



PLANNING COMMITTEE – 09TH SEPTEMBER 2015

SUBJECT: LOCAL LIST REPORT

REPORT BY: INTERIM CHIEF EXECUTIVE

1. **New procedure for validating planning applications**

Welsh Government through the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 has introduced a new scheme for the validation of planning applications for major development. There is now a national list of information that must be submitted in all cases, and then a local list that applies only to major development that has to be adopted by the local planning authority (LPA) and published on its website. Major development is defined in the following manner

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within subparagraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

2. **The national list**

In addition to the standard application forms and plans, the national list requires the submission of the following information with applications for outline or full planning permission for major and minor development in the appropriate circumstances:

- Biodiversity survey and report
- Coal mining risk assessment
- Flood consequences assessment
- Noise assessment
- Retail impact assessment
- Rural enterprise dwelling appraisal
- Transport assessment
- Tree survey

Legislation also requires that in certain circumstances a design and access statement or an environmental statement may be required, but they will not be considered further here as the need to submit them is covered by other statutes.

3. The local list

It is recommended to reflect local planning circumstances and the experience of dealing with planning applications in this borough that the following additional information will be required to accompany major proposals in the appropriate circumstances:

- Air quality assessment
- Open spaces assessment
- Affordable housing provision
- Draft planning obligation
- Land contamination assessment
- Sustainable urban drainage systems (SUDS), foul, surface water and land drainage report
- Landscape strategy
- Bin storage and refuse collection provision
- Travel plan
- Tree protection plan (TPP), arboricultural implications assessment (AIA), and an arboricultural method statement (AMS)

4. Criteria for requiring the submission of additional information

The tables at the end of this report set out both the national and local lists, and explains in what circumstances the additional information would be required. Where there is any dispute, about what information is required Welsh Government document *Applying For Planning Permission and Other Related Consents: A Guide To The Standard Application Form ('1app') and Validation Of Applications (April 2012)* will be taken into account in resolving any disagreement, along with any guidance in Planning Policy Wales and the relevant TANs

5 RECOMMENDATION

5.1 That officers follow the appropriate publicity prior to the adoption of the local list.

NATIONAL LIST				
	Information item	Type of application that requires this information	When will information be required?	Further guidance
1	Biodiversity survey and report including mitigation proposals	Full (F), outline (O), major and minor including householder	Where the development affects habitats and species protected under European legislation, the Wildlife and Countryside Act 1981, or the Protection of Badgers Act 1992	TAN 5, Caerphilly CB LDP
		Major applications	Where the development is within or adjoins a site of interest for nature conservation (SINC) or Local Nature Reserve (LNR) defined in the adopted or emerging local development plan (LDP)	
2	Coal mining risk assessment	F, O, major and minor but not householder	New operational development in a high risk area	The Coal Authority website

3	Flood consequences assessment	F, O, major and minor but not householder	Development within flood zones C1 and C2	TAN 15
4	Noise assessment	F, O, major and minor but not householder	Where noise sensitive development is proposed next to an 'A' road or trunk road, or a noise generating use. Where noise-generating development is proposed next to noise sensitive use.	TAN 11 or BS4142 for industrial and commercial sound
5	Retail impact assessment	F, O, major	Retail developments over 2,500 square metres gross floor space	TAN 4
6	Rural enterprise dwelling appraisal	F, O, major and minor but not householder	New permanent and temporary rural enterprise dwellings outside the settlement in the Caerphilly CB LDP	TAN 6
7	Transport assessment	F, O, major	Food retail > 1,000m ² gross floor area Non-food retail > 1,000m ² gross floor area Cinemas and conference facilities > 1,000m ² gross floor area Leisure facilities > 1,000m ² gross floor area Business > 2,500m ² gross floor area Industry > 5,000m ² gross floor area Distribution and warehousing > 10,000m ² gross floor area Hospitals > 2,500m ² gross floor area Higher and further education > 2,500m ² gross floor area Schools All new schools (see D5 below) Stadia > 1,500 seats Housing > 100 dwellings Hotels > 1,000m ² gross floor area	TAN 18
8	Tree survey	F, O, major and minor but not householder	Any building or engineering works where there are trees within or adjoining the application site.	CCBC adopted SPG LDP4: Trees and development; BS 5387

LOCAL LIST				
	Information item	Type of application that requires this information	When will information be required?	Further guidance
1	Air quality assessment	Full (F), outline (O), major	Where the development is within a declared air quality management area or would result in a significant increase in traffic passing through the AQMA. Proposals that generate high levels of air pollution, such as significant industrial developments (for example large factories producing high levels of pollutants such as Nitrogen Dioxide)	Caerphilly CBC Pollution Control team
2	Open spaces assessment	F, O, major	Where the development results in the loss of open space	CCBC adopted SPG LDP8 - Protection of Open Space
3	Affordable housing statement, including viability assessment where appropriate	F, O, major	Residential development	LDP policy CW11; CCBC adopted SPG LDP1 - Affordable Housing Obligations; and CCBC Housing Enabling Officer
4	Draft planning obligation	F, O, major	Where an obligation is needed to set out the provision of those matters that are necessary to make the proposal acceptable in planning terms (including affordable housing)	TAN 11
5	Land contamination assessment	F, O, major	Where development is proposed on previously developed or	Caerphilly CBC Pollution Control team

			contaminated land where the condition of the land and its implications for the development are uncertain	
6	Sustainable Drainage Systems (SuDS), foul, surface water and land drainage report	F, O, major	New operational development should incorporate SuDS or be accompanied by a report setting out why they cannot be utilised	SuDS Wales website. TAN 15
7	Landscape strategy	F, O, major	New operational development should include appropriate landscaping based on a strategy	
8	Bin storage, refuse, litter and dog fouling collection provision	F, O, major	New operational development	CCBC Public Services
9	Travel plan	F, O, major	New operational development	CCBC Transportation Engineering team
10	Arboricultural Implications Assessment (AIA) in accordance with BS5837:2012 or any subsequent edition, accompanied by a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) subject to site circumstances?	F, O, major	New operational development where there are trees on site or on adjoining land where the root protection area overhangs the site	CCBC adopted SPG LDP4: Trees and development, BS 5837
11	Heritage statement (including historical, archaeological features and scheduled ancient monuments)	F, O, major	New operational development within, adjoining or adjacent to a listed building, conservation area, or scheduled ancient monument (SAM)	Welsh Office circulars 60/96 and 61/96, and CCBC Conservation Officer
12	Restoration strategy and aftercare proposals for all mineral working and landfill proposals Dust assessment and mitigation measures for all mineral working and outdoor inert waste recycling or landfill	F, O, major	Minerals and waste proposals	Minerals Planning Policy and Minerals Technical Advice Note, and CCBC Minerals and Waste Officer

	<p>Hydrological/hydrogeological assessment where surface and ground water may be affected</p> <p>Odour assessment for waste developments such as anaerobic digestion or composting (and bioaerosol assessment?)</p> <p>Health impact assessment for coal- required by MTAN 2: Coal</p> <p>Economic impact assessment for major mineral and waste schemes</p> <p>Planning statement - for minerals to cover information about the mineral resource, borehole data, any special characteristics, the end use, markets, phasing, benches, faces, need for the development, blasting. For waste a description of the processes proposed and likely effects, sources of inputs and markets for outputs.</p> <p>Landscape impact assessment including photomontages</p> <p>Transport assessment - proposed haul routes, method of transportation and HGV numbers</p>			
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