

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1. Meeting:	Cabinet Member for Regeneration and Environment
2. Date:	7 th February 2011
3. Title:	Validation of planning applications revised local list
4. Programme Area:	Environment and Development Services

5. Summary

To report on the revised local list of requirements to be submitted with all planning applications.

6. Recommendations

That the Cabinet member approves the proposed local validation list.

7. Proposals and Details

On the 6th April 2010, the Government published 'Guidance on Information requirements and Validation' as an accompanying document to the 'Development Management' policy annex on information requirements and validation'.

These documents set out the Government's revised policy on the information which must be provided in support of planning applications, so that local authorities can determine the validity of planning applications. It was published due to the perception that the validation of planning applications had become a mechanically applied tick box exercise and had become over burdensome with regard to the amount of information that applicants were being asked to provide at registration stage. This change sought to make the validation process more responsive and seek to ensure that a more proportionate approach is taken.

The document stated that 'Where a local planning authority already has a published local list" it should review it. Authorities which have not published a local list should consider preparing one.'

The policy statement on information requirements and validation set out five principles which should inform the list preparation and review process.

Principle	Key considerations
Necessity	All local list requirements should be based on statutory requirements, national, regional or adopted local policy, or on published guidance which explains how adopted policy should be implemented
Precision	It should be clear what types of development require the provision of particular supporting information. Where appropriate, the LPA should also identify specific areas where the information requirement arises.
Proportionality	The information required is likely to be dependent on the nature and scale of the proposal and the sensitivity of its location. Where possible, the LPA should identify size thresholds below which certain information is not required or where only limited information is required.
Fitness for purpose	It should be clear what information is required to satisfy the requirement – with a strong emphasis on a proportionate approach and succinct documents.
Assistance	For each element of the list it should be clear where further information or answers to queries can be obtained.

As part of this revised policy, and in accordance with the above principles, we have reviewed our existing local list and this revised document (see Appendix 1) is a new and replacement version of that which was previously published in April 2008.

The draft version of this revised local list went out to public consultation on the 25th August 2010 for a period of 16 weeks. Some minor changes have been made to the document following this consultation exercise relating primarily to the information required by statutory consultees.

The principle changes between this and the previous list are:

1. The requirement to provide existing and proposed plans has been removed from the national requirement and now forms part of our local requirement.
2. That where an item is requested in the local list, it has the relevant national or local policy identified as justification.
3. Where possible, each local requirement is directed towards a particular development type or land use constraint.
4. Each local requirement has, where possible, a threshold to ensure proportionality.
5. Each requirement links to a full explanation about what is required to satisfy the validation criteria.
6. Links are provided throughout the document to statutory information and assistance where possible.

This revised list has had regard to statutory requirements, national, regional and local plan policies and draws on the information contained within the 'Guidance on information requirements and validation' document as published by Communities and Local Government in April 2010.

The information required to make a valid planning application comprises:

- mandatory national information requirements specified in the Town and Country Planning (Development Management Procedure) Order 2010 (DMPO), including a design and access statement where one is required
- the standard application form; and
- information to accompany the application as specified by the local planning authority on its local list of information requirements.

In order for the local list to be included as part of this framework for validation it has to have been subject to revision in accordance with the 'Guidance on Information requirements and Validation' document, subject to public consultation and approved by the Council.

Following this procedure, the document must be published on the Council's website ensuring that the date of publication is clearly visible.

8. Finance

There are no financial implications arising from this proposal.

9. Risks and Uncertainties

N/A

10. Policy and Performance Agenda Implications

N/A

11. Background Papers and Consultation

Communities and Local Government 'Guidance on Information requirements and Validation' March 2010

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APPENDIX 1

Validation of Planning Applications Policy

January 2011

This document can be made available in your language and in alternative formats such as Braille, large print, electronic and audio-tape versions.
Contact Forward Planning:

Tel 01709 823869
Fax 01709 823865
Email development.control@rotherham.gov.uk

Translations say: 'Contact us if you want a summary of this document in another language and/or in an alternative format'

Urdu

اگر آپ کو اس دستاویز کا خلاصہ کسی دوسری زبان اور / یا کسی متبادل صورت میں درکار ہو تو ہم سے رابطہ کریں۔

Chinese

如需索取這份摘要的其他語文譯本和/或各種形式版本，請聯絡我們。

Farsi

در صورتیکه خلاصه ای از این مطلب را به زبان و یا شکل دیگری می خواهید لطفاً با ما تماس بگیرید

Arabic

أتصل بنا إذا تريد خلاصة من هذه الوثيقة بلغة أخرى أو بصيغة بديلة

French

Veillez nous contacter si vous désirez un résumé de ce document dans votre langue et/ou dans d'autres formats.

Copies of this document can be viewed or downloaded from the Council's website at (address available after internal consultation)

Hard copies are available on request. Please call the above number/email the above address or write to:

RMBC
Planning and Regeneration
Development Control
2nd floor Bailey House
Rawmarsh Road
Rotherham
S60 1TD

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1. Introduction

On the 6th April 2010, the Government published '[Guidance on Information requirements and Validation](#)' as an accompanying document to the 'Development Management policy annex on information requirements and validation'.

These documents set out the Government's revised policy on the information which must be provided in support of planning applications, so that local authorities can determine the validity of planning applications.

It is hoped that this document will be used by all those thinking of making an application to establish the scope of the information required, however the authority encourages pre-application discussions to discuss the merits of the scheme in addition to the information required when submitting an application.

For larger or complex applications, it will be expected that the scope of information required will have been agreed in discussion with officers.

In addition, other organisations should be contacted as appropriate, for example the Environment Agency, South Yorkshire Archaeology Service, South Yorkshire Passenger Transport Executive or the South Yorkshire Police Architectural Liaison Officer for advice, prior to submitting an application.

This version has been formally adopted by the Council on the 15th December 2010 after a 16 week consultation period and with amendments made to it after having regard to consultation responses.

2. The Policy Framework

The information required to make a valid planning application comprises:

- mandatory national information requirements specified in the Town and Country Planning (Development Management Procedure) Order 2010 (DMPO), including a design and access statement where one is required
- the standard application form
- information to accompany the application as specified by the local planning authority on our local list of information requirements

3. The submission of planning applications

Applicants are encouraged to apply electronically, via the Planning Portal website. However, it is acknowledged that online submission of supporting information may not always be possible because of its volume and variety. In these circumstances, information should be submitted in hard copy, or preferably, electronically on a CD or USB storage device, even if the application has been submitted via the Planning Portal. Applicants who submit hard copies of supporting information must provide the original plus one copy (2 copies in total).

Applicants who choose to submit their application form and supporting information in different formats will be notified of the validity of their application when we are satisfied that we have received all the necessary information.

Applicants who submit an application electronically may communicate in this way throughout the whole application process unless an alternative approach is agreed. Where applicants have chosen to communicate electronically with us we may also issue the Decision Notice electronically.

The Authority expects a high standard of submission for all applications. Larger and more contentious applications will be determined by the Planning Board and it is requested that these applications be accompanied by appropriate, accurate colour contextual drawings, provided on disc. This is not a validation requirement, but it is strongly advised that this information be submitted in order to assist all those with an interest in the application, in understanding the proposals.

Where an application is submitted but considered invalid by the Council, applicants will be informed in writing and details given of the information which is needed to make the application valid. Where an application is not accompanied by information required by our local list, applicants should provide a short written justification with the application as to why it is not appropriate in the particular circumstances.

Some of the validation criteria will only become apparent once a site visit has been carried out (e.g. the presence of trees on site). This may result in an apparently valid application being declared invalid at a later stage of the process so it is important that all questions on the application form are answered correctly and information is accurate and up to date.

In circumstances where an applicant does not agree with our requirement for an item, they should discuss the point of concern with us. Where an item specified in the DMPO has not been provided, or discussions fail to resolve the point of concern about an item published on the local list, there is no right of appeal. Applicants who want to challenge a decision not to validate an application in such circumstances must consider other procedures, such as a claim for judicial review on legal grounds.

The applicant will also have the right to appeal against non-determination after the appropriate 8 or 13 week period depending on the scale of the proposals.

4. Statutory national information requirements

The information required to make a valid planning application consists of:

- mandatory national information requirements specified in the DMPO, including a design and access statement where one is required

- information provided on the standard application form; and
- information to accompany the application as specified by the local planning authority on our local list of information requirements.

The DMPO requirements are:

LOCATION PLAN

All applications must include copies of a location plan based on an up-to-date map. This should be at an identified standard metric scale (typically 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper). Applicants should provide 1 copy plus the original (unless submitted electronically). Plans should identify sufficient roads and/or buildings on land adjoining the application site 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 PLAN

One copy plus the original of a site plan should be submitted (unless submitted electronically). The site plan should be drawn at an identified standard metric scale. It 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

and the following, **unless these would NOT influence or be affected by the proposed development:**

- c. all the buildings, roads and footpaths on land adjoining the site including access arrangements
- d. all public rights of way crossing or adjoining the site
- e. the position of all trees on the site, and those on adjacent land
- f. the extent and type of any hard surfacing; and
- g. boundary treatment including walls or fencing where this is proposed

OWNERSHIP CERTIFICATES

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 12 of the DMPO, the local planning authority must not entertain an application for planning permission unless the relevant certificates

concerning the ownership of the application site have been completed. All applications for planning permission must therefore include the appropriate certificate of ownership. An ownership certificate A, B, C or D 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 seven years. Ownership certificates must also be completed for applications for listed building consent, and conservation area consent for demolition.

NOTICE(S)

A notice to all owners of the application site must be completed and served in accordance with Article 11 of the DMPO. As noted above, site owners are freeholders and leaseholders with at least seven years of the leasehold left unexpired.

AGRICULTURAL LAND DECLARATION

All agricultural tenants on a site must be notified prior to the submission of a planning application. This is required by Article 12 of the DMPO. Applicants must certify that they have notified any agricultural tenants about their application, or that there are no agricultural tenants on the site. The certificate is required whether or not the site includes an agricultural holding. It is incorporated into the standard application form, and must be signed in order for the application to be valid.

No agricultural land declaration is required if the applicant is making an application for the approval of reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, conservation area consent for demolition, listed building consent, a lawful development certificate, prior notification of proposed agricultural or forestry development, a non-material amendment to an existing planning permission, or express consent to display an advertisement.

THE CORRECT FEE

Planning applications incur a [fee](#). These are currently described in [CLG circular 04/2008](#), Planning-Related Fees. The Planning Portal includes a [fee calculator](#) for applicants. The Planning Service is also able to advise applicants on specific cases. Telephone 01709 823835.

DESIGN AND ACCESS STATEMENT

Design and access statements are required for all planning applications, with the following exceptions. Applicants are advised to refer to Article 8 of the DMPO for full details but, in summary, a Design and Access Statement is **not** statutorily required for:

- i. engineering or mining operations
- ii. development of an existing dwellinghouse, or development within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, where no part of that dwellinghouse or curtilage is within a designated area
- iii. a material change in the use of land or buildings, unless it also involves operational development
- iv. extensions to the time limits for implementing existing planning permissions
- v. development of an existing flat for any purpose incidental to the enjoyment of the flat as such, where no part of that flat is within a designated area
- vi. the extension of an existing building used for non-domestic purposes where the floorspace created by the development does not exceed 100 square metres and where no part of the building or the development is within a designated area
- vii. the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure, up to 2m high or the height of the existing means of enclosure, whichever is the higher, where no part of the building or the development is within a designated area or the curtilage of a listed building
- viii. development on operational land consisting of the erection of a building or structure up to 100 cubic metres in volume and 15m in height and where no part of the development is within a designated area
- ix. the alteration of an existing building where the alteration does not increase the size of the building and where no part of the building or the development is within a designated area
- x. the erection, alteration or replacement of plant or machinery where, as a result of the development, the height of the plant or machinery would not exceed the greater of 15 metres above ground level, or the height of the original plant or machinery, and where no part of the development is within a designated area; or
- xi. development of land pursuant to section 73 (determination of applications to develop land without conditions previously attached) of the Town and Country Planning Act 1990.

In this context, “designated area” means a World Heritage Site or a conservation area.

Design and access statements are not required for applications relating to advertisement control, tree preservation orders or storage of hazardous substances. Neither are they required for applications for prior approval for proposed development, or non-material amendments to existing planning permissions.

Design and access statements **are** required for applications for listed building consent.

5. Local information requirements

As part of this revised validation policy, we have reviewed our existing local list and this revised document is a new and replacement version of that which was previously published in April 2008.

This revised list has had regard to statutory requirements, national, regional and local plan policies and draws on the information contained within the 'Guidance on information requirements and validation' document published by Communities and Local Government in March 2010.

Please note that 2 copies of forms, plans and supporting documents should be submitted, unless submitting electronically.

VALIDATION REQUIREMENTS - ALL APPLICATIONS

Please note that in addition to the following requirements for validation, additional information may be requested during the determination of the planning application at the request of the case officer.

National Requirements

- [Completed application form](#)
- [Location Plan](#) (1:250 or 1:2500)
- [Site Plan](#)
- [Ownership certificates & notices](#)
- [Agricultural land declaration](#)
- [Correct fee](#)
- [Design & Access Statement \(with these exceptions\)](#)

Compulsory Local Requirements

- Existing and proposed elevations (at a scale of 1:50 or 1:100 unless there are no external alterations proposed)
- Existing and proposed floor plans (at a scale of 1:50 or 1:100) except householder applications. These should highlight any existing walls or buildings that are to be demolished, where applicable. If the application relates simply to a change of use, and no development work is to be carried out, a floor plan may not be necessary.

Possible Local Requirements

Information Item	Types of application	Policy Drivers																								
Affordable Housing Statement	Required for all residential developments with 15 or more residential units or for sites of 0.5 hectares or more	PPS3 Affordable Housing Policy IPS																								
Air Quality Assessment	<p>Required for developments within or adjacent to an air quality management area OR consult Neighbourhood and Adult Services on 01709 823193 to see if an assessment is required if in a category below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #cccccc;">Development</th> <th style="background-color: #cccccc;">Site Area</th> <th style="background-color: #cccccc;">Gross Floor Area Space / Units</th> </tr> </thead> <tbody> <tr> <td>Food-retail</td> <td>>0.2ha</td> <td>>800m²</td> </tr> <tr> <td>Non-food retail</td> <td>>0.8ha</td> <td>>1500m²</td> </tr> <tr> <td>Office (B1)</td> <td>>0.8ha</td> <td>>2500m²</td> </tr> <tr> <td>Industry (B2)</td> <td>>2.0ha</td> <td>>4000m²</td> </tr> <tr> <td>Industry (B8)</td> <td>>2.0ha</td> <td>>5000m²</td> </tr> <tr> <td>Residential</td> <td>>1.0ha</td> <td>>80 units</td> </tr> <tr> <td>Hotel</td> <td colspan="2">>100 Bedrooms</td> </tr> </tbody> </table>	Development	Site Area	Gross Floor Area Space / Units	Food-retail	>0.2ha	>800m ²	Non-food retail	>0.8ha	>1500m ²	Office (B1)	>0.8ha	>2500m ²	Industry (B2)	>2.0ha	>4000m ²	Industry (B8)	>2.0ha	>5000m ²	Residential	>1.0ha	>80 units	Hotel	>100 Bedrooms		UDP Policy ENV3.7 PPS23
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	Other	>30+ two-way vehicle movements in any one hour, or 100 two-way vehicle movements per day, or >100 parking spaces	
Biodiversity / Geodiversity Survey & Report	For barn conversions, demolition and all other developments where a proposal may have possible impacts on wildlife and biodiversity, including Greenfield sites, SSSI's, LNR's, RIGS, LGS, LWS or SINC's, woodlands and riverside habitats.		Wildlife and Countryside Act 1981 The Conservation (Natural Habitats etc) Regulations 1994 The Badgers Act 1992 UDP Policy ENV2
Building For Life	Required for all major residential development (10 dwellings or greater).		PPS3
Coal Mining Risk Assessment	All non householder applications which fall within the Coal Mining Development Referral Areas as defined by The Coal Authority.		PPG14
Environmental Impact Assessment	The Town and Country Planning (Environmental Impact Assessment) Regulations (SI1999/293), as amended, set out the circumstances in which an Environmental Impact Assessment (EIA) is required.		The Town and Country Planning (Environmental Impact Assessment) Regulations 1999
Flood Risk Assessment	A flood risk assessment will be required for development proposals of 1ha or greater in flood zone 1 and for ALL proposals for new development located in flood zones 2 and 3 .		Paragraph E9 of PPS 25 Minimum requirements for Development Control
Heritage Statement	Required for Listed Building and Conservation Area consent, adjacent to a SAM, affecting archaeological features, affecting an historic park or garden, hedgerow removal in or abutting a conservation area AND ALL APPLICATIONS likely to affect designated heritage assets (Listed Buildings, Conservation Areas, Historic Parks and Gardens and Scheduled Monuments) or their settings and certain non-designated heritage assets.		PPS5 UDP Policy ENV2
Land Contamination Assessment	As a minimum a contamination assessment must include a Phase 1 investigation for: a. All applications for: i. All new residential developments (house, flats,		Developing on contaminated land

	<p>nursing homes) unless for individual residential properties where a screening assessment form may be completed</p> <ul style="list-style-type: none"> ii. Allotments iii. Schools iv. Nurseries & crèches v. Children's playing areas and playing fields vi. Mixed use developments including any of the above; and <p>b. Any land where contamination is suspected for all or part of the site</p>	<p>PPS23</p> <p>UDP Policy ENV3.7</p>
Landscaping Details	For all major developments with external space and outline applications where landscaping is not reserved.	UDP Policy ENV 3.1
Noise Assessment	Required for proposals that introduce noise sensitive development (residential, offices, hospitals and schools) into areas which have high levels of noise and for proposals that introduce noise generating developments into noise sensitive areas.	<p>PPS24</p> <p>UDP Policy ENV3.7</p>
Photomontages / Street Scene	For all new residential development (except change of use)	<p>PPS1</p> <p>PPS3</p> <p>UDP Policy ENV3.1</p>
Planning Obligations (S106 Agreements) – Draft Head(s) of Terms	Developments of 15 or more dwellings or >0.5ha. An obligation is required for affordable housing. Additional obligations may also be required for compensation and mitigation measures that might arise from the impacts of the development, both on and off the site that cannot adequately be controlled by condition.	<p>PPS3</p> <p>Affordable Housing Policy IPS</p>
Structural Survey	Barn conversions (or changes of use within the green belt to residential accommodation) and demolition of a listed building or building within a conservation area which adds to the character of the area.	<p>PPG2</p> <p>PPS5</p> <p>UDP Policies ENV2 & ENV3.5</p>
Telecommunications Development - supplementary information	Planning applications for mast and antenna development by mobile phone network operators	<p>PPG8</p> <p>UDP Policy UTL3.2</p>
Town Centre Uses (PPS4 Statement)	<p>A PPS4 statement is required where the following uses or extensions to these uses are proposed outside a defined town centre.</p> <ul style="list-style-type: none"> ○ Retail development (including warehouse clubs and factory outlet centres) ○ Leisure, entertainment facilities and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor 	PPS4

	<ul style="list-style-type: none"> ○ bowling centres and bingo halls) ○ Offices, both commercial and those of public bodies; and ○ Arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities). 																																																																									
Transport Statement / Assessment and Travel Plans	<p>The following table describes when a transport statement or assessment and travel plan is required.</p> <table border="1" data-bbox="491 544 1206 1659"> <thead> <tr> <th>Land Use</th> <th>Use Class</th> <th>Transport Statement</th> <th>Transport Assessment & Travel Plan</th> </tr> </thead> <tbody> <tr> <td>Food Retail</td> <td>A1</td> <td>>250<800m²</td> <td>>800m²</td> </tr> <tr> <td>Non food retail</td> <td>A1</td> <td>>800<1500m</td> <td>>1500m²</td> </tr> <tr> <td>Financial & Professional</td> <td>A2</td> <td>>1000<2500m</td> <td>>2500m²</td> </tr> <tr> <td>Restaurants & Cafés</td> <td>A3</td> <td>>300<2500m</td> <td>>2500m²</td> </tr> <tr> <td>Drinking Establishments</td> <td>A4</td> <td>>300<600m²</td> <td>>600m²</td> </tr> <tr> <td>Hot food takeaways</td> <td>A5</td> <td>>250<500m²</td> <td>>500m²</td> </tr> <tr> <td>Business</td> <td>B1</td> <td>>1500<2500m²</td> <td>>2500m²</td> </tr> <tr> <td>General Industrial</td> <td>B2</td> <td>>2500<4000m²</td> <td>>4000m²</td> </tr> <tr> <td>Storage & Distribution</td> <td>B8</td> <td>>3000<5000m²</td> <td>>5000m²</td> </tr> <tr> <td>Hotels</td> <td>C1</td> <td>>75<100 bedrooms</td> <td>>100 bedrooms</td> </tr> <tr> <td>Residential Institutions – Hospitals / Nursing Homes</td> <td>C2</td> <td>>30<50 beds</td> <td>>50 beds</td> </tr> <tr> <td>Residential Institutions – Education</td> <td>C2</td> <td>>50<150 students</td> <td>>150 students</td> </tr> <tr> <td>Residential Institutions – Hostels</td> <td>C2</td> <td>>250<400 residents</td> <td>>400 residents</td> </tr> <tr> <td>Houses</td> <td>C3</td> <td>>50<80 units</td> <td>>80 units</td> </tr> <tr> <td>Non residential Institutions</td> <td>D1</td> <td>>500<1000m²</td> <td>>1000m²</td> </tr> <tr> <td>Assembly & Leisure</td> <td>D2</td> <td>>500<1500m²</td> <td>>1500 m²</td> </tr> <tr> <td>Other</td> <td></td> <td>Discuss with TU</td> <td>Discuss with TU</td> </tr> </tbody> </table>	Land Use	Use Class	Transport Statement	Transport Assessment & Travel Plan	Food Retail	A1	>250<800m ²	>800m ²	Non food retail	A1	>800<1500m	>1500m ²	Financial & Professional	A2	>1000<2500m	>2500m ²	Restaurants & Cafés	A3	>300<2500m	>2500m ²	Drinking Establishments	A4	>300<600m ²	>600m ²	Hot food takeaways	A5	>250<500m ²	>500m ²	Business	B1	>1500<2500m ²	>2500m ²	General Industrial	B2	>2500<4000m ²	>4000m ²	Storage & Distribution	B8	>3000<5000m ²	>5000m ²	Hotels	C1	>75<100 bedrooms	>100 bedrooms	Residential Institutions – Hospitals / Nursing Homes	C2	>30<50 beds	>50 beds	Residential Institutions – Education	C2	>50<150 students	>150 students	Residential Institutions – Hostels	C2	>250<400 residents	>400 residents	Houses	C3	>50<80 units	>80 units	Non residential Institutions	D1	>500<1000m ²	>1000m ²	Assembly & Leisure	D2	>500<1500m ²	>1500 m ²	Other		Discuss with TU	Discuss with TU	PPG13
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Other		Discuss with TU	Discuss with TU																																																																							
Tree Survey / Arboriculture Implications	<p>If the application form indicates that there are trees on or adjacent to the site, that could influence or be affected by the development, then a tree survey should be provided.</p>	UDP Policy ENV3.4																																																																								
Urban Greenspace Assessment	<p>For all development within Urban Greenspace</p>	UDP Policy ENV5.1																																																																								

Ventilation / Extraction Statement	Land Use	Use Class	Threshold	
	Restaurants & Café's	A3	All	
	Drinking Establishments	A4		
	Hot food takeaways	A5		
	Major Retail	A1	>1000m ²	
	Major Business	B2	>1000m ²	
	Major Industry	B8	>1000m ²	
	Major Leisure	C1	>1000m ²	
	Major Other	C2	>1000m ²	

LOCAL REQUIREMENTS MAIN TEXT

Affordable housing statement

Applications for 15 or more residential units or for sites of 0.5 hectares or more will be expected to provide 25% of the units on site as affordable housing. The application should specify the number of affordable houses to be provided and any market housing. Details should also indicate the mix of units with numbers of bedrooms for each unit and plans should be submitted showing the proposed location of the units. If different levels or types of affordability or tenure are proposed for different units, this should be explained. The statement should include details of the Registered Social Landlords (RSLs) acting as partners in the development and should also confirm that the units are of a standard which meets the requirements of the RSLs.

Further information about the Council's approach to affordable housing provision can be found in the Affordable Housing Interim Planning Statement which can be viewed at [Affordable Housing Policy IPS](#)

Air quality assessment

Rotherham has several Air Quality Management Areas (AQMAs). Where a development is proposed inside or adjacent to an AQMA or where the development itself could result in an AQMA or where the grant of planning permission would conflict with or render unworkable elements of Rotherham's air quality action plan, applications should be supported by an air quality impact assessment.

Developments that generate significant extra traffic

Any proposals that fall into any of the categories below will trigger the requirement to contact Neighbourhood and Adult Services prior to submitting an application, for the proposals to be screened to establish whether an air quality assessment is required:

Development	Site Area	Gross Floor Area Space / Units
Food-retail	>0.2ha	>800m ²

Non-food retail	>0.8ha	>1500m ²
Office (B1)	>0.8ha	>2500m ²
Industry (B2)	>2.0ha	>4000m ²
Industry (B8)	>2.0ha	>5000m ²
Residential	>1.0ha	>80 units
Hotel	>100 Bedrooms	
Other	>30+ two-way vehicle movements in any one hour, or 100 two-way vehicle movements per day, or >100 parking spaces	

In general, an air quality assessment will be required if one or more of the criteria is met for developments anywhere in the borough.

An air quality assessment, if required should consider the impact of the proposals on:

- Existing air quality in the vicinity of the proposed development
- Likely impact on local air quality as a result of the proposed development, including the impact of additional traffic movements and/or the introduction of other new emissions sources
- Proposed measures for mitigating the air quality impact of traffic associated with the development and the compatibility of these measures with the Air Quality Action Plan
- Proposed measures for mitigating the air quality impact from other emissions sources (e.g. boiler plant)
- Level of increased exposure to air pollutants by members of the public as a result of the development taking into account all mitigation measures proposed.
- Design measures proposed to limit public exposure to air pollutants.

Further information is available on the Air Quality web pages which can be viewed [here](#):

And also in [Planning Policy Statement 23](#): Planning and Pollution Control (November 2004).

Biodiversity survey and report

Requirements for Protected Species

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Badgers Act 1992 and priority species as identified by the UK and/or Rotherham Biodiversity Action Plan. Where a proposed development is likely to affect protected species, the applicant must submit a ***Protected Species Survey and Assessment***.

If the application involves any of the development proposals shown in **Table 1**

(Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The survey should be undertaken and prepared by competent persons with suitable qualifications, experience and, where necessary, appropriate licence, and must be carried out at appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological data from Rotherham Biological Records Centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

The Trigger list should not be considered conclusive; additional/supplementary survey and assessment work may be requested either by the Local Planning Authority or on the advice of ecological consultants as a result of initial assessment.

The **Assessment** must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

The identification and completion of any survey and assessment and/or any subsequent planning consent does not absolve the need for compliance with wildlife law.

* Further information on appropriate survey methods can be found in *Guidance on Survey Methodology* published by the Institute of Ecology and Environmental Management; available at:
<http://www.ieem.net/surveyingadvice.asp>

Requirements for designated sites, priority habitats and geological conservation

The planning authority has a duty to consider the conservation of biodiversity and geodiversity when determining a planning application; this includes having regard to the safeguard of designated sites and priority habitats, as well as considering biodiversity and geodiversity opportunity areas. Where a proposed development is likely to affect such a site, habitat or geological feature, the applicant must submit an ***Ecological/Geological Survey and Assessment***.

If the application is likely to affect any of the designated sites, priority habitats or biodiversity features listed in **Table 2** or geological features listed in **Table 3**, a survey and assessment for the relevant feature must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in these tables. The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological or geological data from an appropriate environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on and where appropriate around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The Trigger list should not be considered conclusive; additional/supplementary survey and assessment work may be requested either by the Local Planning Authority or on the advice of ecological consultants as a result of initial assessment.

The **Assessment** should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, other biodiversity features or geological features. The Assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological/geological survey and assessment may form part of a wider Environmental Impact Assessment.

The identification and completion of any survey and assessment and or any subsequent planning consent does not absolve the need for compliance with wildlife law.

Notes:

Further information on appropriate survey methods can be found in *Guidance on Survey Methodology* published by the Institute of Ecology and Environmental Management; available [here](#):

Existing environmental information may be available from Local Record Centres, Wildlife Trusts, and Local RIGS Groups *etc.* Also online information on internationally and nationally designated sites can be found at:

www.natureonthemap.org.uk

Table 1: Requirement for protected species: Criteria and indicative thresholds for surveys and assessments

Proposed development which involve any of the following:	Species likely to be affected for which a survey will be required											
	Bats	Great Crested Newts	Otter	Water Vole	Badger	Reptiles	Amphibians	Barn Owl	Breeding Birds	Wintering / migrating Birds	Invertebrates	BAP Plant species ³
Houses – changes affecting the roof (e.g. house extensions, loft conversions, re-roofing) or demolitions.	X											
Barns and other traditional buildings – changes to or demolition thereof.	X											
Buildings with complex roof structures of any age – changes to or demolition of buildings such as schools, offices, hostels, pubs, hotels, hospitals, etc.	X											
Developments to listed buildings affecting walls or roof.	X											
Developments involving the loss of mature trees.	X											
Developments affecting buildings where bats or owls are known to be present.	X											
Developments affecting any caves, tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures.	X											
Developments affecting any bridge structures, aqueducts and viaducts.	X											
Proposals involving lighting of churches and listed buildings. Flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water.	X											
Proposals affecting woodland, or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies.	X											
Proposed tree work (felling or lopping) and/or any development affecting: <ul style="list-style-type: none"> • mature and veteran trees that are older than 100 years, • trees with obvious holes, cracks or cavities, • trees with a girth greater than 1m at chest height. 	X											
Proposals affecting quarries and natural cliff faces and rock outcrops with crevices, caves or other fissures.	X											
Ponds within 500m of Major proposals or ponds within 250m of Minor proposals.		X										
Proposals affecting or within 50 m of rivers, streams, canals, lakes, swamps, reed beds or other aquatic habitats.	X		X	X		X	X		X	X	X	X
Proposals affecting 'derelict' land (brownfield sites), allotments, mature gardens and railway land.		X			X	X	X		X		X	

Proposals affecting arable, pasture, semi natural habitats and uncultivated land					X	X		X	X	X	X	
Proposals for wind turbines and farms	X								X	X		
Proposed development affecting any buildings, structures, feature or locations where <u>protected or priority species are known or strongly suspected to be present</u>	As records and scoping reports indicate											

- 1 – With particular reference to Wildlife and Countryside Act (as amended) 1984 Schedule 1, Natural Environment and Rural Communities Act 2006 section 41 and RSPB Red List.
- 2 – Guidance on survey requirements should be sought where semi-natural habitat will be affected.
- 3 – Rotherham Biodiversity Action Plan and/or Key Plant Species List.
- 4 – Exceptions:
 - Buildings with missing or metal/prefabricated sheet roofs,
 - Porches or other minor structure applications and minor changes to existing roofs,
 - Active industrial premises.
- 5 – A major proposals is one that is more than 10 dwellings or more than 0.5 hectares or for non-residential development is more than 1000m² floor area or more than 1 hectare
- 6 – Confirmed as present by data search through Rotherham Biological Records Centre or as notified to the Developer by the Local Planning Authority and/or by Natural England, the Environment Agency or other nature conservation organisation or by credible report from the public.

Exceptions for When a Full Species Survey and Assessment may not be required

- a. Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species surveys and assessments are required.
- b. If it is clear that no protected species are present, despite the guidance in the above table indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).
- c. If it is clear that the development proposal will not affect any protected species, then only limited information needs to be submitted. This information should, however, (i) demonstrate that there will be no significant effect on any protected species recorded or likely to be present and (ii) include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm protected species should they subsequently be found or disturbed.

In some situations, it may be appropriate for an applicant to provide a protected species survey and report for only one or a few of the species shown in the Table above e.g. those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the report and which are not because exceptions apply.

Table 2 Requirements for Designated Sites and Priority Habitats Criteria (Trigger List) for when survey and assessment are required

1. DESIGNATED SITES (as shown on the Council’s Development Plan Proposals Map)

Nationally designated sites

Site of Special Scientific Interest (SSSI)

Regionally and locally designated sites

Local Sites (*e.g.* Local Wildlife Site, RIGS, Local Geological Site and Heritage Sites)
Local Nature Reserve (LNR)
Urban Greenspace

2. PRIORITY HABITATS (Habitats of Principal Importance for Biodiversity under S.41 of the NERC Act 2006)

Floodplain grazing marsh

- Fen, marsh, swamp and reedbeds
- Hedgerows
- Inland rock outcrop and scree habitats
- Lowland calcareous grassland (*e.g.* species-rich chalk and limestone Grasslands)
- Lowland heathland
- Lowland dry acid grassland
- Lowland meadows (*e.g.* species-rich flower meadows)
- Lowland mixed deciduous woodland (ancient woodland)
- Lowland wood-pasture and parkland
- Open mosaic habitats on previously developed land
- Purple moor grass and rush pastures
- Rivers and streams
- Standing open water and canals (*e.g.* lakes, reservoirs, ponds, aquifer fed fluctuating water bodies)
- Upland mixed ashwoods
- Wet woodland
- Inland rock and scree

3. OTHER BIODIVERSITY FEATURES

(as identified by the Local Biodiversity Partnership - see paragraph 84 ODPM Circular 06/2005)

- Secondary Woodland and Mature/Veteran Trees
- Caves and disused tunnels and mines (*e.g.* roosts for bats)
- Trees and scrub used for nesting by breeding birds
- Previously developed land with biodiversity interest
- Open green space (*e.g.* parks, allotments, flower-rich road verges and railway embankments)

Exceptions when a full survey and assessment may not be required

International and National Sites:

A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

Regional and Local Sites and Priority Habitats:

A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the Local Planning Authority's ecologist (where employed), or ecological advisor and/or the local Wildlife Trust and/or Local Geology Trust that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

TABLE 3 Requirements for Designated Geodiversity Sites and Features Criteria (Trigger List) for when a Survey and Assessment are required

1. DESIGNATED SITES (as shown on the Council's Development Plan Proposals Map)

Nationally designated sites	Site of Special Scientific Interest (SSSI)
Regionally and locally designated sites	Regionally Important Geological Sites (RIGS) Local Nature Reserves Local Geological Sites

2. OTHER GEOLOGICAL CONSERVATION FEATURES
(Based on the Earth Science Conservation Classification)

Exposure or Extensive Sites

- Active quarries and pits
- Disused quarries and pits
- River and stream sections
- Inland outcrops
- Exposure underground mines and tunnels
- Extensive buried interest
- Road, rail and canal cuttings

Integrity Site

- Static (fossil) geomorphological
- Active process geomorphological
- Caves
- Karst

Finite Site

- Finite mineral, fossil or other geological
- Mine dumps
- Finite underground mines and tunnels
- Finite buried interest

Exceptions when a full survey and assessment may not be required

National Sites:

A survey and report will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national importance.

Regional and Local Sites:

A survey and report will not be required where the applicant is able to provide copies of pre-application correspondence with appropriate local geological experts (such as the Local RIGS Group) that they are satisfied that the proposed development will not affect any regional

References for Biodiversity and Geological Conservation Validation Information

Peak District National Park Authority (August 2005) Conservation and Development Practice Note – Protected Species and Development in the Peak District National Park PDNPA

Communities and Local Government (March 2010) - [Guidance on information requirements and validation](#) - Guidance for local planning authorities CLG Publications

Coal Mining Risk Assessment

The Coal Mining Risk Assessment should be prepared by a suitably qualified and competent person (see PPG14 for definition). It should contain:

1. Site specific coal mining information (including past/present/future underground mining, shallow coal workings, mine entries (shafts or adits), mine gas, within an area which has a current licence to extract coal, geological features, any recorded surface hazards, or within a former or present surface mining [old opencast] area).
2. Identify what risks these coal mining issues, including cumulative effects, pose to the proposed development.
3. Identify how coal mining issues have influenced the proposed development and whether any other mitigation measures are required to manage those issues and/or whether any changes have been incorporated into the development.
4. Any development that involves intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or mine entries will require the prior written permission of The Coal Authority.

Note - if an Environmental Statement is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended, it is suggested that the CMRA is included within the ES.

Where to look for further assistance

Planning Policy Guidance 14: Development on Unstable Ground and its associated Appendices and Annexes provides a comprehensive guidance for both Local Planning Authorities and applicants in relation to the development in areas which may be affected by land instability issues.

The Coal Authority website: <http://www.coal.gov.uk/services/planning>

The Coal Authority Planning and Local Authority Liaison Department

Telephone 01623 637 119 (direct) or Email planningconsultation@coal.gov.uk

The Local Planning Authority has been provided with Coal Mining Development Referral Areas by The Coal Authority.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations (SI1999/293), as amended, set out the circumstances in which an Environmental Impact Assessment (EIA) is required. EIA may obviate the need for other more specific assessments.

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 the Environment Statement has to be taken into consideration when the Council decides whether to grant planning consent. Screening opinions can be sought from the Council, to determine whether an EIA is required, prior to submitting an application. In cases where a full EIA is not required, the Council may still require environmental information to be provided depending upon site conditions and the nature of the proposals.

Where an EIA is required, a scoping opinion can be sought from the Council which will set out the issues to be addressed.

Flood risk assessment (FRA)

A flood risk assessment 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. Further details including indicative [flood zone maps](#) for the local area can be found on the [Environment Agency's website](#). The supporting documentation must meet the requirements for the submission of information set out in [PPS 25](#) 'Development and Flood Risk', including the need for sequential and exceptions tests where necessary.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water

management systems including Sustainable Drainage Systems (S.U.Ds) and address the requirement for safe access to and from the site in areas at risk of flooding.

The FRA should be prepared by the applicant in consultation with the Drainage Section and should take into account the Strategic Flood Risk Assessment. 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 (December 2006) and its associated Practice Guide provides comprehensive guidance.

Heritage Statement (including historical, archaeological features and scheduled ancient monuments)

All applications likely to affect a designated heritage asset (i.e. a Listed Building, Conservation Area, Historic Park and Garden, or a Scheduled Monument) or which might impact upon its setting will be required to submit a Heritage Statement. A Heritage Statement should contain:-

- A description of those elements which contribute to the significance any heritage assets likely to be affected by the proposals.
- An assessment of the likely impact which the proposals will have upon those elements which contribute to the significance of those assets.

In certain circumstances, Heritage Statements may also be required for applications affecting other non-designated heritage assets such as non-Scheduled archaeological sites and locally-important historic buildings.

Whether a Heritage Statement will be necessary and the scope and degree of detail that is likely to be required will vary according to the particular circumstances of each application. Applicants are advised to discuss their proposals with Officers to determine whether they will be required to submit a Heritage Statement as part of their application and, if so, its likely content.

Applicants are also advised to discuss proposals affecting conservation areas and listed buildings with the Council's Conservation and Design Officer and proposals for works affecting archaeological features and scheduled ancient monuments with the South Yorkshire Archaeology Service before an application is made. The following provides details of what may be required.

For applications for listed building consent, a written statement should be submitted that includes:

- A statement of the archaeological, architectural, historical or other significance of the building, its site and its setting, including any pre-application research and evaluation
- A schedule of works affecting the building, its site and setting

- An assessment of the impact of the proposals on the special interest and character of the building, its site and setting and that of any adjacent heritage assets
- A justification for the proposals, in terms of the principles applied, together with any mitigation measures proposed.

A structural survey will be required to support applications for demolition or significant alteration.

For applications for conservation area consent, a written statement that includes a structural survey, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area is likely to be required. Where an adopted conservation area appraisal exists, it will be expected that the heritage statement will include a justification of the proposals which takes into account the findings of the appraisal.

Rotherham has 5 historic parks and gardens listed on the English Heritage Register. These are:

- Moorgate Cemetery Grade II
- Boston Park Grade II
- Clifton Park Grade II
- Sandbeck Park and Roche Abbey Grade II*
- Wentworth Woodhouse Grade II

Proposals which would affect the character or setting of these assets should be supported by a heritage statement. For all applications involving the disturbance of ground which affects land in an area identified as of archaeological significance, or which has been identified at the pre-application stage as of potential archaeological significance, applicants will need to commission an assessment of existing archaeological information and submit the results as part of the Heritage Statement.

A heritage statement should accompany applications for hedgerow removal where the hedgerow forms part of a significant historic landscape or area of archaeological potential.

Heritage statements should be prepared by an appropriately qualified historic environment professional. Pre-application discussion with the Council's Conservation and Design Officer is recommended.

Further advice is provided in [PPS5 Planning for the Historic Environment](#) and the [Historic Environment Practice Guide](#) which accompanies PPS5.

Advice on the local heritage resource is available from the Council's Conservation and Design Officer and the South Yorkshire Archaeology Service www.sheffield.gov.uk/syas

Land Contamination Assessment

Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed.

Where minor/householder applications are not supported by a phase 1 desk study report and/or phase II site investigation report and if required a remediation/method statement, sufficient evidence should be provided to indicate that there is no contamination likely to be present on the site, due to the previous uses.

Applications accompanied by a land contamination assessment should include an extended assessment of contamination in line with [Planning Policy Statement 23: Planning and Pollution Control \(November 2004\)](#). Sufficient information will be required to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level.

All applications for 'sensitive' and 'low sensitivity' end uses should be supported with a Phase I Desk Study Report. A 'sensitive' end use includes housing, schools, nurseries, allotments, children's play areas and playing fields. A 'low sensitivity' end use includes commercial buildings (shops and offices) and industrial buildings (warehouses, factories, car parks etc).

Phase I Desk Study Report

This report should include as a minimum but not be limited to the following sections:

- a) Introduction-aim of the report
- b) Site location, description and layout plans
- c) Review of site history and previous surrounding land uses (to include historic plans dating back at least 150 years where possible)
- d) An assessment of the environmental setting- to include information on
 - geology, hydrogeology and hydrology
 - coal workings and mining or quarrying activities
 - Environment Agency information on ground water abstractions, pollution incidents, water quality classification, landfill sites
 - Local authority information on landfill sites, private water supplies, contaminated land, pollution incidents etc
- e) Assessment of current/proposed site use and surrounding land uses
- f) Review of any previous site investigation studies or remediation works
- g) Risk assessment based on the proposed development to include an appraisal of actual and/or potential contaminant sources, pathways and receptors and a conceptual site model
- h) Conclusions
- i) Recommendations including those for further intrusive investigation.

Dependent upon the findings within the phase I report, submission of a phase II intrusive site investigation report may be required.

Phase II Site Investigation Report

This report should include as a minimum but not be limited to the following:

- a) introduction - aim of report
- b) overview of findings from phase I report
- c) review of any previous site contamination studies or remediation works
- d) site investigation methodology – to include information on the following:
 - methods of investigation
 - plan showing exploration locations and justification of locations
 - sampling and analytical strategies
- e) results and findings of investigation – to include information on:
 - characterisation of ground conditions (soil, gas and water regimes)
 - discussion of soil/gas/water contamination (inclusive of visual, olfactory, analytical and monitoring data)
- f) conceptual site model (detailing differences from phase I report)
- g) risk assessment – this should be based on the source – pathway – receptor model and should take account of severity of consequences and likelihood of occurrence. Justification for the risk assessment model used will be required. The Contaminated Land Exposure Assessment (CLEA) Model and its associated soil guideline values (SGVs) should be used to determine whether certain contaminant soil concentrations pose a significant risk to human health. The use of ICRCL trigger values and Kelly guidelines will not be accepted as a means of assessing whether contaminants present an unacceptable risk to human health. Dutch guidelines may be considered on a site specific basis and within the UK context, adopting the principles outlined in the CLR documentation.
- h) Conclusions
- i) Recommendations for further intrusive investigation, detailed quantitative risk assessment if required and remediation if required. Details should also be provided on potential gas protection measures, capping systems and drinking water supply pipes required.

A phase I and phase II report may be combined, however, the combined report should contain all sections as described above in the phase I and phase II outline reports.

General recommendations for remediation made in the phase II report will not be accepted as a substitute for a remediation/method statement.

Remediation/Method Statement

Where the phase II report identifies remediation works will be necessary, a detailed remediation/method statement will be required and should be submitted with the planning application. The remediation/method statement should determine how the site will be made suitable for its proposed use. The report should include as a minimum the following sections:

- a) Aims and objectives of the remediation works
- b) Description of works. This is to include:
 - description of ground conditions (soil, gas, water)
 - scale of contamination to be remediated

- remediation methodology including the importation of any clean materials to site
 - site plans/drawings
 - environmental controls
 - timescales and phasing of works
- c) Details of any consents and licences required (i.e. discharge consents, waste management licences)
- d) Site management procedures to be protective of site neighbours, environment and amenity during works. This is to include:
- health and safety procedures
 - dust, mud, noise and odour controls
 - control and containment of surface water run off
- e) Contingency for dealing with unexpected contamination
- f) Methods of validation to ensure remedial objectives are met. This is to include:
- sampling strategy and location plans and monitoring frequency
 - use of on site testing, observations, visual/olfactory evidence
 - chemical analysis/monitoring data
 - proposed clean up standards (i.e. target concentrations)
 - whether validation will be undertaken on a phased basis
 - validation of any imported soils to site
 - validation measures for hotspot areas of contamination
 - validation measures for gas protection measures
 - validation measures for capping layers

Following completion of remedial works a validation/site completion report will need to be submitted to the local authority in support of the planning application and for the discharge of conditions.

Landscaping Details

All full applications or outline applications where landscaping is not reserved for major development that include any external space (residential applications for 10 or more houses and/or on sites of 0.5 hectares or more, non-residential applications for 1000 sq metres or more gross floorspace and/or 1 hectare or more) should be accompanied by a landscaping scheme comprising as a minimum the following information:

- A landscaping scheme in outline or sketch form, or landscape strategy, sufficient to convey the principles of what is intended, and the amount of land that will be set aside for landscape treatment. Applicants should show hard and soft landscaping as an integral part of their design or on outline applications, give an indication of the landscaping strategy to be adopted. Applicants should not assume that landscaping can be dealt with by condition.
- One or more plans should be provided, drawn to a suitable scale to show:
 - Existing site boundaries, features and levels

- The extent of existing planting, including those trees or areas of vegetation that are to be retained, and those that it proposed to remove. Similarly details of any other existing features of landscape, amenity or conservation interest and proposals for retention/removal.
- The location and extent of any screening through buildings, trees or other features on or adjacent to the site that the development would benefit from.
- The extent of any changes to existing ground levels where these are proposed. This should also identify the extent of ground preparation and top soiling proposed.
- Any constraints in the form of existing or proposed site services, or visibility requirements.
- The intended uses and treatment of any external spaces, and the position and general type of planting proposed
- The scheme should also state how it is intended that the landscaping will be managed in the future.

For all planning applications requiring a design and access statement, the advice provided in section 4 of this document should be followed, with specific reference to the advice provided in the CABE 2006 publication [Design and Access Statements: How to write, read and use them](#).

Landscaping schemes/strategies should be undertaken and prepared by a competent person, with suitable qualifications and experience such as a qualified landscape architect. A detailed landscaping scheme will be required to be submitted and approved prior to the commencement of development on site.

Noise Assessment

Applications for developments which raise 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 information can be found in [Planning Policy Guidance Note 24: Planning and Noise](#).

Where noise is likely to be an issue, applicants are advised to contact the Council's Environmental Health Officers on 01709 823131 to discuss the proposals, prior to the submission of a planning application.

Photomontages / Street Scene

For all new residential development. These provide vital background information and can help to show how developments can be satisfactorily integrated within the street scene.

Planning Obligations/draft head(s) of terms

Planning obligations (section 106 agreements or unilateral undertakings) are agreements negotiated between local planning authorities and persons with an interest in a piece of land and are intended to make acceptable development which would otherwise be unacceptable in planning terms. Early informal discussions should take place with the Planning Service to establish the scope and scale of any planning obligation required, prior to the submission of a planning application. Details of the circumstances in which a planning obligation may be required can be found in the Council's Interim Planning Statements; Planning Obligations and Affordable Housing. Applicants should ensure that details of these discussions laid out as heads of terms, which will allow the Council to draft a Section 106 agreement, are included in their submission.

Structural Survey

A structural survey will be required in support of an application for changes of use of buildings located in the green belt to residential properties (i.e. barn conversions), if demolition is proposed to a listed building or to a building located in a conservation area which is considered to add to the character of that building/area.

It is advised that applications for demolition involving listed buildings or conservation areas be discussed prior to submission of an application with the Council's Conservation and Design Officer.

Telecommunications Development - supplementary information

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 proposed structure, and technical justification and information about the proposed development.

Planning applications should also 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 Radiation Protection (ICNIRP). Further guidance on the information required is set out in the *Code of Practice on Mobile Network Development 2002*.

Town Centre Uses - Evidence to accompany applications

Guidance on evidence required to accompany applications is provided in [Planning Policy Statement 4: Planning for Sustainable Economic Growth](#)

The level of detail and type of evidence and analysis required to accompany applications should be proportionate to the scale and nature of the proposal. Impact

assessments should be provided for all retail and leisure developments over 2,500 sq metres gross floorspace, but they may occasionally be necessary for smaller developments such as those likely to have a significant impact on smaller centres. Impact assessments should also be provided for all other main town centre uses when they are in an edge of centre or out of centre location and not in accordance with the development plan.

The main town centre uses listed in PPS4 are:

- Retail development (including warehouse clubs and factory outlet centres)
- Leisure, entertainment facilities and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls)
- Offices, both commercial and those of public bodies; and
- Arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Assessments will be required for;

- New development
- Redevelopment of existing facilities
- Extensions to existing facilities
- Changes of use involving development
- Renewal of extant planning permissions; and
- Applications to vary or remove existing planning conditions which would have the effect of creating additional floorspace or changing the range of goods sold

Transport Assessment and Travel Plans

[Planning Policy Guidance Note 13](#) advises that a Transport Assessment (TA) should be submitted as part of any planning application where the proposed development has significant transport implications. The coverage and detail of the TA 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, while for major proposals, the TA should illustrate accessibility to the site by all modes of transport and the likely modal split of journeys 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.

The maximum parking demand should be shown in the form of a parking accumulation table and consideration given to how any overspill parking will be managed.

A stage 1 safety audit must accompany any highways mitigation measures.

Details of on-site cycle parking must be given including numbers and security arrangements in accordance with RMBC standards. A statement should be included which advises whether the number of car parking spaces complies with Regional Spatial Strategy and RMBC standards.

The changes in traffic flows, between the with-development and the without-development scenarios, must be clearly stated for all roads where two way flows are predicted to increase by 30 vehicles or more due to the proposals.

Walking distances, along suitable routes (not crow-fly distances) must be given between building entrances and nearby bus stops.

A travel plan, prepared in accordance with Council guidelines should be submitted alongside planning applications which are likely to have significant transport implications, as advised by Planning Policy Guidance Note 13.

The thresholds specified for Transport Assessments by the Department for Transport for requesting transport assessments, which are adopted as part of this validation policy, are set out below. The thresholds are for guidance purposes only and requirements will be site specific. The Transportation Unit can provide further advice on a site specific basis.

Thresholds based on size or scale of land use			
Land Use	Description	Transport Statement (TS)	Transport Assessment (TA) & Travel Plan (TP)
Food Retail (A1)	Retail sale of food goods to the public – food Superstores, supermarkets, convenience food stores.	>250<800m ²	>800m ²
Non food retail (A1)	Retail sale of non-food goods to the public; but includes sandwich bars – sandwiches or other cold food purchased and consumed off the premises, internet cafes.	>800<1500m	>1500m ²
Financial & Professional (A2)	Financial services- banks, building societies and bureaux de change, professional services (other than health or medical services) –estate agents and employment agencies, other services – betting shops, principally where services are provided to visiting members of the public.	>1000<2500m	>2500m ²
Restaurants & Café's (A3)	Restaurants and cafes – use for the sale of food for consumption on the premises, excludes internet cafes	>300<2500m	>2500m ²
Drinking Establishments (A4)	Use as a public house, wine-bar or other drinking establishment	>300<600m ²	>600m ²
Hot food takeaways (A5)	Use for the sale of hot food for consumption on or off the premises	>250<500m ²	>500m ²
Business (B1)	(a) Offices other than in use within Class A2 (financial and professional services) (b) Research and development laboratories, Studios (c) Light industry	>1500<2500m ²	>2500m ²
General Industrial (B2)	General industry (other than classified as B1)	>2500<4000m ²	>4000m ²

Storage & Distribution (B8)	Storage or distribution centres-wholesale warehouses, distribution centres and repositories	>3000<5000m ²	>5000m ²
Hotels (C1)	Hotels, boarding houses and guest houses. Development falls within this class if 'no significant element of care is provided'.	>75<100 bedrooms	>100 bedrooms
Residential Institutions – Hospitals / Nursing Homes (C2)	Used for provision of residential accommodation and care to people in need of care.	>30<50 beds	>50 beds
Residential Institutions – Education (C2)	Boarding schools and training centres.	>50<150 students	>150 students
Residential Institutions – Hostels (C2)	Homeless shelters, accommodation for people with learning difficulties and people on probation	>250<400 residents	>400 residents
Houses (C3)	Dwellings for individuals, families or people living together as a single household including students or young people sharing a dwelling and small group homes for disabled people	>50<80 units	>80 units
Non residential Institutions (D1)	Medical and health services- clinics and health centres, crèches, day nurseries, day centres and consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, non-residential education and training centres, places of worship, religious instruction and church halls	>500<1000m ²	>1000m ²
Assembly & Leisure (D2)	Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos. Other indoor and outdoor sports and leisure uses not involving vehicles or firearms.	>500<1500m ²	>1500 m ²
Other	For example: stadium, retail, warehouse clubs, amusement arcades, launderettes, petrol filling stations, taxi businesses, car/vehicle hire businesses and the selling and displaying of motor vehicles, night clubs, theatres, hostels, builders' yards, garden centres, Post Offices, travel and ticket agencies, hairdressers, funeral directors, hire shops, dry cleaners	Discuss with TU	Discuss with TU

Thresholds based upon other considerations			
Other Considerations	TS	TA	TA/TP
Any development which is not in accordance with the adopted development plan			<input type="checkbox"/>
Any development generating more 30 or more two-way vehicle movements in any hour		<input type="checkbox"/>	
Any development generating 100 or more two-way vehicle movements per day.		<input type="checkbox"/>	
Any development proposing 100 or more parking spaces		<input type="checkbox"/>	
Any development that is likely to increase accidents or conflicts among motorised and non-motorised users, particularly vulnerable road users such as children, disabled and elderly people			<input type="checkbox"/>
Any development generating significant freight or HGV movements per day, or significant abnormal loads per year.		<input type="checkbox"/>	
Any development proposed in a location where the local transport infrastructure is inadequate – for example, substandard roads, poor		<input type="checkbox"/>	

pedestrian/cyclist facilities and inadequate public transport provisions.			
Any development proposed in a location within or adjacent to an Air Quality Management Area (AQMA).		<input type="checkbox"/>	

Tree survey / Arboriculture Implications

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

Full guidance on the survey information, protection plan and method statement that should be provided with the application is set out in the current *BS5837 'Trees in relation to construction- recommendations*.

Surveys should also be accompanied by utility statements to demonstrate that routes have been planned to avoid as far as possible the potential damage to trees/hedges. Details to be provided include:

- Reference number (to be recorded on the tree survey plan to a scale and level of accuracy appropriate to the proposal)
- Species- common and scientific names
- Height in metres
- Stem diameter in millimetres at 1.5m above ground level (on sloping ground to be taken on the upslope of the tree base) or immediately above the root flare for multi-stemmed trees
- Branch spread in metres taken at the four cardinal points to derive an accurate representation of the crown (to be recorded on the tree survey plan)
- Height in metres of the crown clearance above adjacent ground level (to inform on ground clearance, crown stem ratio and shading)
- Age class (young, middle aged, mature, over-mature, veteran)
- Physiological condition (e.g. good, fair, poor, dead)
- Structural condition, e.g. collapsing, the presence of decay and physical defect
- Preliminary management recommendations, including further investigation of suspected defects that require more detailed assessment and potential wildlife habitat
- Estimated remaining contribution in years (e.g. less than 10, 10-20, 20-40, more than 40)
- R or A to C category grading to be recorded and indicated on the tree survey plan
- Root protection areas
- A tree constraints plan
- Construction exclusion zones
- Tree protection plan
- Arboricultural implication assessment

- Arboricultural method statement
- Existing and proposed contours and levels

For works affecting trees protected by a tree preservation order or conservation area designation, a report by a tree professional will be required to be submitted with the application. The report, produced by a suitably qualified and experienced person shall include details of: replacement planting, including species, numbers, proposed planting positions, planting preparation, size at planting, method of support, irrigation and maintenance proposals.

Where a protected wildlife species may be affected by felling or works to trees, applicants are strongly advised to submit a detailed survey and report prepared by a suitably qualified ecologist or specialist.

Urban Greenspace Assessment

For development on land allocated as Urban Greenspace within the UDP, application proposals should be accompanied by plans showing any areas of existing or proposed Urban Greenspace within or adjoining the application site. Any such proposal should seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Where proposals are submitted, they should provide information to accord with Unitary Development Plan policy [ENV5.1](#).

Further information on Rotherham's local space provision is available from the Council's Leisure and Green Spaces Unit.

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 the purposes with Use Class A3 (i.e. restaurants and cafes- use for the sale of food and drink for consumption on the premises) A4 (i.e. drinking establishments – use as a public house, wine-bar or other drinking establishment) A5 (i.e. hot food takeaways- use for the sale of hot food for consumption off the premises), B1 (general business) and B (general industrial). This information (excluding odour abatement techniques, unless specifically required) will also be required for significant (1000 sq metres gross floor area) retail, business, industrial, or leisure or other similar developments.
