications that fall under Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. ie major applications consisting of –
.10 or more dwellings
.site areas of 0.5has or more for residential development.
.where floorspace to be created is over 1000m²
. development carried out on a site having an area of 1 hectare or more.

Design and Access Statements are also required for:

- applications for development in a designated area, where the proposed development consists of:
 - one or more dwellings; or
 - a building or buildings with a floor space of 100 square metres or more.
- applications for listed building consent.

For the purposes of Design and Access Statements, a designated area means a World Heritage Site or a conservation area.

Applications for waste development, a material change of use, engineering or mining operations do not need to be accompanied by a Design and Access Statement.

PART TWO: LOCAL INFORMATION REQUIREMENTS

A	Affordable Housing Statement (and/or Viability Assessment)
B	Air Quality Assessment
C	Ecological Assessment
D	Flood Risk Assessment (including Sequential and Exception Tests)
E	Foul and Surface Water Assessment
F	Essential Need Assessment (Rural Worker's Dwelling)
G	Heritage (including Archaeology) Statement
H	Land Contamination and Landfill Gas Assessment
I	Landscape and Visual Impact Assessment
J	Lighting Assessment
K	Noise Impact Assessment
L	Open Space Assessment
M	Planning Statement
N	Retail Impact Assessment (including Sequential Test)
O	Statement of Community Consultation
P	Structural Survey
Q	Sustainability Statement
R	Transport Assessment or Transport Statement
S	Tree Survey
T	Waste Management Plan
U	Statement of Community Involvement

7. Additional information required to address specific issues

- 7.1 This part of the validation checklist sets out the additional information that is required by North Lincolnshire Council to consider an application in the circumstances specified below.
- 7.2 If you have submitted supplementary information with an outline application, you are not required to submit the same information again with the reserved matters. However you will need to provide further details on issues not considered at the outline stage.
- 7.3 In all instances the amount of information/detail required will be dependent upon the nature, scale and impact of the development proposed. Although the requirements within this checklist are designed to be as comprehensive and detailed as possible, there will inevitably be situations where the requirement is not absolutely clear. There will be other circumstances where supple-

mentary information is required by the council before a decision is taken, even though it is not specified in the checklist.

- 7.4 Supplementary information should be provided by someone with appropriate qualifications and experience in the subject area. All such documents should clearly state the identity and qualifications of the author.
- 7.5 The following requirements can be submitted as separate documents or, in some cases, may be incorporated in one or more comprehensive documents. For example, if an Environmental Statement is required this document will encompass most, if not all, of the supplementary information. In other cases, the Design and Access Statement or Planning Statement may be a useful covering document. If intentions are to comply with the local checklist in this way, please make sure that this is clearly indicated.
- 7.6 Validation requirements will often vary depending on whether the application submitted is a major or minor planning application. A major application is categorised as a development which involves any one or more of the following:
 - (a) the winning and working of minerals or the use of land for mineral working deposits
 - (b) waste development
 - (c) the provision of dwelling houses where:
 - (i) the number of dwelling houses to be provided is 10 or more; or
 - (ii) the development to be carried out is a site having an area of 0.5 hectares or more and it is not known whether the development falls within Class C(1);
 - (d) the provision of a building where the floor space is 1,000 square metres or more;
 - (e) development carried out on a site having an area of 1 hectare or more.

Affordable Housing Statement

When required

When an application for residential development generates a requirement for affordable housing in accordance with the prevailing planning policy at the time. At the time of publication of this report policy CS9 of the North Lincolnshire Core Strategy is relevant. The Councils policy team can advise further on the thresholds and requirements.

For outline applications it is sometimes appropriate for an affordable housing scheme to be secured via condition, in these instances it is appropriate to confirm acceptance of this standard condition within the Affordable Housing Statement.

Policy justification

The need for this requirement comes from paragraph 50 of the National Planning Policy Framework which sets out that local planning authorities should set policies to deliver an identified need for affordable housing.

The council's approach is set out via policy CS9 of the North Lincolnshire Core Strategy.

Financial Viability Assessment

When required

Residential developments may also generate the need for other contributions and provisions on site, for example provision of a play area or a financial contribution towards extensions to existing schools to cater for the need for child places generated by the new development.

In some cases proposals may be eligible for discounted or reduced contributions if it can be proven that the level of contribution required will jeopardise a proposal's viability. In such cases applicants will be expected to demonstrate to the council that a scheme becomes unworkable as a consequence of the contributions; this justification will take the form of a Viability Statement.

Policy justification

The requirement for Financial Viability Assessments comes from the North Lincolnshire Local Plan and Core Strategy which contain the policies that stipulate details of requirements for contributions. If these policies cannot be met, then a request for the viability appraisal is justified. Paragraph 173 of the National Planning Policy Framework and National Planning Policy Guidance also provide further justification for viability considerations.

When required

Any application which increases the exposure of the general public to air pollution within the Air Quality Management Area as defined within the Action Plan for the Scunthorpe PW10 Air Quality Management Plan or any subsequent guidance superseding or amending this guidance.

Development which has the potential to reduce air quality or generate odour in an area, either through the amount of additional traffic generated, industrial/waste management operations or food smells from restaurants and shops. Applicants are encouraged to contact Environmental Health on 01724 297561 if they are unsure about whether their development will trigger this requirement.

Policy justification

Ensuring a good standard of amenity and enhancing the places within which people live is a Core Planning Principle of the National Planning Policy Framework.

Policy CS2 of the North Lincolnshire Core Strategy aims to take opportunities available to improve air quality and policy CS18 also seeks to improve but also protect new development from areas of low air quality.

When required

An Ecological Assessment must be provided in cases where a proposed development has the potential to impact on biodiversity and ecology.

An Ecological Assessment will often be required in the following instances:

- Where development is proposed within, or close to, a site that is formally designated for its ecological importance (such as Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar Site and/or Site of Special Scientific Interest (SSSI)).
- Where the development would be likely to have an impact on any species or its habitat that is protected under the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2010, Section 41 of the Natural Environment and Rural Communities Act or the Protection of Badgers Act 1992. Natural England Standing Advice, available on the government website, provides further guidance in this area.
- Development that involves the loss of, or alterations to, trees and woodland, hedgerows, scrub, grassland, heathland, watercourses or water bodies, coastal habitats or demolition, conversion or alteration of buildings and roof spaces is likely to have such an impact.
- Where there is significant potential for biodiversity enhancement, for example through minerals applications, the creation of new habitat or the sensitive use of landscaping.

All major developments (with the exception of changes of use) will be expected to be supported by an extended Phase One Habitat Survey with target notes covering important features and the potential for protected and priority species.

Natural England provides useful standing advice which can be found at- www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals

Policy justification

The need for this requirement comes from legislative requirements and the advice in Section 11 of the National Planning Policy Framework.

Policy CS17 of the North Lincolnshire Core Strategy and policies LC1, LC2, LC3, LC4, LC5 and LC6 of the North Lincolnshire Local Plan seek to conserve ecological assets and secure appropriate assessment of a development's impact.

When required

A Flood Risk Assessment (FRA) and Sequential Test are required for:

- all development within flood zone 3;
- all development within flood zone 2;
- development over 1 hectare in all flood zones.

Although the requirement for both FRA and Sequential Test is for 'all development' within flood zones 2 and 3, there will be developments that have no flood risk implications or even result in improvements to flood risk. If this is the case then this information can be conveyed in a short FRA and the application will be determined on its merits.

The Exception Test is required in accordance with National Planning Practice Guidance, namely Table 3: Flood risk vulnerability and flood zones 'compatibility'. Applicants should undertake the Sequential and Exception Tests in two stages. Following application of the Sequential Test, if it is not possible or consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied (see Table 3: Flood risk vulnerability and flood zones 'compatibility').

Policy justification

The need for this requirement comes from paragraphs 99 to 104 of the National Planning Policy Framework, and the accompanying National Planning Practice Guidance.

Policies CS19 of the North Lincolnshire Core Strategy and DS16 of the North Lincolnshire Local Plan seek to ensure that new developments are safe from flood risk, do not increase flood risk elsewhere and, where possible, sequentially preferable sites are identified in areas of lower flood risk.

When required

All major developments will be expected to provide a foul and surface water assessment to identify how flows will be adequately accommodated within the site and discharge rates into local infrastructure. Changes of use can be exempt from this requirement where it can be demonstrated that there will be no material change in foul or surface water flows and discharges.

All Foul and Surface Water Assessments will need to prioritise the use of Sustainable Urban Drainage Systems (SUDS). North Lincolnshire Council now acts as a Lead Local Flood Authority and will proactively look to encourage the integration of SUDS into new developments. The future management/adoption of such systems will also need to be considered; it should not be assumed that the council will adopt new systems. Early discussions are encouraged with Billy Green (Drainage Project Manager) on 01724 297522 regarding all matters relating to surface water drainage and SUDS.

Policy justification

The need for this requirement comes from paragraph 99 of the National Planning Policy Framework in relation to potential flooding, and paragraph 120 in relation to the effects of potential pollution on health, the natural environment or general amenity.

Policy DS14 of the North Lincolnshire Local Plan also specifically references the need for satisfactory foul and surface water provision to be made on new developments. This requirement also links into policies CS18 and CS19 of the North Lincolnshire Core Strategy which seek to encourage use of Sustainable Urban Drainage Systems.

When required

All applications which seek to obtain planning permission for a rural worker's dwelling in the open countryside outside settlement boundaries.

Policy justification

Paragraph 55 of the National Planning Policy Framework aims to avoid isolated new homes in the open countryside unless there are special circumstances. One such circumstance is the essential need for a rural worker to live permanently at or near to their place of work. In order to prove that such a need exists applicants must submit a report which outlines why an essential need exists for a rural worker's dwelling and why that need cannot be met elsewhere. This will generally be to demonstrate that there is both a functional and financial justification for the dwelling proposed.

When required

A Heritage Assessment is required for any works to a Listed Building, within the curtilage of a Listed Building, or which will affect the setting of a Listed Building. It is also required for all forms of development within a Conservation Area or Registered Park and Garden and for development, located outside a Conservation Area or Registered Park and Garden, which will have an impact on the setting of that asset. A Heritage Assessment is also required to justify the conversion of a rural building for residential use in accordance with policy RD9 of the North Lincolnshire Local Plan.

The Heritage Assessment must also consider the impact of a proposed development upon archaeological assets and the historic landscape character. An archaeological assessment will be required for applications that affect known or potential archaeological sites and their settings.

An Archaeological Assessment will usually be required in the following instances:

- where development is proposed within 250 metres of a Scheduled Monument or where the development could have an impact on the setting of a Scheduled Monument
- where development is proposed within, or close to, the historic core of the town or village and for any new buildings within 250 metres of a Parish Church (householder applications are exempt)
- all major applications should be accompanied by an assessment, including the results of archaeological field evaluation
- applications supported by an Environmental Impact Assessment and minerals and waste applications will require archaeological consideration within a Heritage Assessment
- all applications for wind turbines and PV solar panel installations.

A Heritage Assessment will generally be required where the development is likely to have an impact on the Special Historic Landscape Interest of the Isle of Axholme such as for developments outside settlement boundaries. All applications for wind turbines and solar farms that have the potential to affect the historic landscape will require an assessment.

Instances will arise where Heritage Statements are required even though they fall outside the above parameters, conversely there may be some instances where site-specific conditions negate the need to submit a Heritage Assessment. Applicants are urged to contact Alison Williams (HER Archaeology Officer) on 01724 297471 or Eddie Rychlak (HER Conservation Officer) on 01724 297634 if they are unsure about whether their development will trigger this requirement. Advice can also be provided on the appropriate scope and content of Heritage Assessments.

Policy justification

Paragraph 128 of the National Planning Policy Framework requires applicants to describe the significance of any heritage assets affected and the contribution made to this significance by their setting. It also states that 'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.

Paragraph 128 also promotes the use, as a minimum, of the relevant Historic Environment Record for Heritage Assessment. North Lincolnshire Council maintains an up-to-date Historic Environment Record which can be viewed by appointment:

<http://www.northlincs.gov.uk/planning-and-environment/historic-environment-and-conservation/historic-environment-record/introduction-to-the-her/>.

Please contact the HER Team to request a search (01724 297506). Details of Listed Buildings and Scheduled Monuments are available at:

<https://www.historicengland.org.uk/listing/the-list>.

Applicants may also consult the Heritage Gateway at:

<http://www.heritagegateway.org.uk>.

Policy CS6 of the North Lincolnshire Core Strategy and policies HE2, HE3, HE4, HE5, HE6, HE7, HE8 and HE9 of the North Lincolnshire Local Plan seek to preserve and enhance heritage assets and the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the special regard given to the preservation and enhancement of Listed Buildings and Conservation Areas. Policy LC14 of the North Lincolnshire Local Plan relates specifically to the protection of the Special Historic Landscape Interest of the Isle of Axholme.

When required

A Land Contamination Assessment is required where development is proposed on a site that is known to be contaminated, or where contamination is likely to be present because of its existing or previous use. Land Contamination Assessments should also consider the potential for below-ground gases to enter the site and buildings during construction and future operation.

Land Contamination and Landfill Gas Assessments will be required within 250 metres of former and existing landfill sites. Development of former industrial, storage or agricultural sites is also likely to require a Land Contamination Assessment. Development proposals incorporating more vulnerable end uses (such as schools) are likely to be given greater scrutiny at the validation stage and a precautionary approach taken.

Where Q14 has been answered and indicates that the site or part of it is known to or could have contamination, an appropriate Contamination Assessment should be submitted. This is particularly important where a proposed use would be vulnerable to the presence of contamination.

Applicants are advised to contact the council's Environmental Health Team on 01724 297561 if they are unsure whether this requirement is triggered by their development. Further information is available via the Councils web site on contaminated land.

PlanningGuidance-www.northlincs.gov.uk/planning-and-environment/environmental-health/pollution-air-land-and-water/contaminated-land

Policy justification

The need for this requirement comes from paragraph 121 of the National Planning Policy Framework.

Ensuring a good standard of amenity and enhancing the places within which people live is a Core Planning Principle of the National Planning Policy Framework.

Policy DS7 of the North Lincolnshire Local Plan requires developers to demonstrate that the level of contamination can be overcome by remedial measures or improvements.

When required

All major planning applications for development outside settlement boundaries and upon the periphery of settlements adjacent to and/or potentially visible from the open countryside, other than changes of use, unless that change of use involves the siting of caravans, the storage of bulk materials and/or other goods (cars for example) that, by reason of scale and/or extent, are likely to impact upon the appearance of the open countryside. All development requiring an Environmental Impact Assessment and applications for wind turbines also require submission of this document.

Policy justification

The National Planning Policy Framework requires consideration of cumulative landscape and visual impacts when considering applications for renewable and low carbon energy generation (paragraph 97). Paragraph 109 also seeks to protect and enhance valued landscapes.

Policy LC7 of the North Lincolnshire Local Plan seeks to ensure that scenic quality and the distinctive local character of the landscape is protected and, where necessary, development is refused where it does not respect landscape character.

When required

Where an application includes proposals for the floodlighting of sports facilities, large areas of open storage and car parking close to residential properties, or ecologically sensitive areas, full details must be included with the application.eg details of illumination,mounting heights,lighting contours,times of operation.

Applicants are advised to contact the council's Environmental Health Team on 01724 297561 if they are unsure whether this requirement is triggered by their development.

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The need for this requirement comes from paragraph 121 of the National Planning Policy Framework.

Ensuring a good standard of amenity and enhancing the places within which people live is a Core Planning Principle of the National Planning Policy Framework.

Policy DS12 of the North Lincolnshire Local Plan requires applicants to demonstrate that light emitting developments will not have an adverse impact upon local amenity.

When required

Where the proposed development and/or the processes involved are likely to generate significant noise (e.g. by way of an industrial process such as grain drying or by way of energy generation such as wind turbines).

In addition, when applications for commercial development such as restaurants, cafés or hot food takeaways require ventilation/extraction equipment and their impact needs to be assessed as part of the planning application.

Noise assessments will also be necessary where new receptors are to be placed close to existing noise sources.

It may be possible to condition the submission of extractor details, if the location of the proposed installation is unlikely to cause potential problems to the amenity of neighbours. Applicants are advised to contact the council's Environmental Health Team on 01724 297561 if they are unsure whether this requirement is triggered by their development.

Policy justification

Ensuring a good standard of amenity and enhancing the places within which people live is a Core Planning Principle of the National Planning Policy Framework.

Policy DS11 of the North Lincolnshire Local Plan requires applicants to demonstrate that noise emitting developments will not have an adverse impact upon local amenity.

When required

Where an application for residential development generates a requirement for open space provision (land or contribution) in accordance with the planning policy prevailing at the time. Policy H10 of the North Lincolnshire Local Plan and Supplementary Planning Guidance 10 'Provision of Open Space in New Housing Developments' currently provides this guidance.

The provision of high quality and accessible leisure facilities in North Lincolnshire is essential to improving the health, community cohesion, prosperity and wellbeing of our residents.

The Core Strategy of the North Lincolnshire Local Development Framework, policy CS22 states that developers will be expected to make an appropriate contribution towards necessary improvements or additional provision for community services and facilities arising from their development proposals.

A "Sports Facility Calculator" has been developed by Sport England (the public body for the sector responsible to the Department for Culture Media and Sport) for planning obligation purposes associated with leisure facilities. The calculator should be applied to this housing development to determine the value of a Section 106 agreement for off-site leisure. The elements of the calculated financial contribution will be pooled to allow expenditure on community leisure facilities which meets the residents' needs.

Policy justification

The need for this requirement comes from paragraph 73 of the National Planning Policy Framework.

Guidance on how to meet the council's requirements for the provision of open space on new residential developments are contained in Supplementary Planning Guidance 10 'Provision of Open Space in New Housing Developments', which is directed to from policy H10 of the North Lincolnshire Local Plan.

When required

A Planning Statement is required for all major planning applications explaining how the development fits with national and local planning policy.

Policy justification

Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning Statement provides applicants with an opportunity to assess their application in accordance with the development plan by highlighting relevant policies. This statement also provides applicants with an opportunity to identify material planning consideration which may weigh in favour and against proposed development. The requirement for a Planning Statement is therefore justified by all local and national planning policies. It is also helpful if this document can outline pre application advice received.

Although this document is only a validation requirement for major applications, applicants are encouraged to submit this document with most planning applications as it provides a basis to justify and provide a case in favour of development.

When required

Retail Impact Assessments are required for retail, leisure and office developments outside town centres which are not in accordance with an up-to-date local plan and where the development generates over 2,500 square metres of internal floor space.

Retail Sequential Tests are required for all applications which include main town centre uses (as defined by the National Planning Policy Framework) that are not in an existing centre and are not in accordance with an up-to-date local plan.

Policy justification

The need for this requirement comes from Section 2 of the National Planning Policy Framework and policies S7 and S8 of the North Lincolnshire Local Plan.

When required

Any development involving an installation for the harnessing of wind power for energy production where the development involves the installation of more than two turbines or the hub height of any turbine exceeds 15 metres. Consultation must be undertaken in accordance with Section 61W(3) of the Town and Country Planning Act 1990.

Pre-application consultation is recommended on all planning applications, especially on major planning applications and applications requiring Environmental Impact Assessment. Advice on this matter is available in adopted council guidance 'Planning Applications in North Lincolnshire – A Guide to Community Involvement'.

Policy justification

It is a requirement of legislation to undertake community consultation in the instances outlined above; details of the community consultation undertaken need to be identified with the local planning authority to ascertain whether a valid planning application has been made.

See also Planning for Renewable Energy Development Supplementary Planning Document, November 2011.

P	Structural Survey
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When required

Where a proposed development involves the conversion of an existing barn into a residential property and policy RD9 of the North Lincolnshire Local Plan requires confirmation that the existing barn is capable of conversion without major alteration.

A Structural Survey will also be required in support of any proposal to substantially demolish a Listed Building or a building of merit within a conservation area where justification for demolition is sought on the basis of its physical condition.

Policy justification

The need for a Structural Survey comes from Section 12 of the National Planning Policy Framework.

Local policy justification exists in the form of policies RD9, HE3 and HE6 of the North Lincolnshire Local Plan.

When required

For all applications which propose over 1,000 square metres of industrial and/or commercial floor space. The Sustainability Statement will need to demonstrate how the proposed development will generate 20% of its own energy requirements from on-site renewable energy sources.

Policy justification

The golden thread running through the National Planning Policy Framework is the presumption in favour of sustainable development, and opportunities to promote more sustainable forms of development are identified within the North Lincolnshire Core Strategy. Policy CS18 of the North Lincolnshire Core Strategy seeks to secure energy generation, from renewable energy sources, of 20% of anticipated energy demand from new premises.

When required

Planning applications for development that will generate significant amounts of transport movements must include a Transport Assessment (TA). Applications having relatively small transport movements may instead include a simpler Transport Statement (TS).

A Travel Plan must be submitted with all planning applications which generate significant amounts of transport movements.

The National Planning Practice Guidance advises that in determining whether a Transport Assessment or Statement will be needed for a proposed development local planning authorities should take into account the following considerations:

- the Transport Assessment and Statement policies (if any) of the local plan
- the scale of the proposed development and its potential for additional trip generation (smaller applications with limited impacts may not need a Transport Assessment or Statement)
- existing intensity of transport use and the availability of public transport
- proximity to nearby environmental designations or sensitive areas
- impact on other priorities/strategies (such as promoting walking and cycling)
- the cumulative impacts of multiple developments within a particular area, and
- whether there are particular types of impacts around which to focus the Transport Assessment or Statement (e.g. assessing traffic generated at peak times).

Early discussions with the council's highway officers are recommended and will help establish the need for, and scope of, a Transport Assessment, Transport Statement and/or Travel Plan.

Policy justification

The need for this requirement comes from Section 4 of the National Planning Policy Framework (paragraphs 32 and 36).

Policy justification within the North Lincolnshire Local Plan exists in the form of policy T2 which seeks to secure acceptable access to new development and policies T6, T7, T8 and T9 which seek to promote the use of sustainable transport modes.

Tree Survey

When required

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 is required on which trees are to be retained and on the means of protecting those trees during construction works. This information should be prepared by a suitably qualified and experienced arboriculturist.

What is a Tree Survey expected to include?

- a schedule of the trees with a stem diameter of 75 millimetres or above, measured at 1.5 metres above ground level, that are currently present on and within 15 metres of the development site, detailing species, trunk diameters, branch spread in metres, tree heights in metres, tree condition, tree defects, root protection areas (the minimum area that should be left undisturbed around each tree that is to be retained)
- a plan, accurately detailed and scaled, superimposed on a layout plan, showing positions of trees to be retained and removed; actual branch spread; root protection areas; current and ultimate tree heights, with shadow patterns to identify unreasonable obstruction of sunlight or daylight; areas designated for structural landscaping, including species and location of new tree planting; precise location and specification of protective barriers; and ground protection measures
- an Arboricultural Impact Assessment, including a pre-development tree works schedule, evaluation of proposed tree losses, evaluation of tree constraints, and issues to be addressed by an arboriculture method statement

Other issues that may need to be addressed in the Tree Survey are the effects of retained and planted trees on future occupiers that may lead to short and longer-term pressure for excessive pruning work or tree removal, in particular:

- future shading and obstruction of sunlight;
- adequate space for trees to mature and avoid dominating of buildings or gardens;
- potential effects of leaf fall, honeydew, flowers etc.

Arboricultural Method Statement

When required

An Arboricultural Method Statement may be required as a planning condition for any application type that involves development near to trees that are to be retained as

part of a development. If you are unsure whether a Method Statement is likely to be required you should contact the council's Tree Officer.

What is an Arboricultural Method Statement expected to include?

An Arboricultural Method Statement describes the measures to be implemented in order to ensure that adequate tree protection is put in place during the construction process. Typically a Method Statement would include details on:

- timing and phasing of all tree works related to the proposed development;
- implementation, monitoring, supervision and maintenance of the tree protection measures;
- implementation, monitoring and supervision of pre-development tree works;
- implementation, monitoring and supervision of any approved activity within the root protection area of a retained tree;
- depth and type of foundation in proximity to retained and planted trees;
- monitoring proposals to ensure full compliance with all conditions associated with trees.

Further information can be found in BS 5837:2012, 'Trees in Relation to Design, Demolition and Construction and the council's SPG11 Trees and Development.

Policy justification

The need for this requirement comes from Section 11 of the National Planning Policy Framework.

North Lincolnshire Local Plan policy LC12 and North Lincolnshire Core Strategy policy CS16 both provide local justification for this policy by seeking the retention and protection of trees where this is possible.

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Waste Management Plan

When required

A Waste Management Plan is required for all applications which involve new or extended farm buildings that will accommodate livestock and for applications for any installation designed to hold or treat animal wastes.

Policy justification

Ensuring a good standard of amenity and enhancing the places within which people live is a Core Planning Principle of the National Planning Policy Framework.

When required

On all major applications or where controversial issues are involved it is good practice to engage with the local community to explain what is proposed. Local communities should be given the chance to influence proposals in their area at an early stage. The document to accompany the planning application should describe what engagement took place and how this influenced the final proposal. This will be referred to in the officer's assessment and reported to Planning Committee where necessary.

This is an opportunity for applicants and the local community to discuss what local requirements might be and to demonstrate what the project can deliver in terms of for instance local employment and training opportunities.

Policy justification

Statement of Community Involvement, adopted July 2010

Planning Applications in North Lincolnshire, A Guide to Community Involvement, July 2015

Appendix 1

Key Contacts

Name	Department	Telephone
Alison Williams	Historic Environmental Record (Archaeology)	01724 297000
Eddie Rychlak	Historic Environmental Record (Conservation)	01724 297000
Environmental Health	Environmental Health	01724 297000
Darren Cowling	Highways	01724 297000
Louisa Simpson	Highways	01724 297000
Diane Langton	Highways	01724 297000
Billy Green	Drainage	01724 297000
Rod Chapman	Drainage	01724 297000
Trees and Landscape	Trees and Landscape	01724 297000
Andrew Taylor	Ecology	01724 297000
Mark Drust	Public Open Space Co-Ordinator	01724 297000
Guy Hobson	Building Control	01724 297000
Strategic Housing	Housing Development Officer	01724 297000
Planning	Planning-via call centre	01724 297000