

CARLISLE CITY COUNCIL

Report to:- **Development Control Committee**

Date of Meeting:- **17th December 2010**

Agenda Item No:-

Public

Operational

Delegated: No

Accompanying Comments and Statements

Required

Included

Environmental Impact Statement:

No

No

Corporate Management Team Comments:

No

No

Financial Comments:

No

No

Legal Comments:

No

No

Personnel Comments:

No

No

Title:- **Proposed Changes To The National And Local Lists That Identify The Information Required To Accompany Planning Applications.**

Report of:- **Assistant Director (Economic Development)**

Report reference:- **ED.42/10**

Summary:-

Development Control Committee considered a report on the proposed changes to the National and Local Information required for valid Planning Applications at its meeting on 1st October 2010 (Ref:ED.30/10) and approved the draft list for consultation. The purpose of this report is to brief Members on the outcome of the consultation and seek Member approval to the final list.

Recommendation:-

That the amended National and Local Information List for Planning Applications should be approved.

Assistant Director (Economic Development)

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

1.0 Background

1.1 Members will be aware that since April 2008 there has been a standardised national planning application form (1APP) which is accompanied by a list of information which needs to be submitted with an application in order for it to be considered valid. This is known as the validation list and consists of:

- Mandatory national information requirements specified in the General Development Order (GDPO), 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 their local list of information requirements

1.2 In March of this year the Government announced forthcoming changes to the national lists. For example, from 6th April 2010, the range of development that is exempt from the requirement for a Design and Access Statement was expanded. The Government also announced that Local Authorities should review their own local list and specify the reason for each item which should be either statutory requirements, national, regional or local plan policies or published guidance that explains how adopted policy should be implemented.

2. Consultation

2.1 The Government advised that where changes to the Council's existing lists are proposed it is necessary to consult the local community, including applicants and agents. Members considered a report setting out the proposed amendments to the list at Development Control Committee in October and approved it for consultation.

2.2 The consultation period is now complete and no comments have been received. In order for clarity further amendments have been made with regards Listed Building Consent. Applications which affect Heritage Assets need to be accompanied by a 'Statement of Significance' which describes the heritage asset and how it will be affected by the proposal and how it contributes to the heritage of the area and secondly an 'Impact Assessment' which describes the impact the proposed development will have on the heritage asset.

3.0 Conclusion

3.1 The amendments to the Validation List are to be welcomed. The Guidance Notes which accompany the list will make it clear to applicants why information is needed and help ensure that they provide the correct information which will ultimately speed up the process.

4.0 Recommendation

4.1 That the amended National and Local Information List for Planning Applications should be approved.

NATIONAL AND LOCAL CHECKLIST GUIDANCE FOR APPLICATIONS FOR FULL PLANNING PERMISSION

All applications must be accompanied by 1 original + 3 copies unless submitted electronically = 4 in total, together with the appropriate fee.

All submitted plans must incorporate a drawing number and title (revised plans submitted must include suffixes and specify the nature of the revision).

This note is for guidance only and the Council welcomes pre-application discussions, particularly for more complicated applications, to help ensure that the right information is submitted.

A National Requirements

1. Application Form

When Required? In all cases.

What is Required? The completed application form signed and dated including a clear and concise description of the proposed development. One certificate of ownership and one agricultural holding certificate must be signed and dated. A signature is not required on electronic submissions.

Certificates

Certificate A

If you are the sole owner of all the land relating to the application sign and date Certificate A. (If the foundations of the proposal encroach onto and/or the gutters overhang your neighbours land this Certificate should not be used and Certificate B should be completed instead).

Certificate B

Complete when the applicant does not own the entire site and the owner of the part of the site is known.

Certificate C and D

Complete when not all or any of the owners of the site are known.

Agricultural Holdings Certificate

Certificate A

If none of the land to which the application relates is, or is part of, an agricultural building then you sign Certificate A.

Certificate B

If the land is part of an agricultural holding then sign Certificate B.

2. Site Location Plan

When Required? In all cases.

What is Required? This is to enable the Local Planning Authority, consultees and the public to identify the property. The site location plan (ordnance survey based) typically at a scale of 1:1250 or 1:2500 but wherever possible the plan should be scaled to fit onto A4 or A3 size paper. 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 must be edged clearly with a red line (the red line 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 must be drawn around any other land owned by the applicant. We will accept any location plans downloaded from Planning Portal www.planningportal.gov.uk as long as it meets the above criteria and plans can also be obtained from Carlisle Library.

3. Block Plan

When Required? In all cases.

What is Required? The block plan must be drawn at an identified standard metric scale (preferably at 1:200 or 1:500) and must accurately show:

- The direction of North
- The proposed development in relation to the site boundaries and other existing buildings on the site

The following must also be provided, unless these would NOT influence or be affected by the proposed development:

- All the buildings, roads and footpaths on land adjoining the site including access arrangements
- The position of all trees on the site, and those on adjacent land
- The extent and type of any hard surfacing
- Boundary treatment including walls or fencing where proposed
- The number of existing and proposed car parking spaces
- All public rights of way crossing or adjoining the site

4. Existing and Proposed Elevations

When Required? For all elevations to be visually altered.

What is Required? These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials together with the style, materials and finish of windows and doors.

5. Existing and Proposed Floor Plans

When Required? For each floor if the proposed development directly links to that floor, and for roof extensions a plan of the existing floor below will be required.

What is Required? These should be drawn at a scale of 1:50 or 1:100, and show clearly the proposed works in relation to what is already there. All rooms must be clearly annotated for both existing and proposed floor plans.

6. Existing and Proposed Site Levels and Section Drawings

When Required? In all cases where a proposal involves a change in ground level(s).

What is Required? Plans drawn at a scale of 1:50 or 1:100 showing a cross section(s) through the proposed building(s). On sloping sites, full information is required concerning alterations to levels, the way in which a proposal sits within the site and, in particular, the levels between existing and proposed buildings. The drawings may take the form of contours, spot levels, or be cross or long sections as appropriate.

7. Design and Access Statement

When Required? See Design and Access Statement (Table 1).

What is Required? See Design and Access Statement Guidance Notes.

B Local Requirements

8. Supporting Planning Statement

When Required? All major new developments.

What is Required? A Planning Statement containing information to demonstrate that the development proposals either satisfy national and local planning policies and/or that there are material planning considerations which should be taken into account by the Council in reaching a decision.

Why is it Required? To demonstrate compliance with national and local planning policies.

9. Transport Statement/Assessment

When Required? See criteria and thresholds in Table 2.

What is Required? See Table 2.

Why is it Required? To ensure the provision of adequate means of access and parking, and promotes sustainable development in compliance with Policy DP1 of the Carlisle District Local Plan 2001-2016.

10. Retail Assessment

When Required? As defined by Planning Policy Statement 4: "Planning For Sustainable Economic Growth".

What is Required? As detailed within Planning Policy Statement 4: "Planning For Sustainable Economic Growth".

Why is it Required? In compliance with Planning Policy Statement 4: "Planning For Sustainable Economic Growth" and Policies EC4 and EC5 of the Carlisle District Local Plan.

11. Environmental Impact Assessment

When Required? As defined by The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No. 293).

What is Required? As detailed within The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No. 293). The developer is required to prepare an Environmental Statement (required for Schedule 1 projects and for some Schedule 2 projects) to enable Carlisle City Council to give proper consideration to the likely environmental effects of a proposed development. The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the developer to describe the likely

significant effects of a development on the environment and to set out the proposed mitigation measures.

Why is it Required? In compliance with The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

12. Statement of Community Involvement

When Required? All major applications.

What is Required? A Statement of Community Involvement verifying consultation methods and provision of a summary of feedback received.

Why is it Required? In compliance with Local Development Framework “Statement of Community Involvement” (July 2010).

13. Flood Risk Assessment

When Required? Proposals of 1ha or greater in Flood Zone 1, all proposals for new development in Flood Zones 2, 3 and other areas of known localised flooding.

What is Required? A Flood Risk Assessment in accordance with Annex E of Planning Policy Statement 25.

Why it is Required? In compliance with Planning Policy Statement 25 “Development and Flood Risk” and Policies LE26, LE27 and LE28 of the Carlisle District Local Plan 2001-2016.

14. Assessment for the Treatment of Foul Sewage

When Required? In the event that either an existing or proposed non-mains system is to be used.

What is Required? In the event that a non-mains system is proposed a drainage specialist or surveyor with appropriate indemnity insurance should carry out an assessment (with reference to Circular 3/99). The submission of the assessment of the non-mains system is required in all cases prior to the validation of the application. Further advice can be obtained from the Council’s Building Control Section.

Why it is Required? In compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

15. Renewable Energy Statement

When Required? All major new development.

What is Required? The statement should show the predicted energy demands of the proposed development and the degree to which the development meets current energy efficient standards.

Why is it Required? In compliance with Policy CP9 of the Carlisle District Local Plan 2001-2016.

16. Housing Need Statement

When Required? Where Local Plan policies require the provision of affordable housing.

What is Required? A statement relating to both the provision of affordable housing and any market housing, (e.g. the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units) including plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. For further advice, contact the City Council's Housing Strategy Officer.

Why is it Required? In compliance with Policies H5 of the Carlisle District Local Plan 2001-2016.

17. Nature Conservation and Ecological Assessment

When Required? Applications for development in the countryside that will affect ecologically sensitive areas.

What is Required? Applications must be accompanied by an ecological assessment and include proposals for long-term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Plans should show any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. In the event that there are Bats or Owls present or potential for them to be present on the site, a detailed investigation and assessment is required. Details of the extent of the investigation can be obtained from English Nature.

Why it is Required? In compliance with Policies CP2 and CP5 of Carlisle District Local Plan 2001-2016.

18. Protected Species

When Required? See criteria and thresholds in Table 3.

What is Required? A survey and assessment by a person holding a relevant certification.

Why it is Required? In compliance with The Conservation (Natural Habitats, etc) Regulations 1994 and Policy CP2 of the Carlisle District Local Plan 2001-2016.

19. Arboricultural Survey

When Required? If there are trees or hedges on the proposed development site and/or on land adjacent to the development site that could influence the development or might be important as part of the local landscape character.

What is Required? An Arboricultural Method Statement and a Tree Protection Plan in accordance with BS5837:2005 must be submitted for the ground based works within the root protection area of a significant tree. The Root Protection Area and Construction Exclusion Zone must be plotted on a plan and submitted along with the details of the barriers proposed in accordance with BS5837:2005.

Why it is Required? In compliance with Policies CP2 and CP3 of the Carlisle District Local Plan 2001-2016.

20. Landscaping Plan

When Required? All major new development.

What is Required? An indicative landscaping plan to show how and where landscaping will be accommodated within the development proposal.

Why is it Required? In compliance with Policy CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

21. Contaminated Land Statement

When Required? Any proposals on brownfield land or involving the provision of residential units.

What is Required? See Contamination Guidance Note in Table 4.

Why is it Required? In compliance with Policies LE29, LE30 and LE31 of the Carlisle District Local Plan 2001-2016.

22. Noise Impact Assessment

When Required? Application proposals that raise issues of disturbance or are considered to be a noise sensitive development.

What is Required? A Noise Impact Assessment prepared by a suitably qualified acoustician. Advice on preparing the assessment can be obtained from the Council's Environmental Health Department.

Why it is Required? In compliance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

23. Air Quality Assessment

When Required? Where the development is proposed inside, or adjacent to an air quality management area (AQMA); where the development could in itself result in the designation of an AQMA; or where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan.

What is Required? Any report should be detailed enough to enable the planning authority to determine, with a reasonable degree of certainty, the significance of any air quality impacts, and there by the priority to be given to air quality concerns when deciding an application. The scope of an air quality assessment will depend on the nature of the proposed development and the likely impact.

Why is it Required? In compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

24. Statement of Architectural, Historic or Archaeological Interest

When Required? Where new development is proposed within the curtilage of a designated heritage asset (listed building, scheduled ancient monument etc.).

Additionally for work to a non-designated heritage asset* which is not classed as 'permitted development' under the General Permitted Development Order 1995, such as

- The material alteration of the appearance of the asset
- the conversion of the asset to other uses (e.g. dwelling to office, or office to flats)
- the conversion of an asset to residential use where permission for new residential accommodation would not otherwise be granted (e.g. barn conversion)
- the extension of an asset.

What is Required? A Statement of Significance and an Impact Assessment as part of the application in accordance with advice contained in Planning Policy Statement Note 5, Policy HE6 and with reference to Table 5 'Guidance Note for Applications Affecting Heritage Assets'.

For further advice regarding the extent and content of the assessments, please contact the Council's Conservation Officer.

Why is it Required? In compliance with Policies H8, H9, H11 and H12, LE7, LE8, LE9, LE13, and LE16 of the Carlisle District Local Plan 2001-2016 and Planning Policy Statement 5, Policy HE6.

Note: A non-designated heritage asset is a property of local architectural, historic, archaeological or artistic significance identified by the Local Authority in any local list of urban and rural sites or buildings which form part of the area's locally distinctive character.

25. Structural Survey/Method Statement

When Required? Proposals involving the demolition or the structural alteration of non-designated heritage assets.

What is Required? A Statement of Significance and an Impact Assessment (as Clause 23 above) together with a Structural Plan prepared by a CARE registered structural engineer which identifies the structural stability and condition of the asset together with a statement identifying how the structure is to be safely demolished or how the stability of the structure is to be safeguarded during development.

Why it is Required? In compliance with Policies H8, LE7, LE8, LE9, LE10, LE11 and LE17 of the Carlisle District Local Plan 2001-2016 and Planning Policy Statement 5, Policy HE6.

26. Marketing and Viability Statements

When Required? Proposals for the re-development of buildings for residential uses not in general accordance with the objectives and policies of the Development Plan.

What is Required? Detailed statements providing results of a marketing exercise undertaken throughout a minimum period of 6 months prior to submission of application and viability of potential alternative economic or community purposes.

Why it is Required? In compliance with Policy H8 of Carlisle District Local Plan 2001-2016.

27. Archaeological Evaluation and Impact Statement

When Required? If an application affects a site of historical or archaeological importance.

What is Required? An assessment of existing information about the site and submit the results as part of the application in accordance with advice in Planning Policy Statement 5, paragraphs 3.16 to 3.19. Supporting information may include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, and historic battlefields. For advice regarding the extent and content of the investigation/report please contact the Historic Environment Officer.

Why it is Required? In compliance with Policies H8, LE5, LE6, LE7, LE8, LE9, LE10 and LE11 of the Carlisle District Local Plan 2001-2016.

28. Agricultural Appraisal

When Required? Any proposal for a temporary or permanent agricultural or forestry worker's residential unit.

What is Required? A statement demonstrating compliance with Annex A of Planning Policy Statement (PPS) 7 "Sustainable Development In Rural Areas".

Why is it Required? In compliance with PPS7 and Policy H7 of the Carlisle District Local Plan 2001-2016.

29. Public Right of Way Statement

When Required? Any proposal involving the diversion or closure of a public right of way.

What is Required? Statement to indicate what measures are proposed to protect the interests of users of any public right of way which crosses or is near to the site, both while the development is taking place and in the longer term.

Why it is Required? In compliance with Policy LC8 of the Carlisle District Local Plan 2001-2016.

30. ICNIRP Conformity Statement

When Required? All telecommunications proposals.

What is Required? Statement provided by telecommunications provider to confirm that their proposed development would conform to current public safety standards for radiation.

Why is it Required? In compliance with Planning Policy Guidance Note 8: "Telecommunications".

31. Mining Risk Assessment

When Required? Development relating to areas of potential risk from past mining.

What is Required? A Mining Risk Assessment prepared by a suitably qualified and competent person.

Why is it Required? In compliance with Planning Policy Guidance Note 14: "Development On Unstable Land".

Design & Access Statements - When They Are Required

CATEGORY	D&A REQUIRED?
All types of Residential Development	YES
Non-Residential Development that is less than 100 square metres & NOT in a designated area	NO
Non-Residential Development that is less than 100 square metres & IN a designated area	YES
Non-Residential Development that is over 100 square metres NOT in a designated area	YES
Non-Residential Development that is over 100 square metres IN a designated area	YES
Erection of replacement wall, gate or fence as long as no higher than existing IN a designated area	YES
Erection of new wall, gate or fence as long as no higher than 2 metres IN a designated area	YES
Erection of replacement or new wall, gate or fence that is higher than existing or more than 2 metres in height IN a designated area	YES
Erection of replacement or new wall, gate or fence that is not higher than existing or less than 2 metres in height & NOT in a designated area	NO
Erection of wall, gate or fence that is higher than 2 metres and NOT in a designated area	YES
Operational Development IN a designated area	YES
Operational Development that is less than 100 cubic metres or no higher than 15 metres or its former height & is NOT in a designated area	NO
Operational Development that is more than 100 cubic metres or higher than 15 metres or its former height & is NOT in a designated area	YES

DESIGNATED AREAS are:

National Parks

Areas of Outstanding Natural Beauty (AONB)

World Heritage Sites

Conservation Areas

The Broads

Sites of Special Scientific Interest (SSSI)

APPENDIX B

Indicative thresholds for transport assessments

These thresholds are for guidance purposes and should not be read as absolutes. Local authorities may interpret them in light of their own circumstances. There are several qualitative factors that need to be taken into account and that are not captured by this document. There will also be site-specific issues that assessments will need to cover.

In some circumstances, a TA may be appropriate for a smaller development than suggested by the thresholds. In others, a TS may be appropriate for a larger development than suggested by the thresholds. Early pre-application discussions between a developer and the relevant authorities are strongly recommended. In these, it is important for highway authorities to combine the appropriate quantitative and qualitative thresholds in deciding the level of assessment that may be required.

Thresholds based on size or scale of land use						
	Land use	Use/description of development	Size	No assessment	TS	TA/TP
1	Food retail (A1)	Retail sale of food goods to the public – food superstores, supermarkets, convenience food stores.	GFA	<250 sq. m	>250 <800 sq. m	>800 sq. m
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 cafés.	GFA	<800 sq. m	>800 <1500 sq. m	>1500 sq. m
3	A2 Financial and professional services	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.	GFA	<1000 sq. m	>1000 <2500 sq. m	>2500 sq. m
4	A3 Restaurants and cafés	Restaurants and cafés – use for the sale of food for consumption on the premises, excludes internet cafés (now A1).	GFA	<300 sq. m	>300 <2500 sq. m	>2500 sq. m
5	A4 Drinking establishments	Use as a public house, wine-bar or other drinking establishment.	GFA	<300 sq. m	>300 <600 sq. m	>600 sq. m
6	A5 Hot food takeaway	Use for the sale of hot food for consumption on or off the premises.	GFA	<250 sq. m	>250 <500 sq. m	>500 sq. m
7	B1 Business	(a) Offices other than in use within Class A2 (financial and professional services) (b) research and development – laboratories, studios (c) light industry	GFA	<1500 sq. m	>1500 <2500sq. m	>2,500 sq. m

Thresholds based on size or scale of land use (continued)						
	Land use	Use/description of development	Size	No assessment	TS	TA/TP
8	B2 General industrial	General industry (other than classified as in B1),The former 'special industrial' use classes, B3 – B7, are now all encompassed in the B2 use class.	GFA	<2500 sq. m	>2500 <4000 sq. m	>4000 sq. m
9	B8 Storage or distribution	Storage or distribution centres – wholesale warehouses, distribution centres and repositories.	GFA	<3000 sq. m	>3000 <5000 sq. m	>5000 sq. m
10	C1 Hotels	Hotels, boarding houses and guest houses, development falls within this class if 'no significant element of care is provided'.	Bedroom	<75 bedrooms	>75 <100 bedrooms	>100 bedrooms
11	C2 Residential institutions - hospitals, nursing homes	Used for the provision of residential accommodation and care to people in need of care.	Beds	<30 beds	>30 <50 beds	>50 beds
12	C2 Residential institutions – residential education	Boarding schools and training centres.	Student	<50 students	>50 <150 students	>150 students
13	C2 Residential institutions – institutional hostels	Homeless shelters, accommodation for people with learning difficulties and people on probation.	Resident	<250 residents	>250 <400 residents	>400 residents
14	C3 Dwelling houses	Dwellings for individuals, families or not more than six people living together as a single household. Not more than six people living together includes – students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community.	Dwelling unit	<50 units	>50 <80 units	>80 units
15	D1 Non-residential Institutions	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.	GFA	<500 sq. m	>500 <1000 sq. m	>1000 sq. m
16	D2 Assembly and leisure	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 motorised vehicles or firearms.	GFA	<500 sq. m	>500<1500 sq. m	>1500 sq. m
17	Others	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, nightclubs, theatres, hostels, builders' yards, garden centres, POs, travel and ticket agencies, hairdressers, funeral directors, hire shops, dry cleaners.	TBD	Discuss with appropriate highway authority	Discuss with appropriate highway authority	Discuss with appropriate highway authority

Thresholds based on other considerations				
	Other considerations	TS	TA	TA/TP
1	Any development that is not in conformity with the adopted development plan.			✓
2	Any development generating 30 or more two-way vehicle movements in any hour.		✓	
3	Any development generating 100 or more two-way vehicle movements per day.		✓	
4	Any development proposing 100 or more parking spaces.		✓	
5	Any development that is likely to increase accidents or conflicts among motorised users and non-motorised users, particularly vulnerable road users such as children, disabled and elderly people.			✓
6	Any development generating significant freight or HGV movements per day, or significant abnormal loads per year.		✓	
7	Any development proposed in a location where the local transport infrastructure is inadequate. – for example, substandard roads, poor pedestrian/cyclist facilities and inadequate public transport provisions.		✓	
8	Any development proposed in a location within or adjacent to an Air Quality Management Area (AQMA).		✓	

• Trees with a girth greater than 1m at chest height	●		●									
Proposals affecting gravel pits or quarries & natural cliff faces & rock outcrops with crevices, caves or swallets	●		●						●			
Major proposals within 500*m of a Pond or Minor proposals within 100*m of Pond (Note: A major proposal is one that is more than 10 dwellings or more than 0.5 hectares or for non-residential development is more than 100m2 floor area or more than 1 hectare)				●								
Proposals affecting or within 200*m of rivers, streams, canals, lakes or other aquatic habitats	●		●		●			●			●	●
Proposals affecting 'derelict' land (brownfield sites), allotments & railway land			●	●					●	●	●	
Proposed development affecting any buildings, structures, feature or locations where <u>protected species are known to be present</u> **	●	●	●	●	●	●	●	●	●	●	●	●
Other potential												
	Bats	Barn Owls	Breeding Birds	Gt. Crested Newts	Otters	Dormouse	Red Squirrel	Water Vole	Badger	Reptiles	Amphibians	Plants

*Distances may be amended to suit local circumstance on the advice of the Local Natural England team and/or Local Biodiversity Partnership

**Confirmed as present because known to the owner or occupier, by either a data search (for instance via the local environmental records centre) or as notified to the developer by the local planning authority, and/or Natural England, the Environment Agency or other nature conservation organisation.

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 present, then only limited information needs to be submitted. This information should, however (i) demonstrate that there will be no significant affect on any protected species 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.

Assessing the Risks

The investigation and risk assessment of contaminated land is divided in to three stages:

Stage One – Desk Study, Site Walkover and Preliminary Risk Assessment

Stage Two – Intrusive Site Investigation and Detailed Risk Assessment

Stage Three – Remediation Strategy , Risk Management, Validation Report and Monitoring

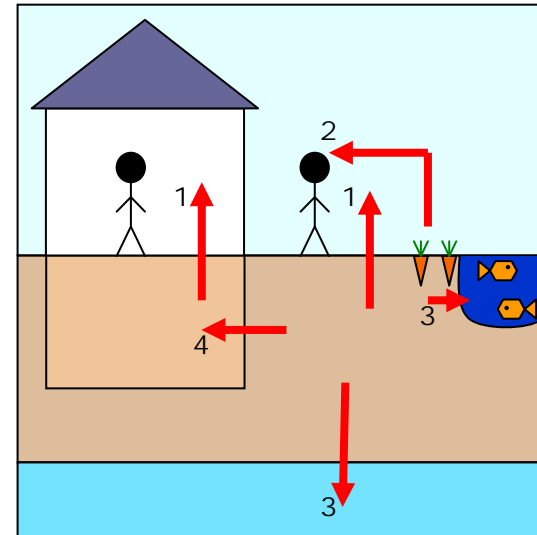
Not all sites will require all three stages to be carried out. It is therefore imperative that the developer consults the Local Authority Development Control and Environmental Health at each stage.

This leaflet provides advice on the Stage One Assessment

Checklist: Stage One	✓
1.1 Aims and objectives of study	
1.2 Credentials of person or organisation undertaking the study	
1.3 Site location and current layout plans including NGR and service plans	
1.4 Appraisal of site and vicinity of development and land-use history: <ul style="list-style-type: none"> Review historical maps, trade directories, deeds and planning records 	
1.5 Walkover survey to include: <ul style="list-style-type: none"> Observations of actual site layout Condition of soil and vegetation Condition of structures Location and use of buildings Description of surface material e.g. concrete, tarmac, gravel Identification of likely areas of contamination Photographs of the site Consideration of design of future intrusive investigations Proximity to surface water, including culverts, surface waters and drains 	
1.6 Assessment of environmental setting, to include: <ul style="list-style-type: none"> Geology, hydrogeology and hydrology Information on coal workings and other mining or quarrying activity (if appropriate) Information from Environment Agency e.g. licensed abstractions, pollution incidents, water quality classification, landfill sites within 250m Information from Local Authority on former landfill sites, private water supplies, historic land-uses, pollution incidents etc within 250m Information on any ecological and archaeological features 	
1.7 Provide details of any previous site contamination studies (desk based or intrusive), remediation works and civil engineering assessments	
1.8 Preliminary (qualitative) assessment of risks, to include: <ul style="list-style-type: none"> An appraisal of potential contaminant sources, pathways and receptors (pollutant linkages) An initial 'conceptual site model' Health and safety issues 	
1.9 Recommendations for intrusive contamination investigation, if necessary, detailing rationale behind proposed design of investigation	

Example of a Conceptual Model

Table 4



See below factors to include in model (this is not an exhaustive list).

- 1 Ingestion/inhalation of dust and vapours
- 2 Ingestion of food
- 3 Migration of contamination to surface water/groundwater
- 4 Migration of contamination to buildings

Things to Remember

- Early consultation with LA and EA will ensure that any site investigation takes into account the requirements of all interested parties.
- All plans must be appropriately scaled, to show site details and location, include a North point and clearly show the site boundary.
- Fulfilling the requirements within this leaflet will enable planning officers to make informed decisions on proposed developments.
- Reports should be prepared by appropriately qualified professionals
- Three copies of the report should be delivered to the Planning Department who will pass information on to the relevant consultees.
- The size and complexity of the site must be reflected in the level of investigation and subsequent report.
- Reports must include details of site ownership.
- Failure to submit the correct information may result in refusal or delays in your application.

Key Publications

- British Standards Institute, BS10175:2001 Investigation of potentially contaminated sites - Code of Practice, ISBN 0 580 33090 7
- Defra, 2006, Industrial Activities Which Have Used Materials Containing Radioactivity. Available from <http://www.defra.gov.uk>
- DoE, 1995, Industry Profiles 1 - 47 (Various titles). Available from <http://www.environment-agency.gov.uk>
- DoE, 1995, Prioritisation & Categorisation Procedure for Sites which may be Contaminated, CLR 6
- DoE, 1994, Guidance on Preliminary Site Inspection of Contaminated Land, CLR2 (2 volumes) Copies of DoE publications may be purchased from - Publications Sales Unit, Block 3, Spur 7 Government Buildings, Lime Grove, Ruislip, HA4 8
- Environment Agency/NHBC, 2000, Guidance for the Safe Development of Housing on Land affected by Contamination, R&D Publication 66 ISBN 0 11 310177 5. Available for purchase from The Stationery Office
- Environment Agency/ DEFRA, 2004, Model Procedures for the Management of Land Contamination, CLR 11, ISBN 1844322955. Available online at <http://www.environment-agency.gov.uk>
- Environment Agency/DEFRA, 2002, Priority Contaminants for the Assessment of Land, CLR 8, ISBN 1 857 05733 3. Available online at <http://www.environment-agency.gov.uk>
- Office of the Deputy Prime Minister, 2004, Planning Policy Statement 23, Annex 2, Development on Land Affected by Contamination, ISBN 0 11 753927 9. Available online at <http://www.odpm.gov.uk>

Useful Contacts

Allerdale: Environmental Health Unit, Tel: 01900 702580, Email: environmental.health@alderdale.gov.uk

Barrow: Environmental Health, Tel: 01229 876366, Email: envhealth@barrowbc.gov.uk

Carlisle: Environmental Quality, Tel: 01228 817329, Email: eps@carlisle.gov.uk

Copeland: Thomas Greer, Tel: 01946 598336, Email: thomasgreer@copelandbc.gov.uk

Eden: Cathy Reynolds, Environmental Protection, Tel: 01768 212333, Email: pollution@eden.gov.uk

South Lakeland: Environmental Protection, Tel: 0845 050 4434, Email: deh@southlakeland.gov.uk



An Essential Guide for Developers



Local Authorities within Cumbria are receiving an increasing number of planning applications for developments on or adjacent to previously used land, often referred to as 'brownfield' sites. These sites have generally been affected by the presence of contamination due to past industrial or waste disposal processes.

Government guidance (Planning Policy Statement 23) advises that potential contamination is a material planning consideration. This means that where contamination is known or suspected the developer should provide sufficient information to enable the Local Authority to determine whether the proposed development can proceed.

The onus is on the developer to disclose all relevant information when submitting planning applications or complying with planning conditions.

Guidance Note for Applications Affecting Heritage Assets

Heritage Assets include designated assets such as **Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Parks, Gardens and Battlefields**, as well as those non-designated heritage assets of local architectural, historic, archaeological or artistic significance identified by the Local Authority in any local list of urban and rural sites or buildings which form part of the area's locally distinctive character.

This guidance note gives advice on making applications for proposals for change that affect Heritage Assets. It explains what additional information applicants and their agents must submit in support of applications, and which sources of information they should consider consulting when assembling this information.

Such buildings form a vital and very valuable part our nation's cultural heritage and because of their age or rarity, the uniqueness of their particular form or fabric, and the quality of their design they are irreplaceable. For these reasons Central Government has decided that it is in the public interest for them to be given protection. Local Planning Authority's have the responsibility for managing any changes to such assets through the need to gain consents and/or permissions when changes are proposed. This is so that unsuitable and insensitive changes, which could cause irreparable damage, can be avoided. Any proposals that you have for change therefore need to be drawn up with great care, based on a detailed understanding of the special qualities of the site or building and its wider setting.

PPS 5: Planning for the Historic Environment came into effect on 23rd March 2010. This Government Policy document (see 'Sources of Information' below) introduces under Policy HE6 a requirement for applications affecting 'Heritage Assets' to be accompanied by two careful assessments:

- Of the asset's particular significance, which you should detail in a **Statement of Significance**; and
- Of the impact that your proposals would have upon that significance, which you should explain in an **Impact Assessment**.

The **Statement of Significance** must contain a description of the significance of all of the particular parts of the asset that will be affected by the proposal, along with, where relevant, an assessment of the contribution that the setting of the asset makes to that significance.

The **Impact Assessment** should identify the affect that your proposals will have on the significance of the asset.

Guidance on undertaking such assessments is outlined below. The Council would encourage you to include these essential pieces of information within your Design and Access Statement.

Additionally, you may be required to submit one or more of the following, subject to the nature of the heritage asset:

Architectural/Historical/Archaeological Assessment – which might in some cases include the requirement for the submission of a Written Scheme of Investigation with the application or even investigative work prior to submission. This requirement would ideally be discussed at an early stage of developing the scheme.

Landscape Plans – to ensure that the setting of the designated heritage asset is preserved and/or enhanced.

Structural Plans – when the demolition of a designated heritage asset is proposed on the grounds that it is structurally unsound.

The Amount Of Information That Will Be Required For A Statement Of Significance:

The level of information that you will need to submit in support of your application should be relative or “proportionate” to the significance of the heritage asset, and also to the degree of change that the proposals will have on that significance. This means that quite extensive changes to important assets or parts of assets will require far more detail than minor proposals to alter, say a small part of a listed building or an unlisted building in a conservation area.

So, for example, if you are proposing the partial or full demolition of a heritage asset; major changes to its interior or physical form; or perhaps new development which would affect the setting of an important asset such as a Grade I or II* listed building or a scheduled ancient monument, then you would need to provide very detailed information on the significance of all parts of the asset, as well as a thorough explanation of any likely impact.

If your proposals are only for a minor alteration to a smaller part of the asset – for example the removal of a modern fireplace in a Grade II listed house or for taking down a chimney from an unlisted building in a conservation area - then you will probably need to provide some information on the significance of the fireplace/chimney itself and the room/part of the house that it is set in, along with a shorter explanation of how the impact relates to the significance of the asset as a whole and its setting.

In assessing the significance of an historic building or site, it is important to realise that heritage assets may be affected by both direct physical change to their fabric or by changes to their setting, and that ‘significance’ can relate to a variety of differing aspects (see below). In making your assessment you should consider both the type of special interest or significance that characterises the asset and the relative importance of that interest or significance.

What To Include In An Impact Assessment:

This is, in effect, a risk assessment for heritage assets. It should seek to establish the outcome that your proposals will have on the significance of the heritage asset that has been identified in your Statement of Significance. Such affects might be:

- Positive, where the repair or reinstatement of a lost or damaged feature or plan form is proposed, or when existing damaging elements are to be removed;
- Benign, when the proposals will have a neutral impact, perhaps because they are sympathetically designed or they will take place in parts of the asset that are less significant; or
- Negative, when important historic fabric or significant aspects of design will be removed or altered.

Many proposals will include a mixture of positive and potentially adverse impacts and you or your conservation advisor should seek to maximise the beneficial impacts and minimise the detrimental ones through the mitigation or reduction of harm. Sometimes proposed changes would be so potentially damaging that it would be difficult to reduce the effect in any meaningful way. However, in many instances it should be possible for applicants to look for alternative ways of meeting their objectives without damaging the significance of the asset.

For advice on impact mitigation to heritage assets, see **Appendix 3** below.

Appendix 1 - Levels of research that might be required

When undertaking your assessment of significance you may need to undertake some or all of the following activities, depending on the significance of the building and the degree of change that you are proposing: -

- Consider whether any expert analysis or supplementary professional expertise might be required *¹;
- Carry out desk based research, such as consulting written sources or data, archived records or map based evidence (see Possible Sources of Information, below);
- Examine and assess the physical components of the asset and its particular setting;
- Decide whether any exploratory or opening up works might be needed to understand concealed layers of fabric or features that might be affected by your proposals.

Appendix 2 – Possible Types of Significance

An assessment of the significance of the site, building or setting can be organised around the following themes, which are all found within the Practice Guide to PPS 5: -

Historic significance – the age and history of the asset, including features associated with its development over time; the layout of a site; the plan form of a building; the rarity of its survival; or its relationship to a particular historical person or event.

Cultural significance – the role a site plays in a historic setting, village, town or landscape context; the function of a building associated with a particularly important local industry or type of agriculture;

Architectural and Aesthetic significance – the visual qualities and physical characteristics of the asset, whether settlement, space, site or building; the type of building form; the appearance of elevations and roof form; the nature of the materials and fabric used; associations with a particular architect or craftsman; any special decorative features of interest; and even sculptural forms.

Archaeological significance – the evolution of the asset; recognisable phases of development over different periods; important or distinctive features; evidence surviving in building fabric; and a potential survival of below ground remains.

Appendix 3 - Possible ways to minimise adverse impacts:

Consideration of alternatives: examining, in an options appraisal, whether other options exist to meet the applicant's objectives. E.g. Perhaps the internal layout of a building could be altered in a less damaging way to perform the function proposed; or a new building could be repositioned so its is less detrimental to an archaeological feature?

Sensitive Design: Examples include the installation of new services in a discreet manner so as not to compromise the qualities of a room, or skilfully designing an extension that takes account of the physical massing and scale in the old and the new work.

* An 'expert' means an appropriately qualified and experienced individual or organisation such as an AABC or RIBA conservation accredited architect, a CARE registered conservation structural engineer, an RICS registered building surveyor, an IFA registered archaeologist, an IHBC registered conservation professional, an architectural historian or a buildings analyst.

Choice of Materials: Thinking carefully about the selection of construction materials for new and repair works can avoid both visual and longer-term structural harm to a building.

Reversible works: Is it feasible to design new work so that it can easily be installed and removed at some later date without causing damage to significant building fabric or archaeological deposits?

Identifying such approaches in your impact statement would help us to understand your design approach and how it has been informed by an understanding of the asset's significance.

Appendix 4 - Possible Sources of Information

There are a great variety of sources, both national and local, that can help you discover and describe the significance of the Heritage Asset that is the subject of your application. They will not all be relevant to each application, but a useful checklist to consider would include the following sources: -

Local Sources:

- *List descriptions for statutorily designated buildings such as listed buildings.* Held at the council's offices in Carlisle, and searchable online via the Heritage Gateway at <http://www.heritagegateway.org.uk/gateway/> . These entries are often very brief, having been drawn up for identification purposes only and so they rarely identify every important aspect of the building or site. They can, however, act as a useful starting point for further research.
- *English Heritage Registers of Scheduled Ancient Monuments, Historic Parks and Gardens and Historic Battlefields*
For more information, contact the English Heritage Regional Office in Manchester on 0161 242 1400. or via northwest@english-heritage.org.uk
- *Conservation Area Character Appraisals*
Detailed appraisals are available for certain Conservation Areas within the district. These identify which buildings within a Conservation Area make a positive, neutral or harmful contribution to the special interest of each area and for those that make a positive contribution give a brief description of the features that contribute to their special interest. They also identify significant aspects of townscape, such as trees, landmarks, important views and the character of public and private open spaces. Paper copies or extracts may be available from the Council's Conservation Officer via lpc@carlisle.gov.uk.
- *Historic maps such as Tithe and early Ordnance Survey maps*
Available for scrutiny at the County Record Office in Carlisle, these can be useful in identifying changes to the size and form of buildings as well as their settings.
- *Cumbria County Council's Extensive Urban Survey* for Carlisle is available to inspect at Cumbria County Council's offices in Kendal. This document identifies the archaeological significance and potential of a number of settlements within the district.
- *Cumbria County Council Historic Environment Record*
Contact the County Council on 01539 713 431 for further information.
- *The Buildings of England* series (ed. N Pevsner) – 'Cumberland and Westmorland' and 'North Lancashire' (contains the Furness part of the district that was formerly in Lancashire).
- *Traditional Buildings of Cumbria* by R W Brunskill. 2002

- *Records of the Cumberland Westmorland Antiquarian and Archaeology Society.*
Bound volumes and indexes of articles on buildings and archaeology are available to purchase or to consult with via local library reference collections.
- *Cumbria County Council Archive services in Barrow, Kendal and Carlisle*
Prior booking is usually required and the archive contains a broad range of research material relating to local and family histories, as well as individual sites and buildings, including some architects drawings and early estate maps.
- *Local History and Conservation Societies*
These exist in a number of towns and villages in and around Carlisle and some of the larger ones have published useful articles and books on subjects of local interest, including buildings and archaeological sites. Copies usually held in local library collections.
- *Carlisle City Council's Shopfront Design Guide*
As well as containing the Council's detailed policy guidance, this document provides some information on the significance and character of retail and commercial establishments in the district's shopping streets.

National Sources:

- PPS 5 Planning and the Historic Environment:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1514132.pdf>
- PPS5: Historic Environment Planning Practice Guide: <http://www.english-heritage.org.uk/publications/pps-practice-guide/pps5practiceguide.pdf>
- Historic Environment - Local Management (HELM) website, run by English Heritage, and containing useful policy and guidance material on the historic environment:
<http://www.helm.org.uk/>
- Information on climate change and guidance on its impact on traditional buildings is available at Climate Change and Your Home:
<http://www.climatechangeandyourhome.org.uk/live/>
- National Amenity Societies such as the Society for the Protection of Ancient Buildings (SPAB), The Georgian Group, The Victorian Society and The Twentieth Century Society publish extensive material on their websites and in books and journals.
- *Conservation Principles*, by English Heritage, which provides greater detail on managing change and particularly how to assess significance and evaluate heritage assets:
http://www.helm.org.uk/upload/pdf/Conservation_Principles_Policies_and_Guidance_April08_Web.pdf
- *Informed Conservation* by K Clark. English Heritage. 2001. Detailed Guidance on understanding and recording the historic environment.
- *Understanding Historic Buildings – a guide to good recording practice* by English Heritage. A detailed guide on recording historic buildings for the purpose of historical understanding.

Please be aware that this list is by no means exhaustive, and that other sources of useful information may exist. This list of information sources will be added to as the Council becomes aware of other relevant texts.

The Council's Conservation Officers are able to offer pre-application advice and guidance on the potential impact of new work.