

# Comments received on Validation requirements for planning and other applications submitted under the Town and Country Planning Acts for Leicestershire Local Authorities published March 2011

**All comments received by deadline of 3 June 2011**

## **Contributors**

East Midlands Airport

Environment Agency

Leicestershire Centre for Integrated Living 'Empowering Disabled People'

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Major Development Team, Planning and Economic Development, Leicester City Council,

North West Leicestershire District Council

The response of the local authorities on the comments are marked **red** where no change is proposed and where the local authorities agree to make changes are marked **green**

## **General comments**

Found this to be a very useful document. It would request assurance that full and meaningful consultation with all parties, with regard to planning obligations, will be made throughout the whole planning process.

*Comments noted*

The document consulted on helps in respect of clarifying which documents will be required to accompany which type of application.

*Comments noted*

The number of documents required to accompany a planning application on many occasions can be complex and numerous and it is useful to have a document which summarises which documents may be required.

*Comments noted*

The purpose of the Leicestershire local authorities "validation checklist" is to encourage the efficient registration and processing of applications. We support this objective as it should allow Local Planning Authorities to apply a consistent and proportionate approach when requesting information to support an application. This, in turn, should minimise the number of applications which are returned as invalid.

In our view, the objective can be met, subject to:

- appropriate application of the principles set out within CLG Guidance (necessity; precision; proportionality; fitness for purpose; and assistance), and
- effective communication between the LPA and applicant/agent at the outset of the validation process.

*Comments noted*

Unable to access this document through your web site.

*The link on one of Charnwood BC web pages did not work this issue was resolved as soon as it was brought to our attention and the enquirer was advised to use an alternative link.*

Finding it hard to grapple with the national changes also especially in view of the conservation areas. What the main changes are and how they might affect CAs, and where VDSs and Landscape Character Assessments fit in to these.

*Advice already given :*

*Local planning application requirements are a set of lists, depending on the application type, as to what is required by the local authority to validate a planning application. They do not affect the way applications are judged or what the council takes into account when determining applications. Policies and guidance still need to be considered. These are the minimum requirements and, if, because of the particular circumstances of a case vital information, is required to assess an application the authority still has a duty to consider it and can request further information be submitted. If it not forth coming an application can be refused.*

*Validating an application is the first step in the process and the lists are to give everyone clarity as to the minimum information required. There is still some leeway for the authority to register applications without the information, but generally if the information is not submitted the processing of an application does not commence. If applicants are not happy to provide the information they will be able to exercise their right of appeal against non determination after the statutory period has lapse;, the Planning Inspectorate will however have to consider whether the national and local list of requirements has been met before proceeding to determine the appeal. It is expected that if the information is not submitted they will turn such an appeal away.*

*I trust this is of assistance to you and I can assure you that they do not affect the status of CAs or VDSs etc where they have been adopted.*

The document itself is extremely inaccessible and un-user friendly. I doubt if anyone would (or could) refer to it on a regular basis,

*Individual lists are to be produced relevant to the type of application to ensure they are accessible and user friendly.*

Concerned it would primarily be used by planners to justify to consultees and others commenting on applications why certain information has been omitted.

*The lists are to be used to validate applications only and do not exclude authorities from requesting further information or refusing permission where more detailed or specific information is required in respect of individual proposals. If information is required by consultees then they would have to justify why it would be necessary to determine the application. Such information can only be requested if it has planning merit.*

The protocol outlined in the draft consultation document focuses entirely on the level of information required to be submitted in support of an application. However, the document does not set out the local authorities' "standards of service" for validating and processing planning applications.

In light of the above we suggest that the document is amended to include the following text: "Local Planning Authorities will endeavour to:

- offer timely and thorough pre-application advice;
- advise applicants of an invalid application with 5 working days at the latest and by phone or email where possible;
- undertake to adopt a proportional approach to validation requests; and
- positively negotiate changes to applications to enable approval."

*This document follows the advice of CLG; Service standards are not included because they are set by individual authorities depending on their resources and are not factors considered appropriate to be included in this document, which explains the local requirements for validating an application.*

The CLG's guidance on 'Information Requirements and Validation' states that the whole process for reviewing, revising and publishing the local list should be published "by the end of December 2010 at the very latest". Given the substantial slippage since this cut-off date it begs the question as to whether the authorities can now make the changes which are proposed.

*The quote is guidance. However resource issues did not enable the authorities to complete the review by the suggested date. The CLG's Development Management Policy Annex expected the review process to take up to six months but does not stipulate that it could not take longer. The guidance also requires reviews of a list to be carried out therefore expect further lists to be produced after December 2010.*

The CLG 'Guidance' also notes that where local authorities deem that revisions to Local Lists are required this review should be summarised in a short report (paragraph 68 of the Guidance refers). Assuming that this process has been followed it would be useful if this report could be made available during the consultation period so that the reasoning behind the changes is made explicit.

*The changes amounted to more than just minor revisions and annex 4 of the document explains why the individual requirements are required in more detail. A summary was not considered to be beneficial since all the requirements are explained.*

The document does not meet the test of 'precision' set in the CLG guidance and is arguably not fit for purpose.

*It is considered that the document meets the test of precision and is fit for purpose.*

This is an initial list, which needs to be developed in discussion with the relevant specialist officers and external advisors, who it appears have not been involved in the preparation of this document.

*All the named local authorities have jointly produced this list and this consultation is where other interested parties have the opportunity to comment and make suggestions, there are however legal constraints as to what can be included in the list*

I strongly recommend that officers leading the preparation of this document meet with members of the Council's Inclusive Design Advisory Panel (on which I sit as an external advisor), and which includes the Disabled People's Access Officer, to discuss and develop this essential aspect of the document.

See comments above

I also recommend that similar discussions are held in the other local authorities, reflecting their Local Development Framework requirements

This is noted and passed to the relevant individuals in each authority

## SECTION 2

### **Protocol for Submission—Pre-Application Advice:**

Historically I always found it helpful to receive without prejudice pre-application informal advice by communicating with or meeting a planning officer on site at a very early date (design stage) to discuss an outline proposal/ scale context materials etc. That way the advice can be built into the proposal and the client advised saving time and money on proposals which at a later date may have to be revised/diluted/reduced in scale etc. The Planning officer concerned is also then familiar with the site/ location and context which must be of help during the application process. This type of consultation could/would also assist in early assessment of possible/potential permitted development proposals. The current system (1<sup>st</sup> October 2008 legislation) of form filling submitting drawings/waiting six weeks is costly, clunky and time wasting.

*Pre-application discussions are welcomed, but the officer needs to be able to see sketches of an idea prior to agreeing a meeting/site visit which are time consuming and costly to the authority. Also the feed back will have greater value because the officer will have been able to investigate circumstances around a proposal rather than making comments without full consideration. It is not clear which forms etc are required for pre-application advice and all authorities have service standards they aim to meet.*

Pre-application discussions as mentioned in paragraph 6. It seems that some conflicts may arise in future when fees are required for pre-application yet developers are effectively required to carry out this. This would in effect add more cost to the development process (in this respect we understand that North West Leicestershire charge for pre-application discussions after an initial 'free' meeting).

*This is a matter for individual authorities when considering setting fees for pre-application discussions*

### **Paragraph 6**

Additional text should be added with regard to the charge for pre-application consultation.

Suggested wording is as follows:

“Fees associated with pre-application consultation may vary depending on the type and scale of proposal. A schedule of fees will be clearly set out on the authority’s website. Where a charge is made, standards of service should be clearly set out by the LPA. As a minimum, this should include a commitment to:

- i. provide a written response within 14 days of the request;
- ii. set out clearly the reasons for the LPA’s view and clear steps that could be taken to address any concerns/objections; and
- iii. provide Officer contact details to enable further discussion/information sharing.”

*These are matters for the individual authorities to consider when deciding to set fees.*

### **Paragraph 8**

The document should specify a timescale in which LPAs should aim to contact applicants/agents upon receipt of the application. In our experience, responses can sometimes be slow and simple points can be identified late. We suggest the following amendment to the text: “The Council will vet applications on receipt and inform the agent/applicant within 5 working days if the plans and supporting information is sufficient to register the application.”

*This is for individual authorities to consider when setting their service standards.*

### **Paragraph 9**

This paragraph is misleading as it suggests that pre-submission consultation is a requirement for registration. This is not the case. The text, “prior to the formal registration of the application” should therefore be removed.

*This is noted and will be amended in the final document.√*

### **Paragraph 10**

We recommend a minor amendment to the text to read as follows:

“For some particularly complex cases, the Council will set up a “Development Team” to involve all of the relevant of the above Services and Agencies in dealing with the application.”

*The Development Team needs to deal with the complex matters of the proposal and it is not always appropriate to include all. The wording (that leaves it to the authorities discretion as to who to include) is therefore considered to be appropriate.*

### **Paragraph 12**

In order to ensure that the document accords with the CLG Guidance, we suggest the addition of the following text:

“The Council will, however, use its discretion to ensure a proportionate approach. Where the applicant considers that the information is not required in any particular case this should be clearly set out within the application.”

*This is noted and will be included in the final document.√*

### **Paragraphs 15 to 17**

It is misleading to suggest that:

- the opportunity to make significant changes to an application, after validation, is “severely limited”;
  - revised drawings that significantly alter the proposals will not normally be accepted;
- and
- in the event of significant alterations, the Council will consider the application as originally submitted.

In our experience, significant changes can be made to a scheme and accepted by the LPA during the standard determination timescales. Indeed, it is good practice for LPAs to maintain constructive dialogue with the applicant/agent throughout the process and to work in the spirit of co-operation to overcome concerns.

*This reference is included in regard of significant changes and constructive dialogue is welcome before and during the application process. It is therefore not considered to be misleading.*

## **SECTION 3**

## **Aviation Impact Assessment: Wind Turbines**

Wind powered generator turbines can create certain problems for aviation. In addition to their potential for presenting a physical obstacle to air navigation, wind turbines can affect signals radiated from and received by aeronautical systems, specifically radar systems. Circ. 01/03 requires East Midlands Airport to 'safeguard' all proposals for wind turbines within 30km of the Airport. The Airport welcomes and encourages pre-application discussions with developers over proposed schemes in this 30km zone. An assessment of the impact of any wind turbines on the aeronautical systems at East Midlands Airport should accompany any proposals for new wind turbines within 30km of the Airport. The assessment should include details of pre-application discussions held with the Airport as recommended by Renewables UK (previously British Wind Energy Association) and include a copy of the submitted pre-planning proforma for enquiries on all new wind energy developments.

*Noted and will include as appropriate in final list* ✓

## **“Birdstrike” Assessments**

Birdstrikes are one of the major controllable hazards to aviation. Common birds have caused catastrophic accidents to all types of aircraft. Most birdstrikes occur on or near aerodromes but, because birds are very mobile, features far beyond an aerodrome boundary may increase the hazard. If a man made development provides feeding, roosting or breeding opportunities, or shelter and security, it may, depending on the siting of the development and the species it attracts, increase the number of birds visiting or overflying an aerodrome or the number of birds in the airspace used by aircraft. The primary aim is to guard against new or increased hazards caused by development. The most important types of development in this respect are: facilities intended for the handling, compaction, treatment or disposal of household or commercial wastes, which attract a variety of species, including gulls, starlings, lapwings and corvids; the creation or modification of areas of water such as reservoirs, lakes, ponds, wetlands and marshes, which attract gulls and waterfowl; nature reserves and bird sanctuaries; and sewage disposal and treatment plant and outfalls, which can attract gulls and other species. Planting trees and bushes normally creates a bird hazard only when it takes place relatively near to an aerodrome, but a potential starling roost site further away from an aerodrome can create a hazard. Mineral extraction and quarrying can also create a bird hazard because, although these processes do not in themselves attract birds, the sites are commonly used for landfill or the creation of wetland. Circ. 01/03 requires East Midlands Airport to 'safeguard' all proposals for developments which are likely to attract birds within 13km of the Airport. The Airport welcomes and encourages pre-application discussions with developers over such schemes in this 13km zone. An assessment of the birdstrike impact of the types of development listed above should accompany any proposals for such developments within 13km of East Midlands Airport. The assessment should include details of pre-application discussions held with the Airport, the individual potential bird attractant features of the proposed development and also whether the development, when combined with existing land features, will make the safeguarded area, or parts of it, more attractive to birds or create a hazard such as bird flightlines across aircraft flightpaths.

*Noted and will include as appropriate in final list* ✓

- The word “Full” should appear in title, i.e. Application for Full Planning Permission.  
*This is noted and will be included in the final document*✓
- **Site Plan** - the document intends to provide clarity but the word “most” is ambiguous.  
*This is explained in appendix 4 and will be explained in final list for each application type.*✓
- **Fee** – there should be reference to fee exemptions, i.e. “All application (unless exemptions apply such as in the case of resubmissions)”.  
*This is noted and will partly be included in the final document excluding reference to any type of exemption as legislation may change.*✓
- **Affordable Housing Statement** - reference to the requirement for a “Housing Market Assessment” is misleading. It is a function of local authorities to produce Housing Market Assessments. The applicant may choose to comment on the Assessment within the Affordable Housing Statement.  
*This is noted and will be deleted from the final document*✓
- **Air Quality Assessment** – with reference to requirement for “proportionality” the text should read, “Where development is proposed inside, or adjacent to an Air Quality Management Area (AQMA) and it is likely that the proposal will affect or be affected by local air quality conditions. ”  
*This is noted and will be included in the final document*✓
- **Building For Life Assessment** - these assessments are often included within Design and Access Statements. Reference should be made to this.  
*This is noted and will be included in the final document*✓
- **Town Centre Uses** – it is misleading to suggest that sequential assessments are required for all applications. Sequential assessments are not required if the proposals are within an identified centre.  
*It refers to all applications as identified in PPS4 and not just all applications. This is further identified in appendix 4*
- **Heritage Statement and Archaeological Assessment** – these should appear as two distinct documents rather than being combined. A rationale for this is provided in subsequent paragraphs.  
*See comment below*
- **Lighting Assessment** – the terminology “particularly sensitive proposals” is ambiguous and should be expanded upon.  
*This is expanded upon in appendix 4*
- **Noise Impact Assessment** – with reference to requirement for “proportionality” additional text should read, “where noise sensitive developments are proposed close to existing noise sources or where the proposal may generate significant noise levels near to existing noise sensitive uses”.  
*This is expanded upon in appendix 4*
- **Open Space Assessment** - should read “all major residential applications”.

*This may not just be relevant to residential developments and is expanded upon in appendix 4*

Many of the above points should be re-applied in relevant places throughout the remainder of the document.

#### **Page 14**

• **Travel Plan** – it is not clear whether the requirement is for a “Travel Plan” or a “Draft Travel Plan”. We suggest that only a draft or “Travel Plan Framework” is required.

*This is explained in the County Councils web pages*

#### **Page 27 and 28**

##### **Applications for Certificates of Lawful Development,**

If the development or activity is of any significant scale, is there a case for applying the same requirements for supplementary information as would be required for significant new development applications? While this could be true for any aspects of the case, my particular interest would be in sites for which there might be volumes of traffic and transport generated and where the planning and highways authorities should have a Transport Assessment and Travel Plan to make a fully informed decision. The need to supply these additional documents should be subject to same development size thresholds and other criteria that we would otherwise apply to a new development application for the same development on that site.

*Applications for Certificates of Lawfully development are determined as a matter of fact and degree according to legislation and not on the assessment of the planning merits, including Transport or Travel Plans. If there is an issue in respect of intensification which results in a material change, this would be for the local authority to consider and not for the applicant to show.*

#### **Page 35**

• **Photographs/Photomontages** – a requirement to make a record of the development proposed for demolition may be a condition of a grant of consent. It is not however, a validation requirement. In our opinion, this requirement should therefore be removed.

*Conditions can not be attached to a prior notification.*

• **Structural Survey** - only the method of demolition and site restoration can be considered when determining an application for prior notification. The requirement to submit a structural survey should therefore be removed.

*This is noted and will be excluded from the final document√*

#### **Page 37**

• **Location Plan** – this is not a recognised requirement for this type of application. The reference should therefore be removed.

*This is noted and will be excluded from the final document√*

• **Design and Access Statement** – it is likely that an “addendum” to the originally submitted Design and Access Statement would be sufficient. Reference should be made to this.

*This is noted and will be included in the final document√*

#### **Page 38**

• **Local Requirements** – the use of the terminology “out of date” is ambiguous. We suggest therefore that the text should be amended to read,

“Only when there has been a material change in circumstances which requires an original report to be updated.”

*This is noted and will be included in the final document however it also needs to refer to the requirement of a new document where one was not originally submitted.√*

### **Page 39**

**Local requirements** - same comment made in respect of page 38 (above).

*Noted - same comment as above√*

### **Page 40**

We understand that some Leicestershire LPAs charge a fee for applications to discharge conditions. If this is the case, the requirement to pay a fee should be referenced.

*This is noted and will be included in the final document Refer to legislation in Reg I ID of the Fees Regs 2008 ? and Circ 40/2008 ?*

## **SECTION 4**

### **General comments**

There are a significant number of items listed in the Explanatory Section of the published draft document (Section 4 Appendices) that do not appear in the schedules in Section 3. These are as follows:

Daylight/Sunlight Assessment

Foul Sewerage and Utilities Assessment

Geotechnical Survey/Stability Report

Site Waste Management Plan

Summaries of Planning Application

Sustainability

Town Centre Uses

Tree Survey and Arboriculture Implications

Visual Impact Assessment/Landscape Character Assessment

It is not clear therefore whether these are Local List items or not.

*Section 4 includes explanations of what items are required and why. It also includes additional items which although are not specified in the local list may be required by a local authority depending on the particular circumstances of an application. Although the authority would not invalidate an application without such information it may refuse permission without the information. It would be inappropriate not to advise applicants on these matters; however it would be reasonable to separate them from the main list.*

*The final document will therefore be amended with these items being separated from the local list explanation.*

### **Page 43**

• **Standard Application Form** - it should be made clear that if applications have been submitted electronically then paper copies are not required.

*This is noted and will be included in the final document√*

### **Page 44**

• **Fees** – there should be reference to fee exemptions (e.g. in the case of a resubmission).

*This is noted and will be included in the final document√*

## Page 45

- **Affordable Housing Statement** – the following sentence is misleading:

“Establishing the appropriate level of affordable housing having regard to both financial viability constraints and the exceptions of the Council’s policies can be a complex and time consuming process which cannot be accommodated within the normal timescale of a planning application”  
It should be possible to establish the appropriate level of affordable housing within the normal determination timescales subject to the Council understanding its housing needs.

*The issue is to ensure the scope and methodology of a viability assessment is agreed by both parties. This sentence should not be read in isolation from the rest of the paragraph.*

## Page 46

- **Air Quality** – it should be made clear that air quality surveys are only required if the proposals are likely to affect or be affected by air quality, i.e. there needs to be an assessment of “proportionality” in line with the CLG guidance.

*This is noted and will be included in the final document*✓

- **Biodiversity Survey and Report & Ecological Survey** – these should be combined as they are one in the same, i.e. a Phase I Survey. **Protected Species Surveys and Reports** (page 50) normally follow on from a Phase I Survey and so should also be under the same entry in the table.

*These are linked in the document but there are separate references to them because they are known to individuals differently.*

- In our experience **Arboriculture Assessments (Tree Surveys)** are often requested. These are not referred to within the checklist, but merit a separate entry in the table.

*These are required through the questions on the IAPP form and are acknowledged under Para 51 of appendix 4*

## Flood risk assessment

Reference should be made to the flood risk Sequential Test, which is applicable to all development proposals (other than applications for minor development and changes of use) occurring within Flood Zones 2 and 3. The Practice Guide that accompanies Planning Policy Statement 25 (PPS 25) explains that it is an applicant’s responsibility to provide the evidence base upon which a Local Planning Authority decides if a development proposal is sequentially appropriate unless the site has already been sequentially tested through the Local Development Framework process (Paragraph 4.25/PPS 25 Practice Guide). You may wish to include a link in the validation requirements to our advice note on ‘Demonstrating the flood risk (PPS 25) Sequential Test for Planning Applications’, which is available at:

<http://www.environment-agency.gov.uk/static/documents/Research/SequentialTestProcess.pdf>

*This is noted and will be included in the final document*✓

Reference should be made to flood risk Standing Advice, which provides advice to applicants on the flood risk requirements for minor and householder developments. Development proposals covered by Standing Advice do not require consultation with the Environment Agency. Instead, the Local Planning Authority is asked to check the planning application to ensure that mitigation measures have been incorporated. Please include the following link for the Standing Advice consultation matrix in the validation requirements:

[http://www.environment-agency.gov.uk/static/documents/Research/FRSA\\_LPA.pdf](http://www.environment-agency.gov.uk/static/documents/Research/FRSA_LPA.pdf)✓

*This is noted and will be included in the final document*

#### **Page 47**

• **Heritage Statement/Archaeological Assessments** – a distinction should be made between these two documents. In our experience a heritage Statement is rarely required. However, an Archaeological Assessment is often requested.

Many sites around Leicestershire have the potential to contain items of archaeological significance. The document should therefore clearly explain the various types of archaeological investigation. In our experience, the County Council's Archaeologist can request up to three different types of investigation: 1) a deskbased assessment, 2) a geophysical survey, and 3) trial trenching.

The document should make it clear that applications can be validated on receipt of a desk-based assessment, but that if further archaeological investigations are required, these can be secured through the imposition of planning conditions.

*Advice is contained in PPS5 and the scope and degree of information will vary and this is acknowledged in the document. Any of the three different types of investigation can be require, and it depends on the circumstances of the individual case. It is not always practical to secure by condition since the findings may be essential to the decision process. Usually, the findings of a desk based assessment will determine whether a survey or trial trenching is required before submission.*

#### **Page 48**

##### **Land Contamination Assessment**

You may wish to include a link in the validation requirements to the 'Model Procedures for Management of Land Contamination' CLR Report 11, available at:

<http://publications.environment-agency.gov.uk/pdf/SCHO0804BIBR-e-e.pdf>

*This is noted and will be included in the final document*✓

#### **Page 49**

##### **Open space assessment**

Is required for all major planning applications. This may not be necessary in all cases such as some employment applications. Could it not say for all major residential developments and applications where there would be a loss of open space.

*This is noted and will be included in the final document*✓

#### **Page 51**

• **Sustainability** – this is likely to be included within a Planning Statement or Design and Access Statement rather than being a standalone document. This should be made clear.

*This is noted and will be included in the final document*✓

#### **Sections 49 (Transport Assessments) and 50 (Travel Plans)**

It should be made clear that County Councils do not only use 'size of development' as the criterion for requiring a TA or TP. Subsections of paragraph 88 of PPG13 make clear that other criteria legitimately may be applied where local circumstance require and we already exercise that right occasionally here in Leicestershire.

*This is noted and will be included in the final document*✓

#### **Page 50 and 51**

## **SAC's (River Mease catchment area) and Special Protection Area (SPA) sites (Rutland Water)**

Refers to Regulation 48(2) of the Conservation (Natural Habitats & C) Regulations 1994 it should be Regulation 48(2) of the Conservation (Natural Habitats & C) Regulations 2010.

*This is noted and will be included in the final document*✓

## **Site Waste Management Plan Requirements**

We welcome inclusion of Site Waste Management Plans (SWMP) in the explanatory text for local validation requirements. However, SWMPs are not listed in the local requirements for planning applications. The Waste Management Plans Regulations 2008 came into force in April 2008 which means that any construction project in England costing over £300k needs a SWMP before work can begin. The regulations apply to:

- new build
- maintenance
- alteration or installation/removal of services such as sewerage, water.

A SWMP sets out how building materials, and resulting waste, is to be managed during the project. Although there is no legal requirement for regulators to approve SWMPs we believe that by making them a local requirement of the validation process will serve to remind applicants of their duty under the regulations and will ensure that:

- building materials are managed efficiently
- waste is disposed of legally, and
- material recycling, reuse and recovery is maximised

The plans can also provide information on the quantity and disposal route of construction waste, which could help local authorities to plan for the management of this waste stream.

Further information and advice on SWMPs is available at:

1. Site Waste Management Plan Regulations 2008 (OPSI website):

<http://www.legislation.gov.uk/ukxi/2008/314/contents/made>

2. Non-statutory guidance for site waste management plans (April 2008, PDF 150 KB):

<http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-guidance.pdf>

3. Toolkits available to assist production of a SWMP (PDF 40 KB):

<http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-toolkit.pdf>

4. Cost benefit analysis for the introduction of SWMPs for the construction and demolition industry (PDF 700 KB):

<http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-cost-benefits.pdf>

5. Questions and answers (PDF 15 KB):

<http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-qanda.pdf>

*This is separate legislation and not something that can be used to invalidate an application. The comments are noted and will be included in the document as advice comments rather than a requirement*✓

## **Page 52**

• **Visual Impact Assessment/Landscape Character Assessment** – with reference to principle of “precision”, the circumstances in which this type of assessment is likely to be required should be made clear.

*This is noted and will be included in the final document*✓

## **Additional suggestions**

There is a new requirement for planning applications relating to information required by the Coal Authority in NW Leicestershire and Leicestershire County Council areas. A coal Mining risk assessment is therefore required to accompany all applications, except for householder applications, located in Coal Mining Referral Areas. See link:

<http://www.coal.gov.uk/services/planning/development-management-strategy.cfm>

*This is noted and will be included in the final document*

An energy statement is not mentioned. Other authorities seem to have reports etc required that are unique to themselves, so can't we have that included.

*This should be covered in the design and access statement*

Also the requirement for evidence of compliance with lifetime homes could be put as a requirement for LCC.

*This should be covered in the design and access statement*

There is no reference in the document to any requirements which would help achieve Leicester's Core Strategy (CS Policy 3) for developments to "meet the highest standards of access and inclusion". The document should clarify specific information needed at the planning application stage to help achieve this policy and other relevant policies from the outset. It should focus on matters of detail which are regularly absent from planning applications, and which applicants are often reluctant to clarify subsequently. This should include the following:

- Applications for (or including) access ramps and/ or steps should clearly show existing and proposed levels of all landings related to existing ground, and finished floor levels.
- Applications for existing premises should clearly show the existing access arrangements (and any level differences) at the principal entrance, and details of any improvements.
- Applications for new non residential developments (including major extensions), and residential apartments, of 2 or more storeys to include passenger lifts (compliant with BS 8300 2009+A1:2010).
- Lifetime Homes and wheelchair accessible housing requirements: all applications for residential development in Leicester should be accompanied by a clear statement demonstrating policy.

*These matters should be covered in the design and access statement if a scheme does not comply with policy it may be refused.*